



**REGULAR MEETING
PLAN COMMISSION/ZONING BOARD OF APPEALS
JULY 1, 2024 - 7:00 PM
VILLAGE HALL - BOARD 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 JUNE 17, 2024 MEETING MINUTES

III. PUBLIC HEARINGS

A. Z-03-2024: Zoning Ordinance Amendment for Outdoor Dining (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM APRIL 1, & JUNE 3, 2024]

Request to consider text amendments to Section VIII.1.e of the Burr Ridge Zoning Ordinance to amend outdoor dining regulations to permit outdoor dining year-round in the Business Districts.

B. Z-10-2023: 212 Burr Ridge Parkway (Jonny Cabs); Special Use Amendment and Findings of Fact [CONTINUED FROM NOVEMBER 20, DECEMBER 18, 2023, FEBRUARY 5, APRIL 15, & JUNE 3, 2024]

Requests an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21, County Line Square PUD Ordinance #A-834-19-21, and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

C. Z-12-2023: 114 Burr Ridge Parkway (Capri Express); Special Use Amendment and Findings of Fact [CONTINUED FROM DECEMBER 4, DECEMBER 18, 2023, FEBRUARY 5, APRIL 15, & JUNE 3, 2024]

Request for an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-17-21, County Line Square PUD Ordinance #A-834-19-21, and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

D. Z-05-2024: 340 Shore Drive (Factor 75); Special Use and Findings of Fact [CONTINUED FROM MAY 20, & JUNE 17, 2024]

REQUEST BY PETITIONER TO CONTINUE UNTIL JULY 15, 2024.

Request for special uses for (1) outside storage in accordance with Zoning Ordinance Section X.F; and (2) a fence in a non-residential district in accordance with Zoning Ordinance Section IV.J.

IV. CORRESPONDENCE

A. Board Reports

None – June 24, 2024 meeting canceled

B. Building Reports

May 2024

V. OTHER CONSIDERATIONS

A. PC-09-2024: DuPage County Text Amendments

Request to consider proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units.

VI. PUBLIC COMMENT

In accordance with the Plan Commission/Zoning Board of Appeals Rules of Procedure, up to thirty (30) minutes shall be allocated for public comment which may be extended by the presiding officer. Each person shall be granted no more than three (3) minutes per meeting to address the Commission, unless such time limit is extended by the presiding officer.

VII. FUTURE MEETINGS

July 8 Village Board

Chairman Trzupek is the scheduled representative.

July 15 Plan Commission

A. Z-08-2024: Zoning Ordinance Amendment for Manufacturing Districts (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Sections X and XIV of the Burr Ridge Zoning Ordinance to review and define uses within the Manufacturing Districts.

B. V-01-2024: 15W765 80th St. (LaConte); Variations and Findings of Fact

Request for three (3) variations from Zoning Ordinance Section IV.J to permit (1) a fence within a corner side yard setback, (2) a fence in the front yard, and (3) a fence less than 50 percent open.

C. Z-05-2024: 340 Shore Drive (Factor 75); Special Use and Findings of Fact [CONTINUED FROM MAY 20, & JUNE 17, 2024]

Request for special uses for (1) outside storage in accordance with Zoning Ordinance Section X.F; and (2) a fence in a non-residential district in accordance with Zoning Ordinance Section IV.J.

July 22 Village Board

Commissioner Petrich is the scheduled representative.

August 5 Plan Commission

No cases have been scheduled.

VIII. ADJOURNMENT

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF JUNE 17, 2024

I. ROLL CALL

The meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall Board Room, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 7 – McCollian, Parrella, Petrich, Broline, Stratis, Morton, and Trzupek

ABSENT: 1 – Irwin

Planner Ella Stern was present.

II. APPROVAL OF PRIOR MEETING MINUTES – JUNE 3, 2024

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Irwin to approve the minutes of the June 3, 2024 meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Petrich, Stratis, McCollian, Broline, Morton, and Trzupek

NAYS: 0 – None

ABSTAIN: 1 – Parrella

MOTION CARRIED by a vote of 6-0 with one abstention.

III. PUBLIC HEARINGS

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

A. Z-07-2024: 311 Shore Drive (Tesla); Special Use Amendment and Findings of Fact [CONTINUED FROM JUNE 3, 2024]

Chairman Trzupek introduced the case and asked for a summary. Stern stated case Z-07-2024 was a request for an amendment to a special use to permit automobile rentals at an existing business pursuant to Ordinance #A-834-01-23 and Section X.F.2.a of the Burr Ridge Zoning Ordinance. Stern stated the property was zoned General Industrial PUD in the Hinsdale Industrial Park. Stern stated the petitioner requests an amendment to a special use to permit automobile rentals as an accessory use to the existing business. Stern stated the service will be provided exclusively to clients and customers of the body repair facility, Monday through Friday, from 8 a.m. to 5 p.m. Stern noted that Tesla Motors intends to provide customers with access to temporary transportation when their vehicles are being repaired or serviced. Stern stated Tesla Motors was an auto repair facility that services vehicles involved in collisions, including work on frames, body

panels, and painting. Stern noted on January 23, 2023, Tesla Motors received a special use for automobile and equipment service, outdoor storage, and a fence. Stern stated the employees park within the fenced area, reserving the front parking spaces near the main entrance for customers. Stern stated that only the sale of parts was permitted, and repair work on vehicles was restricted to the interior of the building. Stern stated the special use approval was to allow outdoor storage of vehicles awaiting repair work (damaged) or completed and waiting for customer pick-up. Stern stated the vehicles actively undergoing work were stored indoors until completion. Stern noted the vehicles stored overnight and outside are within the fenced area. Stern stated Tesla Motors completed the build-out and fence, and there were no known issues with the operations. Stern showed the proposed site plan, noting the location of the five proposed parking stalls for automobile rentals. Stern stated that Tesla Motors currently employs 28 employees. Stern stated that there were two ADA spaces and 88 regular parking spaces. Stern noted that the Village's Zoning Code required two parking spaces for every three employees. Stern stated that Tesla Motors must have 20 parking spaces but will maintain around 90 parking spaces.

Chairman Trzupsek confirmed the first five recommended conditions were from the previous special use approval, and staff included a sixth condition.

David Coulter, Tesla's representative, expressed enthusiasm about establishing a new rental program at the subject site. Coulter noted that Tesla had contributed to the community with the existing superchargers nearby. Coulter stated the rental cars would offer Tesla rentals to customers requiring vehicle repairs, ensuring a one-for-one vehicle exchange without increasing site traffic. Coulter stated Tesla planned to maintain a fleet of 20–30 vehicles on-site, aligning with their monthly repair volume, which may reduce overall traffic by providing immediate rental options. Coulter noted that the initiative was anticipated to generate additional tax revenue for the Village.

Commissioner Parrella confirmed with the petitioner that the facility would only offer rental cars and not provide loaner cars. Coulter noted that the site does not conduct any sales from the building and that the rentals are exclusively for customers receiving vehicle service.

Commissioner Petrich asked about the rental cars. Coulter pointed to the five dedicated spaces for rental cars. Coulter stated Tesla expected to manage a fleet of about 30 vehicles at the site, but three vehicles would be present. Coulter noted the additional rental vehicles would be stored outside the fence. Coulter stated that security was not a concern.

Commissioner Broline expressed support for the case.

Commissioner Stratis asked if there were EV chargers on the site. Coulter stated there were EV chargers on the site, behind the fenced area, but that the primary focus of customers at the site was vehicle repairs rather than vehicle charging. Coulter noted that establishing public EV charging in an industrial business park would require significant infrastructure investment. Coulter stated that customers preferred EV chargers similar to those in the Village Center, where they could charge their vehicles while engaging in activities such as shopping and dining. Commissioner Stratis asked if people could drop

off the cars in the evening. Coulter stated the vehicles and rental cars must be dropped off between Monday and Friday, from 8 a.m. to 5 p.m., to ensure the vehicles are secured.

Commissioner Morton confirmed with the petitioner that the 20–25 rental cars in inventory would be stored behind the fence, and five cars would be in the designated rental area. Commissioner Morton asked questions regarding the anticipated parking lot density. Coulter stated that an initial concern regarding parking density arises primarily during the launch of the rental process when vehicles are first brought to the site and rented out. Coulter noted it was not feasible to have all 30 vehicles on-site simultaneously due to parking constraints involving customer vehicles under repair, employee parking needs, and ensuring accessibility for emergency vehicles and site navigation. Coulter noted that rental operations were initiated with five vehicles at a time across all the centers to manage the logistical challenges effectively. Commissioner Morton questioned the Findings of Fact regarding serving the community at large and shorter service times. Coulter stated that the service benefits the community by offering a convenient option for efficient vehicle repairs locally. Coulter noted that the rentals primarily cater to Tesla customers, enabling them to drop off and pick up vehicles without needing to visit another rental. Coulter stated Tesla was committed to advancing their environmental goals by promoting a transition to a more sustainable future. Coulter noted the service was exclusive to Tesla collision centers, ensuring a quicker turnaround time for vehicle repairs through rapid vehicle swaps.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Broline to close the public hearing for Z-07-2024.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0

A **MOTION** was made by Commissioner McCollian and **SECONDED** by Commissioner Parrella to approve the special use amendment to Ordinance A-834-01-23 for case Z-07-2024 to permit automobile rentals at an existing business, with Findings of Fact, and the following conditions:

1. The special uses are limited to Tesla Motors, Inc.
2. The development shall substantially comply with the submitted plans, attached as Exhibit A.
3. The fence is permitted to be up to 7' in height, within the side yard, and with the flat picket top as depicted on the plans attached as Exhibit A.
4. Vehicle repair work shall be confined to the interior of the building only.
5. Only the sale of parts is permitted. There shall be no sales of vehicles from the premises.
6. Only five parking stalls are permitted for automobile rentals as an accessory use to the existing business. The service must be provided exclusively to clients and customers of the body repair facility.

Stern noted that the June 24, 2024, Village Board meeting was cancelled, and the item would likely be on the July 8, 2024 Village Board agenda.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0

**B. V-04-2024: 16W030 83rd Street (Double Good); Variations and Findings of Fact
[CONTINUED FROM MAY 20, 2024]**

Chairman Trzupek introduced the case and asked for a summary. Stern stated that petitioner had withdrawn the case.

C. V-05-2024: 6520 S. Elm Street (Broucek); Variation and Findings of Fact

Chairman Trzupek introduced the case and asked for a summary. Stern stated that the property was zoned R-3 in the Hinsdale Farms Subdivision. Stern stated Elm Street was the front property line, and Dartmouth Court was the corner side yard. Stern noted that the petitioner seeks to construct an addition to the existing detached garage and a swimming pool and reconfigure the driveway. Stern stated the current detached garage is 474 square feet, and the petitioner seeks to add a 466 square foot addition to the existing 474 square foot detached garage, totaling 940 square feet. Stern stated the property was annexed into the Village of Burr Ridge in July of 2005. Stern noted that based on the Historic Aerial images, the garage was constructed prior to the property's annexation into the Village of Burr Ridge. Stern stated that it appeared that the detached garage was built between 2002 and 2004, while the residence itself was constructed in 1972. Stern noted the house was approximately 16 feet from the corner side yard property line, which did not comply with the minimum setback requirement of 30 feet. Stern stated the proposed addition to the detached garage was north of the existing structure and did not encroach further into the non-conforming setback. The petitioner requests a corner side yard setback of 4 feet and 9½ inches instead of the 30-foot minimum regulation and a rear yard setback of 9 feet and 7¾ inches instead of the 10-foot maximum regulation. Stern summarized the requested variations. Stern showed images of the proposed site plan and elevations.

Chairman Trzupek clarified that the proposed plan involved expanding the existing detached garage to the north of the structure. Chairman Trzupek confirmed the petitioner requested to exceed the 30% rear yard lot coverage. Stern noted the petitioner requested approximately 300 additional square feet for a future patio; however, without a patio, the proposal did not exceed 30% of the rear yard area.

Commissioner Morton questioned if the renovations to the existing single-family home increased the ground area.

John Broucek, the petitioner, stated yes. Commissioner Morton confirmed that if the backyard proposal had been submitted with the initial house plans, staff might have approached issuing the permit differently. Commissioner Morton noted that there was no cure for the setback issues, but there was a cure to permit the detached garage addition by reducing the size of the proposed patio. Stern confirmed that was correct.

Commissioner Stratis expressed concerns regarding the variance request, stating that while the proposal appeared acceptable in two dimensions (2D), the challenge was to justify a hardship. Commissioner Stratis mentioned previous cases where variances were requested for reasons such as accommodating large vehicles like RVs, which historically had not been viewed as unique hardships. Commissioner Stratis noted that the current proposal did not increase the existing violation of the 4-foot and 91/2-inch setback but exacerbated non-compliance by suggesting further expansion. Commissioner Stratis noted the Zoning Ordinance regulations were to bring properties into compliance rather than allow expansions of non-conforming structures. Commissioner Stratis expressed concern regarding setting a precedent for future requests. Commissioner Stratis asked the petitioner if he had looked into an addition to the existing home.

Broucek stated his Chevy Sierra did not fit inside the garage due to vertical constraints and the length, as the vehicle extended approximately two feet beyond the 20-foot length of the garage. Broucek noted that he had not looked into an addition.

Commissioner Broline recognized that the size of vehicles had increased over the past few years. Commissioner Broline noted that he did not find a hardship based on the land. Broucek stated the truck did not fit within the detached garage. Broucek confirmed that the size of the structure was permitted, but a variance was needed for the setbacks. Broucek asked if the structure would comply if he were to demolish the detached garage and relocate it 30 feet from the corner side yard. Commissioner Broline noted there may be an issue with the 9-foot clearance.

Commissioner Petrich questions the 77 square feet mentioned in the Findings of Fact. Broucek stated that the neighbor's property ran adjacent to theirs. Broucek noted that the plans submitted for a driveway change proposed crossing into the neighbor's property, which was approved at first. Broucek stated that after the permit was issued, the Village informed him that the construction was not permissible. Broucek noted that the driveway had to be relocated to its current position. Broucek requested to see the small strip of land owned by the neighbor on the aerial view. Stern pointed out the 77-square-foot strip of land. Broucek stated that the neighbor would not sell the portion of land, and he would still have to install a taller garage door.

Chairman Trzupek agreed with Commissioner Stratis regarding the two-dimension plan. Chairman Trzupek noted the challenge of finding a hardship that met the criteria for granting a variance. Chairman Trzupek stated that corner lots often present more complications, noting that if the property were not on a corner, the setback requirement would be 10 feet instead of 30 feet. Chairman Trzupek recognized that while the garage was initially compliant, the regulations do not permit expansions on non-conforming

structures. Chairman Trzupek supported the proposed garage addition to the north, noting it was not obtrusive. Chairman Trzupek expressed concern regarding the constraints imposed by the location of the home and rear yard. Chairman Trzupek stated that the relocation of the garage, which was initially compliant, may not be reasonable.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Parrella to close the public hearing for V-05-2024.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Morton to deny the variation request from case V-05-2024 to permit (1) a corner side yard setback of 4' 9 ½" instead of the 30' minimum regulations, (2) a rear yard setback 9' 7 ¾" instead of the 10' maximum regulation, and (3) a combined horizontal area of all accessory buildings, structures, and uses to exceed the 30 percent maximum regulation, with Findings of Fact as amended by staff.

ROLL CALL VOTE was as follows:

AYES: 4 – Stratis, Morton, McCollian, Petrich, and Broline
NAYS: 2 – Parrella and Trzupek

MOTION CARRIED by a vote of 4-2

The Commission and Broucek discussed the existing detached garage and setbacks.

**D. Z-05-2024: 340 Shore Drive (Factor 75); Special Use and Findings of Fact
[CONTINUED FROM MAY 20, 2024]**

Chairman Trzupek introduced the case and asked for a summary. Stern stated that petitioner requested the case be continued until the July 1, 2024, Plan Commission meeting.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Stratis to continue the public hearing for Z-05-2024 until the July 1, 2024 meeting.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0.

E. Z-06-2024: Zoning Ordinance Amendment Warehouse and Warehousing (Village

**of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM
MAY 6, & MAY 20, 2024]**

Chairman Trzupek introduced the case. Chairman Trzupek stated the discussion originated from concerns raised during the CNH proposal, where existing regulations for Light Industrial (L-I) and General Industrial (G-I) zoning districts regarding warehouses and warehousing were incomplete and ambiguous. Chairman Trzupek noted the Plan Commission requested a public hearing to define warehousing and a warehouse. Chairman Trzupek stated on June 10th, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to review the entirety of Section X: Manufacturing Districts and Section XIV: Rules and Definitions, specify any presently listed use as either permitted, special, or prohibited, as appropriate, and identify and classify uses not currently listed in Section X or Section XIV as permitted, special, or prohibited, and define them. Chairman Trzupek noted the public hearing for the text amendment would be held on July 15th, 2024. Stern confirmed the Plan Commission may wish to withdraw case Z-06-2024 and incorporate the information and research for warehousing into the new text amendment (Z-08-2024). Chairman Trzupek noted the discussion tonight must be confined to the manufacturing districts, specifically the definitions of warehouse and warehousing in the L-I and G-I districts. Chairman Trzupek asked the Commission about withdrawing the petition to address the Manufacturing District as a whole.

Commissioner Parrella stated she supported the review of the text amendments holistically. Chairman Trzupek agreed with Commissioner Parrella.

Chairman Trzupek opened the discussion to the public. There were no public comments.

Commissioner McCollian noted the inconsistencies in the interpretation of zoning definitions across different districts (R-A, L-I, and G-I). Commissioner McCollian stated that some uses were reiterated across zoning districts with additional regulations, and the language varies, which could lead to ambiguity in interpretation. Commissioner McCollian suggested a more structured approach where definitions build upon each other logically, such as starting with the R-A district and then specifying the additional uses for the L-I district and further additions for the G-I district. Commissioner McCollian noted a discrepancy regarding schools in different zoning districts: in the L-I district, schools are restricted to enclosed buildings, whereas in the G-I district, schools are not explicitly limited to enclosed spaces, potentially allowing outdoor activities such as CDL training facilities. Commissioner McCollian stated that refining the definitions could improve clarity and consistency in the Zoning Ordinance regulations.

Commissioner Stratis supported the draft language regarding the definition of warehousing and manufacturing under the L-I permitted uses. Commissioner Stratis noted that 40 percent was a standard percentage in Zoning Codes. Commissioner Stratis agreed with Commissioner McCollian regarding most Zoning Codes being hierarchical.

Chairman Trzupek inquired about the definition of a motor freight terminal. Stern showed the definition of a motor freight terminal on the screen. Commissioner McCollian questioned the inclusion of assembling in the motor freight terminal

definition. Commissioner McCollan questioned the inclusion of storing and warehousing in the definition of the manufacturing establishment.

Commissioner Stratis noted storing may be defined as short-term warehousing. Commissioner Parrella agreed with Commissioner Stratis. The Commission discussed potential definitions.

Commissioner Broline addressed light industrial usage, emphasizing warehousing and the regulation of truck traffic associated with the primary business activities. Commissioner Broline expressed concern that the 40% usage guideline does not adequately address the issue of managing truck traffic. Commissioner Broline discussed vendor control inventory and truck traffic.

Chairman Trzupek questioned if the amount of truck docks could be limited. Stern stated the Commission could potentially limit the amount of truck docks. Stern noted there was a minimum truck dock limitation. Commissioner Stratis suggested implementing a limit on the hours of delivery and requiring a special use for businesses wishing to deviate from the regulation.

Chairman Trzupek asked how many L-I districts were within the Village. Chairman Trzupek expressed concerns about making amendments to the regulations that would make current businesses non-compliant.

Commissioner McCollan discussed a potential overlay district for the CNH property.

Commissioner Broline questioned if hours could be limited if the vendor or principal business maintained control. Commissioner Stratis noted businesses were in charge of maintaining compliance.

Stern discussed the staff report information for the July 15th Plan Commission meeting.

Commissioner Stratis suggested a broad provision for a prohibition against motor freight terminals. Stern noted the Zoning Ordinance defines a motor freight terminal but was not a permitted use. Commissioner Stratis discussed the Saia Trucking facility and stated the property was grandfathered. Commissioner Stratis discussed motor freight terminals.

Commissioner Petrich asked if the Commission would review the Research Assembly district. Stern stated the R-A district was within the Manufacturing district, and the Plan Commission could review the district.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Parrella to direct the Village to withdraw case Z-06-2024 and incorporate the case into the upcoming text amendment (Z-08-2024).

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Parrella, McCollan, Petrich, Broline, Morton, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0

IV. CORRESPONDENCE

Chairman Trzupek questioned the proceedings of the Board meeting concerning case V-01-2024. Commissioner McCollian noted there was an inconsistency in the Ordinances.

V. OTHER CONSIDERATIONS

A. S-01-2024: 15W451 91st Street (Burr Ridge Middle School); Conditional Sign Approval and Findings of Fact

Chairman Trzupek introduced the case and asked for a summary. Stern stated the property is zoned R-1/R-3 in the Burr Ridge Middle School Subdivision. Stern stated the petitioner is Burr Ridge Middle School, owner of the building at 15W451 91st Street. Stern stated the petitioner is seeking conditional approval as per Section 55.05 of the Sign Ordinance for a wall sign at a non-residential lot in a Residential District. Stern noted the Sign Ordinance allows each non-residential lot in Residential Districts to have one sign for a non-residential lot or parcel, provided it did not exceed 16 square feet in area. Stern stated the petitioner requested one non-illuminated wall sign on the subject property. Stern noted that the sign is 13.94 square feet and complies with the Sign Ordinance regulations. Stern stated that the subject property currently had one ground sign along 91st Street. Stern noted that the proposed sign is subject to the approval of the Board of Trustees upon review by the Plan Commission. Stern showed the illustration of the proposed sign and sign location.

Chairman Trzupek noted the sign complied with the regulations, but a conditional sign needed Board approval. Stern confirmed conditional sign approvals did not require a public notification.

The Commission stated support of the proposed sign.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Morton to approve from case S-01-2024 to permit the conditional sign, with Findings of Fact.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0

VI. PUBLIC COMMENT

There were no comments.

VII. FUTURE MEETINGS

There were no comments.

VIII. ADJOURNMENT

A **MOTION** was made by Commissioner McCollian and **SECONDED** by Commission Parrella to adjourn the meeting at 8:08 p.m.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Respectfully Submitted:

Ella Stern
Planner



Z-03-2024: Request to consider text amendments to Section VIII.I.e of the Burr Ridge Zoning Ordinance to amend outdoor dining regulations to permit outdoor dining year-round 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: Ella Stern, Planner

Date of Hearing: April 1, June 3, & July 1, 2024

On February 12, 2024, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to permit outdoor dining year-round in the Business Districts. This was in response to the recent special use requests for year-round outdoor dining enclosures at Jonny Cab's and Capri Express. On April 1, 2024, the Plan Commission continued case Z-03-2024 and requested staff research outdoor dining, outdoor dining enclosures and design aesthetics.

Under current Zoning Ordinance regulations, outdoor dining furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1st through March 1st. Additionally, all furniture must be stored out of public view or off-site of the subject property when not in use. Walls enclosures require special use approval.

Neighboring Municipality Research

Staff surveyed surrounding municipalities and found the following information regarding outdoor dining regulations. Staff found that neighboring municipalities generally lack specific regulations regarding outdoor dining enclosures. Staff found that certain municipalities review these structures under permits and special use cases, while other municipalities had no regulations pertaining to outdoor dining structures.

Municipality	Regulation
Darien	<p>3-3-24: OUTDOOR SALES AND CONSUMPTION:</p> <p>(A) It shall be unlawful for any licensee to permit the sale of alcoholic liquor in an outdoor area without the written permission of the City Liquor Control Commissioner, and, except for hotels, golf courses and Class J licenses for special events, such permission shall be granted subject to the following conditions:</p> <ol style="list-style-type: none">1. The perimeter of the outdoor area shall be enclosed.2. The outdoor area shall be owned or leased by the licensee. (Ord. 0-31-08, 7-7-2008)3. The outdoor area may be open only at times when food service is available in the restaurant. The restaurant must offer and have available during all times that alcoholic liquor is available, a full menu and not the limited menu of a bar. This section shall not be deemed to permit activities such as outdoor beer gardens, large scale celebrations, or similar festivities within the outdoor seating area. (Ord. 0-32-08, 7-21-2008)4. Access to the outdoor area shall be limited to entrances from within the licensed establishment only and not from a sidewalk or parking lot.

	<p>5. Seating in the outdoor area shall not be included to meet the required maximum capacity or occupancy restrictions for any license classification as established by this title.</p> <p>6. Sale of alcoholic liquor shall be for consumption on the licensed premises only.</p> <p>7. The outdoor area shall be closed at eleven o'clock (11:00) P.M. on Sunday through Thursday, and at twelve o'clock (12:00) midnight on Friday and Saturday.</p> <p>8. A plat of survey must be submitted showing the location of the outdoor area, along with the enclosure details.</p> <p>9. The licensee shall be required to take all necessary measures to prevent the level of noise and music from the outdoor area from causing any unreasonable disturbance to any nearby Residentially zoned area. (Ord. 0-31-08, 7-7-2008)</p> <p>10. Live entertainment is not permitted in the outdoor area, except that live music shall be permitted in the outdoor area provided that such events are limited to two (2) days per calendar year at a restaurant and the hours of the event are limited to 7:00 P.M. - 10:00 P.M. on Fridays or Saturdays and 2:00 P.M. - 5:00 P.M. on Sundays. (Ord. 0-22-19, 8-5-2019)</p> <p>11. An annual permit is required to serve alcoholic liquor at an outdoor area. The Liquor Commissioner may impose such terms and conditions on the licensee as shall be necessary to cause the fulfillment of these standards to be met. Because of the potential for the disturbance of the public health and safety when alcoholic liquor is sold outdoors or in a not fully enclosed structure, service of liquor in an outdoor area may be canceled, suspended or not renewed by the Liquor Commissioner. (Ord. 0-31-08, 7-7-2008)</p>
Hinsdale	<p>7-1-5.1: COMMERCIAL USE OF STREET AND SIDEWALK SPACE FOR OUTDOOR DINING PURPOSES:</p> <p>A. Use Authorized: Village dining establishments may, upon application and subject to approvals as required below, place or utilize tables and other structures related to outdoor dining in and on approved public sidewalks or other public right of way as a temporary outdoor dining use, for the purpose of facilitating consumption by members of the public of food and drinks, including, where applicable, alcoholic liquor.</p> <p>B. Outdoor Dining Requirements and Conditions: The use of public sidewalks and other public right of way for outdoor dining use shall be permitted as a temporary use incidental to the operation of a restaurant on nearby private property and only under the following conditions:</p> <ol style="list-style-type: none"> 1. No person shall use a public sidewalk or other public right of way for outdoor dining use without obtaining in advance a temporary outdoor dining permit from the Village; 2. Permit fees shall be as follows: Application Fee (for all outdoor dining permits): \$100 fee; Outdoor Dining on Sidewalks: \$25 per dining table; Outdoor Dining on Streets: \$50 per dining table. 3. All permits issued under this section shall be temporary for an outdoor dining season term. The outdoor dining season shall run from April 1 through October 31 each year, subject to modification by the Village Manager for an individual year in his or her reasonable discretion; 4. Except as otherwise authorized by the Board of Trustees, all tables, chairs and other outdoor dining appurtenances shall be removed during the months of November to March or if required by the Village Manager at any other time; 5. All outdoor dining facilities shall comply with State, County and Village health codes and other regulations; 6. An outdoor dining use shall not unreasonably interfere with pedestrian or vehicular traffic in the area, as determined by the Director of Public Services; 7. An outdoor dining use shall not be detrimental to the health, safety or general welfare of persons residing or working near the approved outdoor dining area; 8. The operation of an outdoor dining use shall be permitted only during the hours as specified in the Village's Outdoor Dining Design Standards and other outdoor dining program documents or as otherwise approved by the Board of Trustees; 9. In no case shall the operation of an outdoor dining use reduce the open portion of

	<p>public and private sidewalk to less than four feet (4') clear of all obstructions (i.e., street lighting, parking meter, traffic sign, tree well, bicycle rack, benches, trees, etc.);</p> <p>10. The dining establishment shall maintain the sidewalk or other public right-of-way areas subject to the permit in a clean and safe condition at all times. Any damage to public property as a result of the outdoor dining use shall be the responsibility of the dining establishment;</p> <p>11. Outdoor dining tables, chairs and other appurtenances shall conform to any design criteria set forth in the Village's Outdoor Dining Design Standards and other outdoor dining program documents, or as otherwise approved by the Board of Trustees;</p> <p>12. No permit for an outdoor dining use shall be issued to a person or establishment who has an outstanding fine, fee, penalty or other debt due and owing to the Village; and</p> <p>13. Any other conditions judged by the Board of Trustees as necessary to protect the general welfare and assure that permits issued under this section shall benefit the general public.</p> <p>C. Liquor Service: Where liquor service is approved as part of a temporary outdoor dining permit, the temporary outdoor dining use area of the dining establishment shall be regarded as an extension of the dining establishments existing licensed premises. The Village shall waive enforcement of subsection <u>3-3-26</u> of the Village Code prohibiting possession and consumption of open containers of alcohol in public places in the approved temporary outdoor dining use area. Within an approved temporary outdoor dining use area, alcohol may only be consumed by patrons seated at tables. No bar areas are permitted in the temporary outdoor dining use area.</p> <p>D. Signage: Temporary signage, if allowed pursuant to the Village's Outdoor Dining Design standards, shall meet all requirements listed in the Village's Outdoor Dining Design Standards or other outdoor dining program documents, except as otherwise approved by the Board of Trustees.</p> <p>E. Physical Barriers: All approved temporary outdoor dining use areas where liquor is served shall be demarcated by physical barriers or in some other manner approved by the Village Manager, in consultation with the Chief of Police. No alcohol consumption shall be permitted beyond the demarcated areas.</p> <p>F. Submittal Requirements: The following items are required as part of a temporary outdoor dining use application:</p> <ol style="list-style-type: none">1. A fully-executed application for a temporary outdoor dining permit with all required attachments shall be made to the Community Development Department on a form provided by the Village;2. Payment of the application fee;3. Execution of a temporary outdoor dining permit use of property and hold harmless agreement on a form provided by the Village;4. Proof of general liability insurance (and, when applicable, dramshop liability insurance) including the Village as a named insured and insuring the Village against any liability resulting from the permitted temporary outdoor dining use, in or exceeding minimum coverage amounts set forth in the Village's outdoor dining program documents. Workers compensation coverage in statutory amounts is also required;5. Site plan drawn to accurate scale illustrating the location of the proposed outdoor dining area;6. Catalog cuts and/or photographs of all furniture and other appurtenances to be located within the outdoor dining area; and7. Any other information required by the Village's temporary outdoor dining permit program documents or otherwise reasonably required by the Village. <p>G. Approval Process: Initial applications shall be reviewed for completeness by the Community Development Department and considered by the Board of Trustees for approval as a temporary use pursuant to Section 9-103 of the Hinsdale Zoning Code;</p> <p>H. Renewals: A temporary outdoor dining permit issued under this section may be renewed by the Village Manager upon payment of the required annual fee and completion and filing of a renewal form with all required attachments with the Community Development Department, including a certification signed by the applicant that the proposed outdoor dining use complies with all of the conditions of this section and with every other condition imposed by the Board of Trustees on the original permit. Applications for renewal may be sent to the Board of Trustees for review and approval at the option of the Village Manager, or if the proposed plans deviate from the original plans</p>
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	<p>approved by the Board of Trustees.</p> <p>I. Suspension or Revocation: Temporary outdoor dining permits issued under this section are temporary uses and licenses at will, and may be suspended or terminated at any time, for any reason, including, but not limited to the following:</p> <ol style="list-style-type: none"> 1. A finding that the permittee intentionally or carelessly misrepresented any material fact on a permit application or permit renewal form; 2. A finding that the permittee failed to continuously comply with all conditions of the issued temporary outdoor dining permit, the Village's temporary outdoor dining permit program documents, or the Village's Outdoor Dining Design Standards; 3. A finding that the use is in violation of one or more requirements of the Village Code, Zoning Code, or other applicable federal, State, County or other local law or regulation; 4. A finding that the permittee has conducted the use in such a manner so as to constitute a public nuisance or to be a threat to the public health, safety or general welfare; 5. A finding that the permittee has failed to continuously maintain the required insurance coverages; 6. A finding that the operation of the outdoor dining area negatively impacts pedestrian travel along the sidewalk or other public right-of-way and/or does not facilitate safe passage in accordance with ADA requirements; or 7. The Village finds it necessary to complete maintenance or repairs to the sidewalk or other public right-of-way, utilities, or other public improvements. (Ord. O2022-12; 4-26-2022)
Indian Head Park	Per May 28 th , 2020 agenda, Indian Head Park had temporary outdoor dining regulations. No regulations or permits found on the Village website or Zoning Ordinance
Oakbrook Terrace	<p>(I) Outdoor sales. It shall be unlawful for any licensee to permit the sale of alcoholic liquor in an outdoor area without the written permission of the Commissioner, and except for hotels and Class C licenses for temporary events, unless there is an executive order of the Governor or the Mayor or an order of the Illinois Department of Public Health or the DuPage County Health Department in effect during a disaster which prohibits or substantially restricts indoor dining, such permission shall be granted only subject to the following conditions:</p> <ol style="list-style-type: none"> (1) No outdoor area shall be in or on the public right-of-way, including any sidewalk; (2) The outdoor area shall be owned or leased by the licensee; (3) The outdoor area shall be included as part of the regular food service business located on the licensed premises; (4) Access to the outdoor area shall be limited to entrances through the licensed premises or entrances at which control by employees of the licensed premises is provided to assure that no unlawful sale to minors shall occur; (5) Sale of alcoholic liquor shall be for consumption on the licensed premises only; (6) The licensee shall be required to take all necessary measures to prevent the level of the noise from the outdoor area from causing any unreasonable disturbance to any nearby residentially zoned area, which measures will be determined by the Commissioner in consultation with the city's Police and Community Development Departments; (7) If there is an executive order of the Governor or the Mayor or an order of the Illinois Department of Public Health or the DuPage County Health Department in effect during a disaster which prohibits or substantially restricts indoor dining, the Commissioner may by permit allow the sale of alcoholic liquor in an outdoor area in or on the public right-of-way, including any sidewalk and for the sale of alcoholic liquor for consumption off the licensed premises.
Oakbrook	<p>13-7-6: OUTDOOR DINING AREAS:</p> <p>A. For the purposes of this section, "outdoor dining areas" are defined as the use of an adjacent, outside area by a restaurant for the same eating and drinking activities that occur within the restaurant.</p> <p>B. The following regulations shall apply to outdoor dining areas:</p> <ol style="list-style-type: none"> 1. The location of any outdoor dining area comply with all setback requirements in the applicable zoning district and shall not obstruct pedestrian or vehicular traffic. A

	<p>minimum of five feet (5') of sidewalk clearance shall be maintained at all times for pedestrian travel;</p> <p>2. Any outdoor dining area be under the direct supervision and control of the principal restaurant, and such dining area be enclosed by a fence or other protective safety barrier which shall be constructed to clearly delineate the boundaries of the area and to protect the health and safety of restaurant patrons and the general public;</p> <p>3. The hours of operation of any outdoor dining area be within the normal operating hours of the principal restaurant;</p> <p>4. There shall be no live entertainment in the outdoor dining area;</p> <p>5. Plans shall be provided delineating the location of the outdoor dining area, and such location be approved by the Building Official as part of a building permit. The outdoor dining area shall be maintained in compliance with the approved plans;</p> <p>6. The principal restaurant and outdoor dining area shall be in compliance with all the requirements of this code and all other applicable rules and regulations of any other governing agency including the DuPage County Health Department regarding restaurant and outdoor dining areas. (Ord. G-1163, 4-28-2020)</p>
Willowbrook	<p>(I) Outdoor Seating For Eating And Drinking Uses:</p> <p>1. The outdoor seating area shall be located on an approved hard paved surface.</p> <p>2. Outdoor seating areas may utilize a maximum of twenty percent (20%) of the parking spaces required for the operation of the principal use or two thousand (2,000) square feet, whichever is less.</p> <p>3. The capacity of an outdoor seating area shall not exceed the posted capacity of the principal eating and drinking use it is associated with, when combined with the capacity of the eating and drinking use.</p> <p>4. Outdoor seating areas shall not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five (5) feet.</p> <p>5. Outdoor seating areas shall be visually delineated on-site by a fence, landscape hedge, or wall, the height and placement of which shall be deemed appropriate by the Plan Commission. The fence, landscape hedge, or wall shall be at least four (4) feet in height when facing a residential property or use.</p> <p>6. A fence, landscape hedge, or wall with a height of four (4) feet shall be utilized to delineate the outdoor seating area from other structures and features on-site.</p> <p>7. The use of outdoor seating areas shall be limited to the posted operational hours of the associated eating and drinking use, but shall not extend past 10:00 P.M. when adjoining a residential use.</p>
Willow Springs	<p>Within Zoning Ordinance PUD Regulations</p> <p>Restaurants shall be allowed to operate outdoor cafes on sidewalks, including areas within the public right of way and in courtyards, provided that each owner/operator secures an outdoor use permit from the Village. The following are minimum standards that shall apply to all outdoor cafes:</p> <ol style="list-style-type: none"> 1. Planters, posters with ropes or other similar removable enclosures are permitted as a way of defining the area occupied by the café. 2. Pedestrian circulation and access to store entrances shall not be impaired. 3. Extended awnings, canopies or large umbrellas shall be permitted. Colors shall complement building colors. 4. Outdoor cafes provide additional trash receptacles in the outdoor eating area. 5. Operators of outdoor cafes shall be responsible for maintaining a clean, litter-free and well-kept appearance within and immediately adjacent to the area of their activities.

Proposed language:

At the April 1st meeting, the Commission directed staff to review outdoor dining enclosures and a design criterion for outdoor dining, specifically noting a preference for demountable walls or enclosures similar to what was approved in the Village Center Entertainment District. Based on the discussion from the April 1st and June 3rd Plan Commission meeting, draft language has been provided as follows and some examples of outdoor dining enclosures and notes are below:



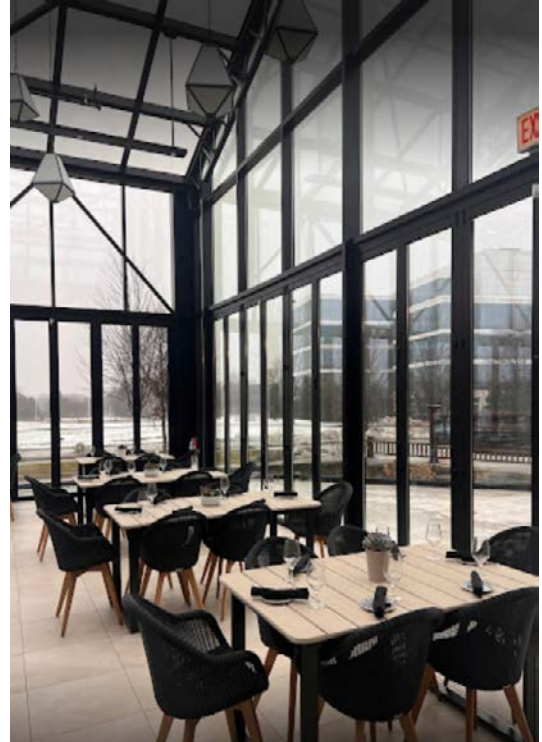
Example of a demountable wall enclosure.
(Retractable Enclosure by Roll-A-Cover)



Example of a Clear Vinyl enclosure.



Examples from the Village Center Entertainment
District approval.



Outdoor dining at Pella restaurant
in Burr Ridge.

- The Burr Ridge Zoning Ordinance does not define “demountable walls.” The Plan Commission may wish to define demountable walls. A demountable wall may potentially be defined as “moveable walls or demountable walls and are wall systems that can be

removed and reinstalled.” Demountable partitions are typically installed on a track that allows them to be easily moved.

VIII.I.e Outdoor Dining

Restaurant outdoor dining areas are areas set up adjacent to the exterior wall of a commercial building with tables, chairs, or other such furnishings, for the purpose of serving food and/or beverages by an adjoining restaurant in which the same food and beverages are offered for sale, sold, and served. Outdoor dining areas shall be subject, at a minimum, to the following:

1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building;
3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
4. 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;
5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
6. The door to the dining area shall be self-closing;
7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
8. ~~Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use.~~ *Wall enclosures must be demountable walls and approved through a special use. The outdoor dining area must adhere to the design standards and regulations as follows:*
 - A. *All outdoor dining enclosures shall be constructed of high-quality aluminum or glass;*
 - B. *No vinyl;*
 - C. *All outdoor dining enclosures shall be of clear or neutral colors;*
 - D. *The outdoor dining enclosures must be durable and weather resistant;*
 - E. *The outdoor dining enclosure must be a demountable wall;*
 - F. *No advertising and signage attached to or within the outdoor dining enclosures;*
 - G. *All outdoor dining enclosures shall comply with State, County and Village health codes and other relevant regulations;*
 - H. *An outdoor dining enclosure shall not unreasonably interfere with pedestrian or vehicular traffic in the area;*
 - I. *An outdoor dining enclosure shall not be detrimental to the health, safety or general welfare of persons residing or working near the approved outdoor dining area;*
9. 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;
10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;

11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas or railings;
12. *All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March, unless wall enclosures have been approved through a special use. All furniture must be stored out of public view or off-site of the subject property when not in use.*
13. Tables shall be cleaned promptly following use;
14. Outdoor food preparation, storage or display is prohibited;
15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations;
18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;
20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

Public Hearing History

Z-01-2023: Zoning Ordinance Amendments to Outdoor Dining Regulations for Restaurant Uses in the Business Districts. (Ordinance #A-834-05-23)

Public Comment

Four public comments were received and are included as Exhibit B.

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 – Public Comments
- Exhibit C – Current Zoning Ordinance regulations for outdoor dining (Ordinance #A-834-05-23)
- Exhibit D – Excerpt of outdoor dining regulations from County Line Square PUD



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): Ella Stern, Planner Village of Burr Ridge

STATUS OF PETITIONER: Village of Burr Ridge/municipality

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

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630) 654-8181 X. 6260

EMAIL: estern@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:

Request to amend the outdoor dining regulations in Section VIII of the Zoning Ordinance.

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.

Ella Stern
Petitioner's Signature

3/9/24
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;

Section VIII of the Zoning Ordinance details the outdoor dining regulations for restaurant uses in the Business Districts. Current Zoning Ordinance regulations (Section VIII.1.e) adopted on May 8, 2023 state that "all furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of a public view or off-site of the subject property when not in use."

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

The Zoning Ordinance currently contains regulations for outdoor dining. The proposed text amendment is to review the regulations specifically to permit outdoor dining year-round. Outdoor dining year-round could be broadly applicable to all dining establishments within the Village of Burr Ridge and should be evaluated as a text amendment to the Zoning Ordinance.

(Please transcribe or attach additional pages as necessary)

From: [Mike Delaney](#)
To: [Ella Stern](#)
Subject: Burr Ridge Public Hearing: Permanent Black "Outdoor" Dining
Date: Friday, March 22, 2024 8:25:16 AM

BR,

I'm hearing that there will be a meeting on Monday, April 1st, in regard to permanent, year round enclosure for any business.

I would be in FAVOR of such structures that help and better support local business. I would like the board to put together strict guidelines on appearance of these structures to ensure esthetically they fit in.

Mike Delaney
1502 Burr Ridge Club
Burr Ridge, IL

From: [Joanne Carnagio](#)
To: [Ella Stern](#)
Subject: Outdoor dining
Date: Sunday, March 24, 2024 11:17:31 AM

I 100% vote Yes for allowing dining establishments to have the Outdoor dining capability in our town! I do not agree with the horrific FB page that bashes everything in this town!

Joanne carnagio
Sent from my iPhone

From: [Robert Rosenberg](#)
To: [Ella Stern](#)
Subject: Outdoor dining
Date: Saturday, March 23, 2024 10:11:06 AM

I want outdoor dining in Burr Ridge if it was done well and tasteful.

Bob Rosenberg
28 Lake Ridge Club Dr.
Burr Ridge, IL 60527

March 22, 2024

Re: Petition Z-03-2024 "Outdoor Dining"

To Chairman Trzupek and Burr Ridge Plan Commissioners:

As a Burr Ridge resident I write in opposition to Petition Z-03-2024 for many of the same reasons I opposed the individual petitions for Capri Express (Z-12-2023) and Jonny Cab's (Z-10-2023) late last year. Enclosed "outdoor dining" structures destroy an open aesthetic and are eyesores.

To reiterate: "outdoor dining" is exactly that – dining outdoors, al fresco, when the weather allows between March 1 and November 1 per current Village ordinance. It does NOT mean, nor should it be construed to mean, dining in a foreboding, uninviting, enclosed canvas box outside the restaurant. That, by definition, is not "outdoor dining." It just means that businesses are exceeding their occupancy limits by encroaching on the sidewalk in front of their doors. More capacity means less overall parking.

You cannot take seriously the cries of businesses like Jonny Cab's who say their businesses will suffer if they don't have a black canvas enclosure outside their main storefront year-round. Both Dao Sushi and La Cabiñita seem to do just fine without enclosed "outdoor" dining all year. Both those establishments remove their outdoor furniture by November 1, as required, and serve customers happily and profitably inside their doors. (Maybe Jonny Cab's is just crying wolf? Or is mis-managed?)

Last month this Commission gave Patti's Sunrise Café authority to expand their service outside. It's only a matter of time before its owner encloses that large space in ugly black canvas, too. What's next? Outdoor music lessons at Bel Canto? Outdoor physical therapy at ATI? Do you really want this proliferation?

These canvas structures – a hodge-podge of materials, colors, signage, fonts – are ugly, foreboding, funereal, and uninviting. This is not an upscale look befitting Burr Ridge. There will be plenty of enclosed dining spaces within the new Entertainment District at Burr Ridge Village Center. Please don't allow this anywhere else in town.

Lastly: just because Capri Ristorante has had an enclosed patio for decades should not sway you into deciding that all businesses should erect those structures outside their doors. Don't be fooled by the "Well, Capri has one, why can't we?" pitch. There are a lot of things proprietor Rovito does that are wrong.

The proliferation of these ugly canvas boxes is **not** the look we want in town. Please vote NO on permanent, year-round "outdoor dining."

Respectfully,

Patricia A. Davis
Resident/taxpayer

"Top Burr Ridge FOIA Requester 1 Year in a Row!"



ORDINANCE NO. A-834-05-23

AN ORDINANCE AMENDING SECTION VIII OF THE ZONING ORDINANCE TO
AMEND THE REGULATIONS FOR OUTDOOR DINING.

(Z-03-2023: Text Amendment - Outdoor Dining)

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

WHEREAS, said Plan Commission of this Village held two public hearings on the question of granting said text amendment on February 6 and March 20, 2023, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

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

Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the recommendation is to amend Section VIII, the regulations for Outdoor Dining, as attached hereto as Exhibit A.
- B. That the amendments described are consistent with the purpose and intent of the Zoning Ordinance.

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 8th day of May, 2023, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 5 - Trustees Schiappa, Franzese, Paveza, Mital, Smith

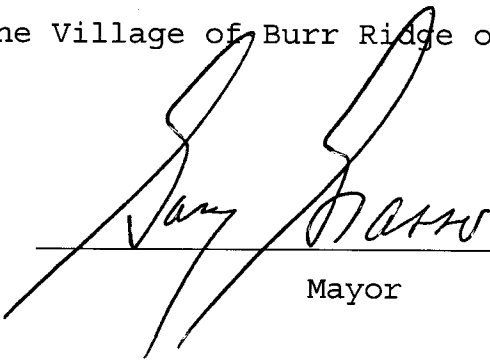
NAYS: 0 - None

ABSENT: 1 - Trustee Snyder

APPROVED by the Mayor of the Village of Burr Ridge on this 8TH day of May, 2023.

ATTEST:



Village Clerk

Mayor

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

Outdoor Dining

Restaurant outdoor dining areas are areas set up adjacent to the exterior wall of a commercial building with tables, chairs, or other such furnishings, for the purpose of serving food and/or beverages by an adjoining restaurant in which the same food and beverages are offered for sale, sold, and served. Outdoor dining areas shall be subject, at a minimum, to the following:

1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building;
3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
4. 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;
5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
6. The door to the dining area shall be self-closing;
7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
8. Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use;
9. 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;
10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas or railings;
12. All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of public view or off-site of the subject property when not in use;
13. Tables shall be cleaned promptly following use;
14. Outdoor food preparation, storage or display is prohibited;
15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations;
18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

- f. Dry cleaners with on-site equipment for dry cleaning
- g. Funeral parlors or crematoriums
- h. Gun and ammo sales, including shooting ranges
- i. Hours of operation exceeding 7 A.M. to 10 P.M. for any permitted or special use
- j. Liquor stores
- k. Live entertainment and dancing accessory to any permitted or special use
- l. Professional massage services
- m. Offices related to the Secretary of State's Vehicle Services Division
- n. Parking lots and structures where such uses are the principal use on a lot
- o. Pet shops and pet service stores, with or without overnight services
- p. Restaurants (including specialty restaurants such as donut shops and ice cream shops) over 4,000 square feet with or without sales of alcoholic beverages.
- q. Tobacco shops
- r. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site

Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas 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 if table service is provided or alcohol served in the outdoor dining area;
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- 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;
- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 60" of a curblin or so as to impede the normal flow of pedestrian traffic into or from a doorway;
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes;
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

- Outdoor dining areas must be cumulatively approved by the Village Administrator or their designee to determine final compliance with the regulations set forth herein; and
- Outdoor dining areas shall be included as part of the size calculation for restaurants.

Parking Design Regulations

The subject property shall provide one parking space for each 200 gross square feet of commercial space available.

Every parking lot in excess of fifteen spaces shall contain planting islands for shade trees in compliance with the following standards:

- a. There shall be one island for every 15 parking spaces and one shade tree for each island.
- b. Each parking lot landscape island shall be a minimum of 9 feet wide and 18 feet in length.
- c. Required shade trees shall have a minimum 3 inch diameter measured two feet above ground level.
- d. Parking lot landscape islands generally shall be located at the ends of each row of parking (one double island to be located at the end of a double row of parking) and every 15 parking spaces within a row.
- e. Maintenance of Landscape Areas and Screening: All such landscaped areas and screening shall, once installed, be maintained in such manner as to retain at least the intended standards of the initial landscaping and to conform to the landscaping requirements of the Village.

Minimum Standards for Parking Stalls and Aisles

Angle of Parking	45 Degrees	60 Degrees	90 Degrees
Width of Stall	9'	9'	9'
Stall Width (parallel to aisle)	12'9"	10'5"	9'
Stall Depth (perp. to aisle)	20'	21'	18'
Stall Length	19'	19'	18'
Aisle Width	13'*	17'*	24'

*One-way aisles only

Parallel parking shall be permitted with stalls at least 24' in length with an aisle of 14'

Accessible parking areas shall be designed in accordance with State requirements

All open off-street loading berths, access drives, aisles, and maneuvering spaces shall be improved with an all-weather hard surface pavement including, at a minimum, a two inch (2") bituminous concrete surface course, with a twelve inch (12") minimum thickness aggregate base course, and six inch (6") high perimeter concrete curbing (Type B or Type B6:12) installed in accordance with Illinois Department of Transportation specifications.

Parking and Loading Regulations

The area immediately adjacent to the curbline shall be permitted to be used as a standing and loading zone (as shown in Exhibit C in yellow), except no parking, standing, or loading areas shall



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

Z-10-2023: 212 Burr Ridge Parkway (Magnesen/Jonny Cabs); Request to amend a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21 and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

HEARING:

November 20, December 18,
2023, February 5, April 15, &
June 3, 2024

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Ella Stern, Planner

PETITIONER:

Patrick Magnesen of Jonny Cabs

PETITIONER STATUS:

Tenant

PROPERTY OWNER:

Bob Garber

EXISTING ZONING:

B-1 Business District

LAND USE PLAN:

Recommends Commercial Uses

EXISTING LAND USE:

Mixed-Use Shopping Center

SITE AREA:

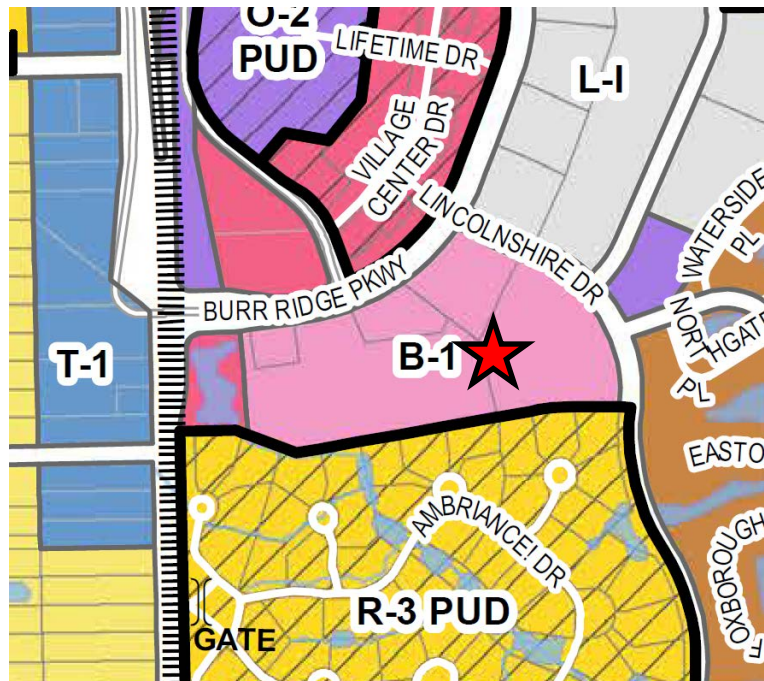
7.2 Acres

SUBDIVISION:

Burr Ridge Corporate Park

PARKING:

499 Public Spaces



Staff Report and Summary

Z-10-2023: 212 Burr Ridge Parkway (Magnesen/Jonny Cabs); Special Use, PUD Amendment, and Findings of Fact

On November 20, 2023, the Plan Commission held a public hearing for case Z-10-2023, a request to amend an existing special use regarding an outdoor dining enclosure at an existing restaurant. At the November 20, 2023, Plan Commission meeting, the Plan Commission requested direction from the Board to hold a public hearing to amend the outdoor dining regulations. The outdoor dining regulations, including the prohibition of wall enclosures, were most recently amended and approved on May 8, 2023.

On February 5, 2024, the Plan Commission held a public hearing for case Z-10-2023 and discussed outdoor dining enclosures. The Plan Commission continued the case and requested the petitioners return with updated information regarding an outdoor dining enclosure. On April 1 and June 3, 2024, the Plan Commission held a public hearing for case Z-03-2024, a request to amend the outdoor dining regulations to permit year-round outdoor dining. The consensus from the meeting included permitting year-round outdoor dining but establishing concise regulations regarding year-round outdoor dining and outdoor dining enclosures. On April 15 and June 3, 2024, the Plan Commission continued the public hearing for case Z-12-2023. The Plan Commission requested that the petitioner return with updated information regarding alternative and feasible outdoor dining enclosures for the business.

On May 21, June 21, and June 24, 2024, staff reached out to the petitioner to request updated information. In response, on June 24, 2023, the petitioner stated that Jonny Cabs wished to retain the existing request and outdoor dining enclosure. The petitioner provided a memo, which is included in the staff report packet.

The Plan Commission may determine whether to look at the special use request individually or to continue the case and wait for more direction from the proposed outdoor dining text amendment. The following information was included in the previous staff report and remains unchanged.

The petitioner is Patrick Magnesen of Jonny Cabs. Jonny Cabs was approved originally for sales of alcoholic beverages, live entertainment, and outdoor dining in 2021 through Ordinance #A-834-02-21. The entire outdoor dining area contains twelve (12) tables with a total of fifty-one (51) seats, one (1) 1-seater sofa, three (3) 2-seater sofas, and one (1) 4-seater sofa. The table and seat count will not change under the new proposal. Jonny Cabs canopy awning was approved through permit #2023-016.



Aerial of the property with the property lines and yards.

Section VIII.A of the Zoning Ordinance stipulates several regulations related to outdoor dining at all places of eating in the Village within the Business Districts (B-1 and B-2). The petitioner's compliance with these regulations is noted in red. The petitioner has submitted a plan and information about the proposed outdoor dining area, included as Exhibit A. Since the tenant space is located within the County Line Square PUD, those outdoor dining regulations in the PUD also apply.

1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building; *The proposed enclosure is close to the curb. It appears similar to the approval in 2021.*
3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
4. 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;
5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
6. The door to the dining area shall be self-closing;
7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
8. Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use; *The petitioner requests a fully enclosed, outdoor dining area with black fabric walls. No other tenants have a similar design, but Capri Express will propose a similar black wall enclosure at the December 4, 2023, Plan Commission meeting.*
9. 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;
10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas, or railings;
12. All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of public view or off-site of the subject property when not in use; *The petitioner wants the outdoor dining enclosure for the winter season.*
13. Tables shall be cleaned promptly following use;
14. Outdoor food preparation, storage or display is prohibited;
15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;

Staff Report and Summary

Z-10-2023: 212 Burr Ridge Parkway (Magnesen/Jonny Cabs); Special Use, PUD Amendment, and Findings of Fact

17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations
18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;
20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

County Line Square Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas 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 if table service is provided or alcohol served in the outdoor dining area;
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- 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;
- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 60" of a curbline or so as to impede the normal flow of pedestrian traffic into or from a doorway; *Proposed enclosure is close to the curb. It appears similar to the approval in 2021.*
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes;
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;
- Outdoor dining areas must be cumulatively approved by the Village Administrator or their designee to determine final compliance with the regulations set forth herein; and
- Outdoor dining areas shall be included as part of the size calculation for restaurants.

Public Hearing History – Related to Jonny Cabs

Z-01-2023: Zoning Ordinance Amendments for Outdoor Dining (Ordinance #A-834-05-23)

Z-15-2020: Variation to permit a restaurant in County Line Square without the required number of parking spaces (Ordinance #A-835-03-21)

Staff Report and Summary

Z-10-2023: 212 Burr Ridge Parkway (Magnesen/Jonny Cabs); Special Use, PUD Amendment, and Findings of Fact

Z-15-2020: Special use for a restaurant with sales of alcoholic beverages, live entertainment, and outdoor dining. (Ordinance #A-834-02-21)

Public Comment

A total of five public comments were received, all against outdoor dining. Only one of those comments specifically mentioned Jonny Cabs.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. If the Plan Commission chooses to recommend approval of the special use amendment, PUD amendment, and special use for outdoor dining, staff recommends the following conditions. The conditions on this request include those from the 2021 approval.

1. The special use shall be limited to Jonny Cabs and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plan.
3. All umbrellas, furniture, and other appurtenances shall be sorted off-site during the winter season when the enclosure is not being used for outdoor dining. * If the Plan Commission allows outdoor dining year-round, this condition shall be removed.
4. The special use shall comply with the previously approved landscaping, alcohol, and live entertainment plan from the 2021 approval, Ordinance #A-834-02-21.

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

- Application
- Findings of Fact
- Proposed site plan and illustrations
- Public Comments
- Public Notifications

Exhibit B – Plans from 2021 approval, Ordinance #A-834-02-21, #A-835-03-21, A-834-05-23 & County Line Square Planned Unit Development Regulations



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

PAID

OCT 18 2023

VILLAGE OF BURR RIDGE

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): PATRICK MAGNESEN (OWNER)

STATUS OF PETITIONER: BUSINESS (BIG FELLA INVESTMENTS DBA JONNYCAB'S)

PETITIONER'S ADDRESS: 212 BURR RIDGE PARKWAY (PATRICK'S HOME ADDRESS: 1104 S ELDRIDGE LN, ELMHURST 60126)

ADDRESS OF SUBJECT PROPERTY: 212 BURR RIDGE PARKWAY

PHONE: 708-373-1527

EMAIL: PATRICK@JONNYCABS.COM

PROPERTY OWNER: BOB GARBER

PROPERTY OWNER'S ADDRESS: _____ PHONE: 630-842-2506

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

DESCRIPTION OF REQUEST:

Jonny Cab's is requesting a Special Use Permit to keep its enclosed, weatherized front patio operational during the winter months. This enclosed patio is essential for the restaurant's financial viability, accommodating up to 30 patrons. It's noteworthy that we generate substantial revenue from this patio, with an average spend of \$85.67 per guest during our most recent quarter. The restaurant consistently fills the patio to capacity on weekends and partially on weekdays, contributing significantly to the local economy. The projected financial impact of losing the enclosure for 6 months is \$130K in revenue. The potential loss of this revenue stream would have a severe financial impact on us, potentially leading to layoffs and even closure. The enclosed patio enhances the customer experience by providing additional seating, space for lounging which is key since we often have lots of dancing with our live music. This benefits the local community. The enclosed patio improves the overall aesthetics of the restaurant and the strip mall, making it a more attractive and welcoming place for residents and visitors.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: 315,976 sq ft. EXISTING ZONING: B-1

EXISTING USE/IMPROVEMENTS: BUSINESS

SUBDIVISION: Burr Ridge Corporate Park

PIN(S) # 1830305003

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

Petitioner's Signature

10/18/2023
Date of Filing



Findings of Fact – Special Use Burr Ridge Zoning Ordinance

Address: _____

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

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

Jonny Cab's enclosed patio meets a public necessity & provides a unique benefit to the Village and its residents in several ways. Firstly, it creates a vibrant and inviting space for both locals and visitors to enjoy, contributing to the social & cultural life of the community. Secondly, it fosters economic growth by generating substantial revenue for the restaurant, which, in turn, supports local jobs and businesses. The patio's contribution to the local economy is significant, especially on weekends when it reaches full capacity. Thirdly, it adds to the aesthetic appeal of the strip mall and the Village, making it a more attractive destination for both residents and tourists. In summary, the enclosed patio is a unique asset that enhances the community's social, economic, and aesthetic aspects.

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

The patio is enclosed and weatherized, ensuring a comfortable and safe environment for patrons year-round. It also complies with all relevant regulations, including those related to building codes, fire safety, and noise control, thereby safeguarding public health and safety. The presence of live music and dancing is managed responsibly to avoid disturbances to the neighborhood. **We have not had a single noise complaint since we opened.** Moreover, the patio's role as a community gathering space enhances the general welfare and comfort of residents by providing a unique and enjoyable experience. Our proposal prioritizes the well-being and satisfaction of the Village and its residents while adhering to all necessary safety, morals, comfort, and general welfare standards.

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

Our proposal is designed to minimize any potential negative impact on neighboring properties and property values. The enclosed patio is situated in a way that reduces noise and disturbances to neighboring businesses and residences. Additionally, the patio's presence enhances the overall aesthetics of the strip mall, making it a more attractive destination that could potentially increase foot traffic and benefit neighboring establishments. Furthermore, we have a proven track record of responsible operation and compliance with regulations, which minimizes the likelihood of any adverse effects on nearby properties. In summary, our proposal is structured to ensure it does not injure the uses/enjoyment of other property & may even positively impact property values in the strip mall.

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

Our enclosed patio is carefully designed to complement the normal & orderly development of the surrounding property for uses permitted in the district. The patio is located in a way that does not obstruct access or create congestion on public streets or walkways, ensuring smooth traffic flow. It also adheres to all zoning regulations and special use requirements, demonstrating a commitment to responsible development within the district. Moreover, the patio's presence can contribute to the vibrancy of the area, potentially attracting more customers to nearby businesses and supporting their growth.

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

The proposal plan included provisions for adequate utilities, access roads, drainage, and necessary facilities. The restaurant has ensured that it has the necessary utility connections, like heating, electricity, and water, to support the patio's year-round operation. Access roads & parking accommodate any additional traffic generated by the patio, so are not effected. We already provide free valet to our guests. Furthermore, Jonny Cab's has committed to maintaining these facilities to ensure they continue to meet the needs of the patio and the surrounding area.

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

The enclosed patio proposal includes measures to provide efficient ingress and egress, minimizing traffic congestion on public walkways. **The existing patio remains compliant with existing permits. We are simply looking to keep the enclosure panels.** Additionally, Jonny Cab's has a track record of effectively managing traffic during peak hours, especially on weekends when the patio is at its busiest. In summary, the proposal demonstrates a commitment to minimizing traffic congestion through careful planning and proactive management.

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

Our proposal aligns with the objectives of the Official Comprehensive Plan as amended in several ways. Firstly, it contributes to the economic development and vitality of the Village, which is a key goal of the Comprehensive Plan. The patio generates revenue, supports local jobs, and attracts visitors, all of which enhance the economic well-being of the community. It promotes social interaction, fostering the Comprehensive Plan's aim of creating a vibrant and attractive living environment. The patio serves as a gathering place for residents and visitors alike, enriching the social fabric of the Village. Finally, it improves the aesthetics of the strip mall, making it a more appealing destination consistent with the Plan's objectives to enhance the visual appeal of the area.

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

Jonny Cab's proposal diligently adheres to all existing regulations within the district. **Any necessary modifications will be made in strict accordance with the recommendations of the Plan Commission or the Zoning Board of Appeals, ensuring full compliance and responsible operation within the district.**

Special Use Outdoor Dining Enclosure

Our Response re: Request for Different Design

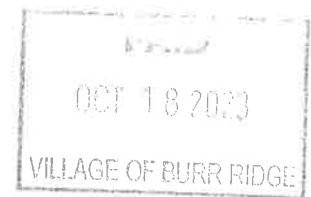
Overview

Jonny Cab's is a prominent fine dining and live entertainment venue located at 212 Burr Ridge Parkway, Burr Ridge, IL 60527. As we enter our third year of operation, we seek to address the Village of Burr Ridge's request for additional types of enclosure options for our outdoor dining area, which we believe is adequately addressed by our current setup.

Key Points Supporting Current Enclosure

- **Conformity with Surrounding Businesses**
 - Our current enclosure matches the design and functionality of other enclosures within the same mall, including those of Cabanita, Capri Express, Great American Bagel, and Capri by Gigi. Consistency in design promotes a cohesive aesthetic appeal for the entire area, aligning with the village's standards and enhancing the overall shopping and dining experience.
- **Economic Feasibility**
 - We have explored alternative enclosure options; however, these alternatives are cost prohibitive. Implementing a different enclosure would require significant financial investment, which is unsustainable given our current economic situation.
- **Seasonal Usage**
 - The enclosure is intended for use only during the winter months, spanning approximately six months. During late spring through early fall, the enclosure will remain open-air, thus preserving the ambiance and outdoor dining experience while adapting to seasonal demands.
- **Financial Impact**
 - The restaurant industry faces unique challenges, especially in the current strained economic climate. Introducing additional costs for an alternative enclosure, when we are already facing monthly financial losses, could jeopardize our business. This added financial burden might force us to make severe cutbacks, affecting our staff and the quality of service we provide.
- **Economic and Community Contributions**
 - Jonny Cab's contributes significantly to the local economy, with a proven track record of high average guest spending and substantial monthly tax contributions of approximately \$1,000 to The Village of Burr Ridge. The current enclosure supports our capacity to generate revenue and sustain our operations, which directly benefits the village.
- **Patron and Community Experience**
 - The enclosed patio is an integral part of our establishment, providing a unique and enjoyable dining experience that includes live music and dancing. It enhances the aesthetic appeal and social atmosphere, making it a valued space for both patrons and the community.

Conclusion Given these reasons, we strongly believe that our current enclosure is the most suitable option for Jonny Cab's. It not only aligns with the existing structures within the mall but also ensures our financial stability and continuous contribution to the local economy. We respectfully request that the Village of Burr Ridge consider these points and grant us the necessary approval to maintain our current enclosure.



Detailed Description of Special Use Request:

Jonny Cab's, a vibrant restaurant located at 212 Burr Ridge Parkway, Burr Ridge, IL 60527, seeks a Special Use Permit to maintain its enclosed, weatherized front patio during the winter months. The patio is of paramount importance to Jonny Cab's operational livelihood, with significant economic and community benefits.

Hours of Operation: Jonny Cab's operates from 4:00 PM until close, which varies based on the day of the week. Specifically, it closes at midnight on Tuesday, Wednesday, and Thursday, while extending operations until 1:00 AM on Fridays and Saturdays. The restaurant is closed on Sundays and Mondays.

Economic Significance: Jonny Cab's has a proven track record of contributing significantly to the local economy. Our Point of Sale (POS) system for the most recent quarter reports an impressive average spend of \$85.67 per guest. This highlights the economic value generated by our establishment. The enclosed patio is pivotal to this success, accommodating up to 30 patrons. On peak nights, notably Fridays and Saturdays, the patio consistently reaches full capacity. Even on weekdays, it fills to approximately a quarter of its capacity, enhancing our economic viability in the village. The projected revenue impact from this decision is \$130K in missed opportunity.

Financial Challenges: Running a restaurant with high-quality live music and top-notch entertainment, such as Jonny Cab's, comes with considerable expenses. Our monthly burn rate has ranged from \$20,000 to \$70,000, including expenses associated with our talented team members and the entertainment we provide. This represents a substantial financial commitment, which underscores the importance of maintaining revenue streams throughout the year.

Impact on Valued Personnel: The potential loss of revenue during the winter months, resulting from the removal of the enclosed patio, poses a significant challenge. It may necessitate difficult decisions, such as the need to let go of valued team members. We are proud to provide our team members with Blue Cross Blue Shield top-tier healthcare, a rare offering in the restaurant industry. This demonstrates our commitment to their well-being and highlights the potential human impact of this decision.

Community Benefits: Jonny Cab's enclosed patio is cherished by our patrons and enhances the overall experience for our customers. In addition to 24 table seats, the patio includes 2 loveseats and a long couch, providing a comfortable and relaxed atmosphere. Live music and dancing are integral to our entertainment offerings, creating a unique space for patrons to unwind and enjoy themselves. This not only increases their spending but also contributes to a vibrant and enjoyable atmosphere that benefits the community.

Aesthetic Enhancement: The enclosed patio also plays a crucial role in the aesthetic appeal of Jonny Cab's and the strip mall in which it is located. With the patio in place, the front of our restaurant exudes a cleaner, more professional, and welcoming ambiance. Removing the patio would leave a barren, fenced-in area that detracts from the visual appeal of the strip mall, becoming an eyesore rather than a welcoming establishment.

In conclusion, Jonny Cab's enclosed patio is not only a significant contributor to the local economy but also a vital component of the community's social and aesthetic fabric. We request the Special Use Permit to continue offering these benefits to our patrons and the Village of Burr Ridge.

Enclosed Patio

14ft
depth

39ft
length

Seating Layout
1/8" = 1'-0"

INCHES	FEET
1/8"	1'-0"
1/4"	2'-0"
3/8"	3'-0"
1/2"	4'-0"
5/8"	5'-0"
3/4"	6'-0"
7/8"	7'-0"
1"	8'-0"
1 1/8"	9'-0"
1 1/4"	10'-0"
1 3/8"	11'-0"
1 1/2"	12'-0"
1 5/8"	13'-0"
1 3/4"	14'-0"
1 7/8"	15'-0"
2"	16'-0"
2 1/8"	17'-0"
2 1/4"	18'-0"
2 3/8"	19'-0"
2 1/2"	20'-0"
2 5/8"	21'-0"
2 3/4"	22'-0"
2 7/8"	23'-0"
3"	24'-0"

11x17 SHEETS
ID-3.0

JOHNNY
CAB'S

10-8-21

0.5

1x

2.5

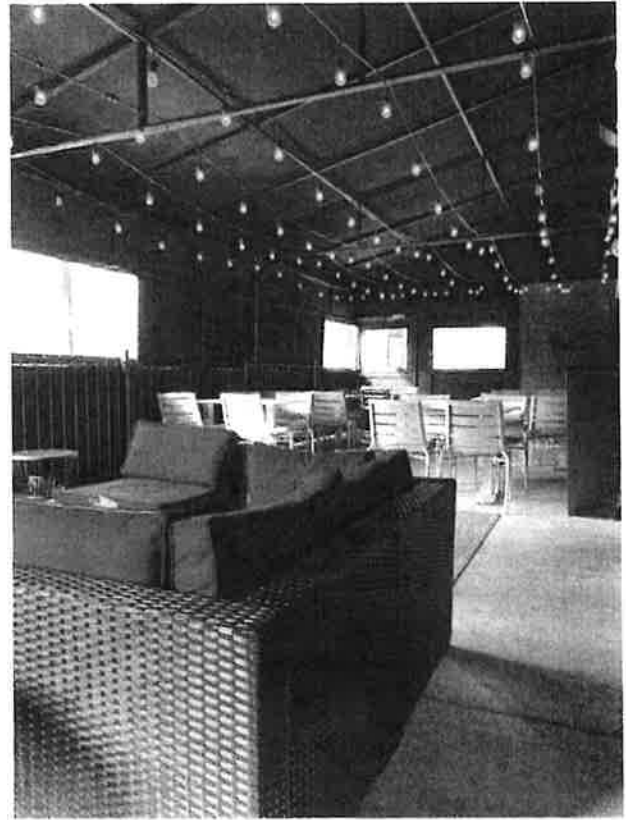
Johnny Cab's
Custom

Score #: 1

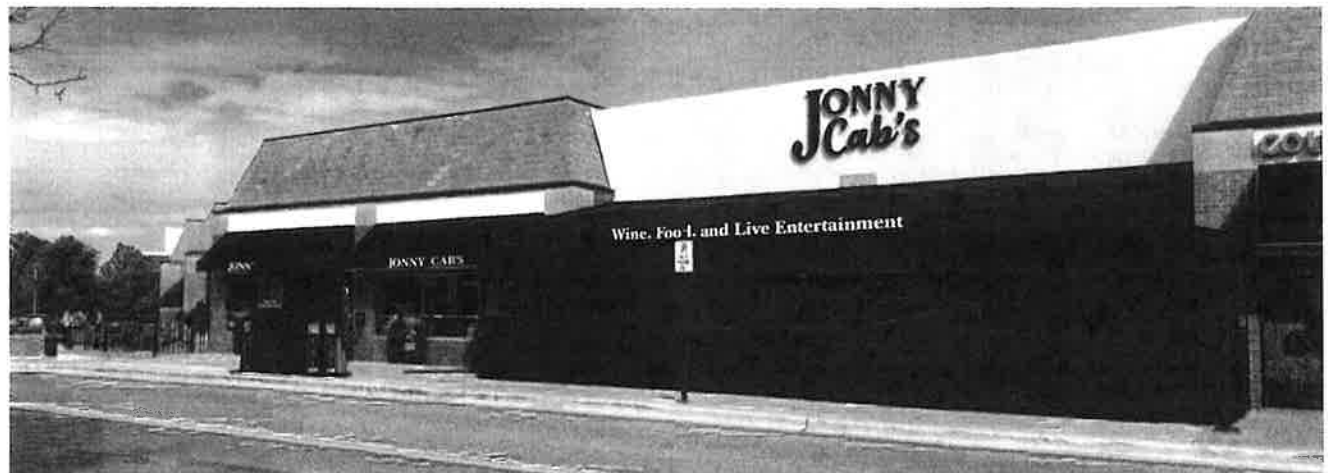
200 Covered Area
Rear Deck, 20x20
11, 20x20, 20x20

100 Ailing Terrace, 10x10x10
10x10x10, 10x10x10, 10x10x10
10x10x10, 10x10x10, 10x10x10
10x10x10, 10x10x10, 10x10x10

SCI
CREATE CUSTOM SPACE



Enclosed Patio *Pictures*



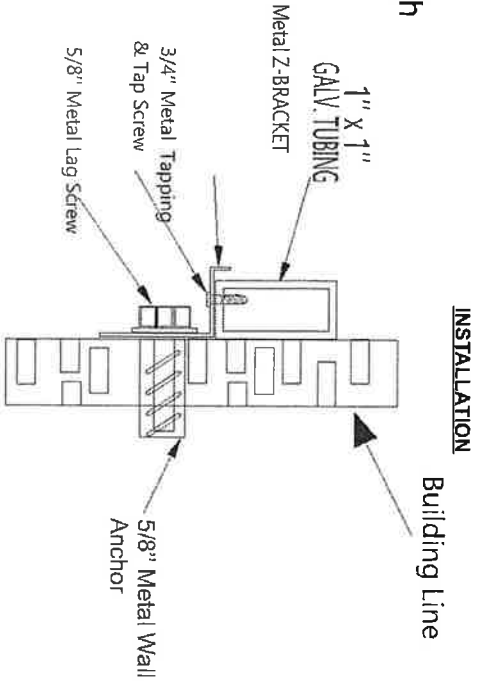
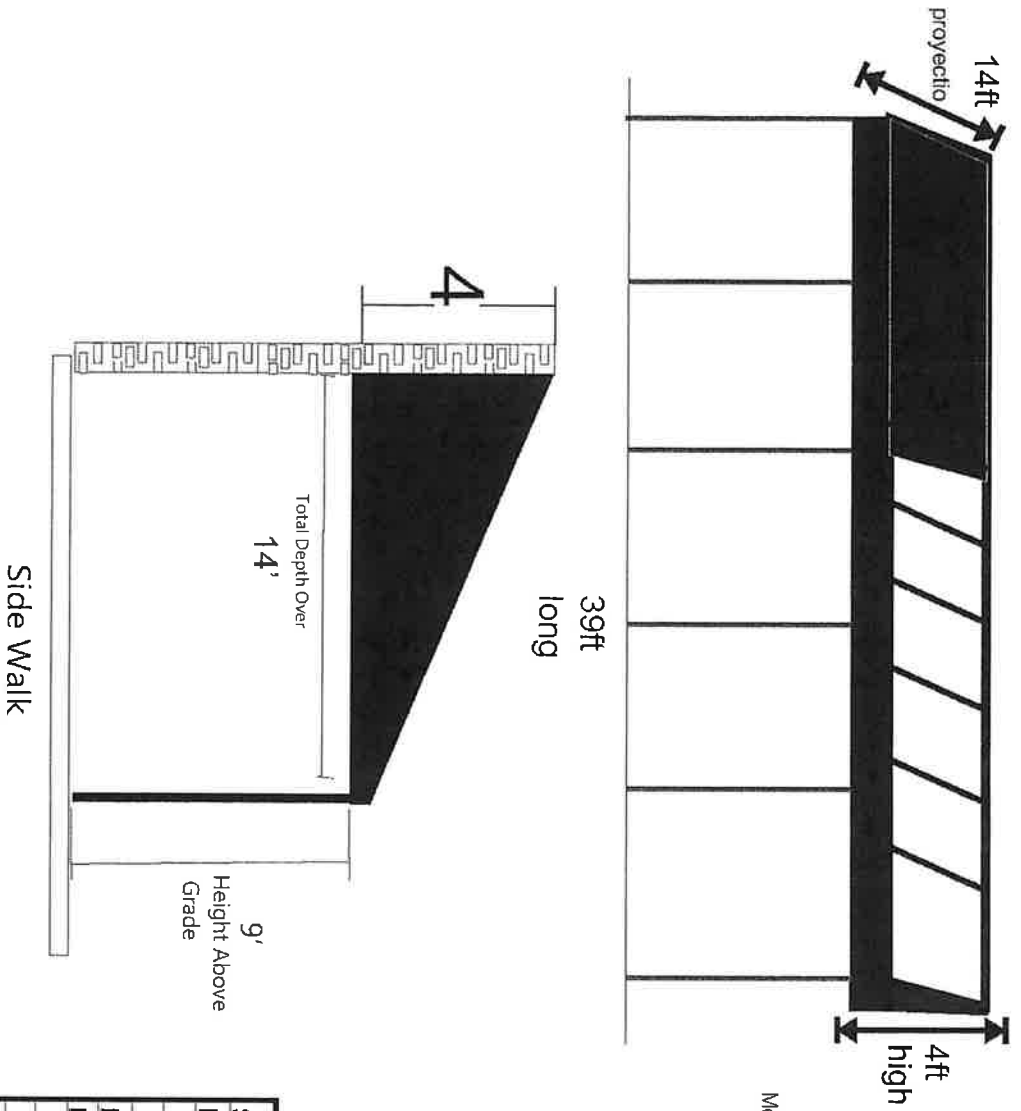
Ed Signs
Complete Signs and Graphics Division
 (708) 438-5774 Fax (708) 438-5770
 edsigns, inc@gmail.com

Get a quote for perfect signs & graphics in as little as 24 hours!

Business Name: Jonny Cab's
 Ph: 708-341-4993

Name: Gene
 e-mail: _____

Address: 212 Burr Ridge Pkwy. Burr Ridge Illinois



General Specifications

Sign Type:	Waterfall Awning
Material:	Galv. Square Tubing 1" x 1" & 1" x 2"
	All Joints are to be 100 % welded
Face Material:	Sumbrella canvas
Face Color:	Black

From: nickolaou1@att.net
To: [Ella Stern](#)
Subject: County Line Square
Date: Thursday, November 9, 2023 3:03:37 PM

Please do NOT consider the expansion of "outdoor spaces.
Glassed in dining space will take away from the " Town Square"
vibe.

Sincerely,
Marilyn Nickolaou
15w322 79th Street
Burr Ridge, IL 60527

From: [Karen Elizabeth Berg Phillipp](#)
To: [Ella Stern](#)
Subject: Nothing should be changed
Date: Thursday, November 9, 2023 3:36:47 PM

I have lived in Burr Rudge since 1987 and the quality of the mall is becoming solely for entertainment. Brick and mortar stores are struggling. Leave the architecture alone. Have more security enforcement.

This is only my opinion.

Karen Elizabeth Phillipp

From: [John Kuhlman](#)
To: [Ella Stern](#)
Subject: Outdoor Dining
Date: Thursday, November 9, 2023 3:52:39 PM

Against!!

Sent from my iPhone

From: [patricia Krueger](#)
To: [Ella Stern](#)
Subject: outdoor dining
Date: Saturday, November 11, 2023 9:22:23 AM

No permanent outdoor dining should be allowed

November 12, 2023

To Chairman Trzupsek and Burr Ridge Plan Commissioners:

As a Burr Ridge resident I write in opposition to petition Z-10-2023 (Jonny Cabs) to be discussed at your November 20 meeting. It's unfortunate that petitions Z-12-2023 (Capri Express) and Z-13-2023 (Great American Bagel) aren't all being discussed at the same meeting because they are virtually the same request: to make so-called "outdoor dining" a permanent use outside County Line Square (CLS) businesses. This is a bad idea for various reasons.

INCREASED ENFORCEMENT IS THE CATALYST -- At your November 6 meeting, Community Development Director Farrell noted that "staff began enforcement action at County Line Square which is why special uses are coming in for these temporary wall enclosures." Many businesses in that mall have been in existence for decades, and the CLS PUD was enacted November 8, 2021, yet "enforcement action" is just a *recent* event? Residents currently see a hodge-podge of awnings, decorations, fence design, lighting, colors, signage, and materials in CLS, and that's the fault of Village code enforcement. Kirsten's Bakery doesn't even have an approved special use for outdoor dining, yet it has tables and chairs out front seasonally (See attached from Z-01-2023). Perhaps these businesses should be made to comply with existing uses FIRST without granted them additional special uses?

"OUTDOOR DINING" SHOULD BE...OUTDOORS! -- "Outdoor dining" is, by definition, *outside in fresh air*, and should remain a seasonal event from March 1 to November 1. The proliferation of black canvas-covered structures in front of CLS businesses creates blight, destroys the openness of the mall, encroaches on public walkways, and is not in keeping with what other towns and villages do. Hinsdale and La Grange, for instance, do not permit year-round so-called "outdoor dining" structures. Arlington Heights also enjoys a vibrant, successful outdoor dining scene, but it is confined to the summer months. To enclose these areas directly in front of the businesses and call it "outdoor dining" is patently absurd. Jonny Cabs' and Capri Express' petitions both indicate they will be heated. That's not "outdoor dining."

The proliferation of outdoor dining in all towns was likely the result of COVID-19 when very few patrons wished to eat indoors. But the pandemic is over and there is no reason – other than simple greed – to have these unsightly enclosed structures operating on CLS's sidewalks year-round. True outdoor dining in front of CLS businesses in good weather? Sure, great idea – but with regulation and enforcement.

BAD AESTHETICS -- The "Findings of Fact" section of Jonny Cabs' petition claims several times that its blackened enclosure "adds to" or "enhances" the aesthetic appeal of the strip mall. *Nothing could be further from the truth.* The proliferation of these enclosures creates a foreboding, uninviting, funereal look in a shopping area that was once open and bright. If you approve this one – and Capri Express's later – many others will follow. It opens the floodgates for every other business in the mall to request, and expect, the same approval. Can "outdoor" physical therapy (ATI, 212 Burr Ridge Parkway) and music lessons (Bel Canto, 92 Burr Ridge Parkway) be far behind? It is the wrong look for Burr Ridge.

ENROACHMENT INTO PUBLIC SPACE -- Besides being unattractive, these enclosed structures encroach on the public right-of-way. The CLS PUD mandates that "outdoor dining areas" be located 60" from a curb line. Initially the PUD had 48" from the curb line; however, Trustee Guy Franzese brought up the fact that 60" was always the will of the Plan Commission historically as outdoor dining petitions were considered. In approving the CLS PUD on November 8, 2021, the Board did make that stipulation back to

60". But no matter, the Cabs petition doesn't show 60" distance to the curb in their plans. In fact, none of these "outdoor dining" petitions show this approved 60" distance from the curb line.

PARKING IN COUNTY LINE SQUARE IS AT A PREMIUM -- As you know, parking is at a premium in County Line Square. There are three nightclubs currently (Cab's, Are We Live/Gazi, and County Wine Merchant) and permanent, year-round enclosures for these -- and other businesses to come -- just mean more capacity. The CLS PUD states that "outdoor dining areas shall be included as part of the size calculation for restaurants." The PUD further requires the mall to "provide one parking space for each 200 gross square feet of commercial space available." I don't see any discussion of parking in Jonny Cab's petition, only its claim that the enclosed patio "consistency reaches full capacity."

In April 2021, Village staff prepared the attached list of required spaces in CLS. It's somewhat outdated since new businesses have moved in after its preparation, but it gives you some idea of the number of parking spaces required by code for businesses at the time. Jonny Cab's was assigned 14 parking spaces. Despite its provision of valet parking, Cab's petition states the proposed "outdoor dining" enclosure accommodates "up to 30 patrons" (it's actually more than that if you look at their photos) -- in the enclosed "outdoor" structure alone. Jonny Cab's has maxxed out its parking and yet seeks even more capacity by enclosing their "outdoor dining" space year-round.

WHAT'S DRIVING THESE REQUESTS? -- Ask yourselves: *what's really driving these requests?* Is it "monkey see-monkey do?" Is it because Capri Ristorante has been operating an enclosed "patio" for years and now others want the same? Of course it is. Remember: Capri erected its striped awning without Village approval in conflict with a 2012 special use that required the use of table umbrellas in its sidewalk dining area. The owner continued his blatant disregarded Village rules for signage when establishing his new businesses in CLS: first Are We Live? and thereafter Gazi By Gigi. County Line Square businesses want to have the same amenities as some restaurants in the Burr Ridge Village Center (e.g., Pella, Topaz), only they lack the space. If they require such increased capacity, maybe they should relocate?

In approving the CLS PUD in November 2021, Mayor Grasso stated the PUD "will allow the Village more say on what is happening over there and bring it into a state of compliance with the rest of the Village." That was a pipe dream, with many CLS businesses doing whatever they wanted. Village staff claims "enhanced enforcement" has given rise to these petitions for enclosed "outdoor dining." I would include "pure greed" as a reason, too. The Cab's petition suggests it may have to "let go of valued team members" if it doesn't get its permanent "outdoor dining." It's disingenuous and a smokescreen. Mismanagement and poor planning are not reasons to approve this petition and I respectfully request you vote this -- and all similar petitions to come -- down. Please keep "outdoor dining" what it's meant to be: **OUTDOORS** and **SEASONAL**. Thank you.

Respectfully submitted,

Patricia A. Davis
Burr Ridge resident

2 attachments/exhibits

Under current Zoning Ordinance regulations, outdoor dining accessory to restaurant uses in the B-1 and B-2 zoning districts requires a special use permit. In the County Line Square Planned Unit Development (PUD), adopted in 2021, outdoor dining areas are calculated as part of the total size of the restaurant and may be permitted by right. In the Village Center, the entertainment district (Buildings 4 and 5) is proposed to have outdoor dining (Ordinance A-834-15-20), but the specifics on the final streetscape design, materials, furniture, etc. have not been submitted to the Plan Commission for approval.

There are fourteen restaurants in the Village which have approved outdoor dining areas accessory to the restaurant use, although some outdoor dining areas may not yet have been constructed. An asterisk (*) indicates restaurants with liquor service. Only one of these restaurants, Capri Express, does not have a fenced enclosure for their outdoor dining area.

- Are We Live – Ordinance A834-06-22 (2022)*
- Capri – Ordinance A-834-15-18 (2018)*
- Capri Express – Ordinance A-834-17-21 (2021)
- Cooper's Hawk – Ordinance A-834-16-22 (2022)*
- Dao Sushi and Thai – Ordinance A-834-08-12 (2012)*
- Falco's – Ordinance A-834-08-20 (2020)*
- Jonny Cab's – Ordinance A-834-02-21 (2021)*
- La Cabanita – Ordinance A-834-27-11 (2011)*
- Pella – Ordinance A-834-14-21 (2021)*
- Starbuck's – Ordinance A-834-10-12 (2012)
- Stix & Stones – Ordinance A-834-07-15 (2015)*
- Topaz – Ordinance A-834-14-12 (2012)*
- Wok n Fire – Ordinance A-834-28-13 (2013)*
- Yolk – Ordinance A-834-12-22 (2022)

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 – Current Zoning Ordinance regulations for outdoor dining, hours of operation, and live entertainment
- Exhibit C – Draft Zoning Ordinance regulations for outdoor dining
- Exhibit D – Excerpt of outdoor dining regulations from County Line Square PUD

April 26, 2021 Parking at County Line Square
Prepared by Community Development Staff

Address	Occupant	Land Use	Section	Required By Code w/Variations	5-6AM	6-7AM	7-8AM	8-9AM	9-10AM	10-11AM	11-12PM	12-1PM	1-2PM	2-3PM	3-4PM	4-5PM	5-6PM	6-7PM	7-8PM	8-9PM	9-10PM	10-11PM	
50	Office Outlot (4)	office	West	10				10	10	10	10	10	10	10	10	10							
78	Patti's Sunrise Café	restaurant	West	37		37	37	37	37	37	37	37	37	37	37								
80	Patti's Sunrise Café	restaurant	West	5				5	5	5	5	5	5	5	5	5							
82	State Farm	office	West	4				4	4	4	4	4	4	4	4	4							
84	Kuman	tutoring	West	4								4	4	4	4	4	4	4					
88-90	Remax	realtor	West	13					13	13	13	13	13	13	13	13		4	4				
92	Bel Canto	music school	West	4					4	4	4	4	4	4	4	4	4	4	4				
94	Kirsten's Bakery	bakery	West	7		7	7	7	7	7	7	7	7	7	7	7	7						
96	China King	restaurant	West	8							8	8	8	8	8	8	8	8	8	8			
98	Imperial Jewelers	jewelry	West	2						2	2	2	2	2	2	2							
100	Brookhaven	grocery store	West	91						91	91	91	91	91	91	91	91	91	91	91			
102	Kerkstra's Cleaners	cleaners	East	7			7	7	7	7	7	7	7	7	7	7	7	7	7				
104	Great American Bagel	restaurant	East	20		20	20	20	20	20	20	20	20	20	20	20	20						
106	Magic Nails	salon	East	6					6	6	6	6	6	6	6	6	6	6	6				
108	Vince's Floral	flower shop	East	5					5	5	5	5	5	5	5	5							
110	Salon Hype	salon	East	5				5	5	5	5	5	5	5	5	5	5	5	5	5			
112	Vacant	restaurant	East	15			15	15	15	15	15	15	15	15	15	15	15	15	15	15	15		
114	Capri Express	restaurant	East	15						15	15	15	15	15	15	15	15	15	15	15	15		
116-118	LaCabinita	restaurant	East	21							21	21	21	21	21	21	21	21	21	21	21		
120	ATI Physical Therapy	medical	East	8			8	8	8	8	8	8	8	8	8	8	8	8	8				
124	Cyclebar*	health	East	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10				
150	Chase Bank	Bank	East	12					12	12	12	12	12	12	12	12							
200	Dao Sushi and Thai	restaurant	East	45							45	45	45	45		45	45	45	45	45	45		
208	County Wine Merchant	restaurant	East	13								13	13	13	13	13	13	13	13	13	13	13	
212	Johnny Cab's	Restaurant	East	14											14	14	14	14	14	14	14	14	
302	Vacant	retail	East	4						4	4	4	4	4	4	4	4	4					
304	Vacant	retail	East	4						4	4	4	4	4	4	4	4	4					
306	Vacant	retail	East	5						4	4	4	4	4	4	4	4	4					
308	Amore Yoga	health	East	4					4	4	4	4	4	4	4	4	4	4	4				
312	Proposed Restaurant	Restaurant	East	38												38	38	38	38	38	38	38	
314-316	Chiro One	medical	East	6			6	6	6						6	6	6	6					
318	Dental Fitness Center	dental	East	6			6	6	6	6	6	6	6	6	6	6							
320	Medandspa	medical	East	18						18	18	18	18	18	18	18	18						
324	Capri***	restaurant	East	56							56	56	56			56	56	56	56	56	56	55	
BUSINESSES OPEN					1	4	10	14	20	25	29	31	31	30	30	33	25	22	15	11	8	4	
SPACES REQUIRED					522	10	74	207	231	275	316	446	463	463	407	345	484	427	382	345	321	217	120
SPACES AVAILABLE						499	499	499	499	499	499	499	499	499	499	499	499	499	499	499	499	499	499
		Required:	WEST		0	44	135	154	171	173	181	185	185	185	148	148	114	107	103	99	0	0	
		Available:	WEST		201	201	201	201	201	201	201	201	201	201	201	201	201	201	201	201	201	201	
		Required:	EAST			10	30	72	77	104	143	265	278	278	222	197	336	313	275	242	222	217	
		Available:	WEST		298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	



LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on **Monday, November 20, 2023, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.**

PURPOSE OF HEARING

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Patrick Magnesen of Jonny Cab's for an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21 and Section VIII.1.e of the Burr Ridge Zoning Ordinance. The petition number and address of this petition is **Z-10-2023: 212 Burr Ridge Parkway**, and the Permanent Real Estate Index Number is **18-30-305-003-0000**.

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, November 14, 2023. All public comment may be emailed to Planner Ella Stern (estern@burr-ridge.gov) or mailed to Ms. Stern's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

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

Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



The site is outlined in red



Proposed outdoor dining enclosure.

Additional information is posted on the Village's website in the link below:

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/index.php

Burr Ridge homepage – Government – Boards, Committees, and Commissions – Plan Commission & Zoning Board of Appeals – Upcoming Public Hearing Petitions

The November 20, 2023 Plan Commission meeting agenda packet will be posted the Thursday before the meeting and will be available on the website here:

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/agendas_minutes.php

Burr Ridge homepage – Government – Agendas & Minutes – Plan Commission & Zoning Board of Appeals

KARL J VAN CURA
20 38TH STREET
SIOUX CITY, IA 51104

HETALKUMAR PATEL
202 AMBRIANCE DR
BURR RIDGE, IL 60527

FERN INC
15 AMBRIANCE
BURR RIDGE, IL 60527

RANJBAR, DONNA A
7734 S COUNTY LINE RD
BURR RIDGE, IL 60527

T & M KELLY
802 AMBRIANCE DR
BURR RIDGE, IL 60527

KUKUC, FRANK & MARGARET
7603 S DREW AVE
BURR RIDGE, IL 60521

SUNIL SURI
103 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

DANA SHINNEMAN
207 AMBRIANCE DR
BURR RIDGE, IL 60527

VILLAGE OF BURR RIDGE
7660 S COUNTY LINE RD
BURR RIDGE, IL 60521

GEETHA PUNDALEEKKA
502 AMBRIANCE DR
BURR RIDGE, IL 60527

ANDREW J MOORMANN
50 BURR RIDGE PKWY
BURR RIDGE, IL 60527

BRVC OWNER LLC
PO BOX 1243
NORTHBROOK, IL 60065

KUKUC, STANLEY & IRENE
7615 S DREW AVE
BURR RIDGE, IL 60527

PARRIS SZOT
301 AMBRIANCE DR
BURR RIDGE, IL 60527

L PETERSON & J KENNEDY
117 NORTHGATE PL
BURR RIDGE, IL 60527

101 BRP LLC
20 DANADA SQ W #274
WHEATON, IL 60189

TERRELL PATTERSON
407 AMBRIANCE DR
BURR RIDGE, IL 60527

ASTA KAUPAITE
201 AMBRIANCE DR
BURR RIDGE, IL 60527

S SINGHAL
405 AMBRIANCE DR
BURR RIDGE, IL 60527

MAGDALENA KOLOSA
303 AMBRIANCE DR
BURR RIDGE, IL 60527

BREYMEYER, WILLIAM G
7711 DREW AVE
BURR RIDGE, IL 60527

OPUS NORTH MGMT CORP
701 VILLAGE CENTER DR
BURR RIDGE, IL 60527

TCF BANK
1405 XENIUM LN PCC00PD
PLYMOUTH, MN 55441

KRISHNA & ARUNA REDDY
406 AMBRIANCE DR
BURR RIDGE, IL 60527

HOSPITALITY PROP TRUST
255 WASHINGTON ST
NEWTON, MA 2458

GYTIS ARANAUSKAS
402 AMBRIANCE DR
BURR RIDGE, IL 60527

KENSINGTON PARK LLC
743 MCCLINTOCK DR
BURR RIDGE, IL 60527

NABEEL JABRI
204 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

INTER CONTL BURR RIDGE
108 BURR RIDGE RD
ESSEX, IL 60527

GARY R MURINO
18 AMBRIANCE
BURR RIDGE, IL 60527

JAMES M SNYDER
807 AMBRIANCE DR
BURR RIDGE, IL 60527

PAULIUS, ANDRIUS
1815 W IOWA ST
CHICAGO, IL 60622

EDWARD T PRODEHL
104 AMBRIANCE CT
BURR RIDGE, IL 60527

AN UNDIVIDED ONE HALF
801 AMBIANCE DRIVE
BURR RIDGE, IL 60527

TRP 745 MCCLINTOCK LLC
1700 W HIGGINS RD 280
DES PLAINES, IL 60018

CHRISTIAN BROTHER MIDWEST
7650 S COUNTY LINE RD
BURR RIDGE, IL 60527

LIFE TIME FITNESS 130
2902 CORPORATE PLACE
CHANHASSEN, MN 55317

YANAHAN, PARTICK 0013505
7754 S COUNTY LINE RD
BURR RIDGE, IL 60521

FIRST MIDWEST S19733
703 AMBRIANCE DR
BURR RIDGE, IL 60527

NILUFAR KABIR
304 AMBRAINCE DR
BURR RIDGE, IL 60527

KALEEM MALIK
101 AMBRIANCE CT
BURR RIDGE, IL 60527

PABIJANSKI, HENRYK
7626 DREW AVE
BURR RIDGE, IL 60521

FIRST MIDWEST BANK AS
704 AMBRIANCE DR
BURR RIDGE, IL 60527

SHARAD GANDHI
403 AMBRIANCE DR
BURR RIDGE, IL 60527

KORFIST, CHRISTIAN
7611 DREW AVE
BURR RIDGE, IL 60527

SPENCER LEE & MI Y WON
205 AMBRIANCE
BURR RIDGE, IL 60527

RIVERA, RUDOLPH & L TR
7607 DREW AVE
BURR RIDGE, IL 60527

REEGS PROPERTIES
PO BOX 639
HINSDALE, IL 60522

SALVATORE QUATRUCHI
404 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

MOINNUDDIN, ABID & S
7623 S DREW
BURR RIDGE, IL 60521

GEORGE S SPINDLER
7344 LAKESIDE CIRCLE
BURR RIDGE, IL 60527

MONA GHOBRIAL & SONIA
450 VILLAGE CENTER DR3
BURR RIDGE, IL 60527

R & N KAPOOR TR KNR TR
302 AMBRIANCE DR
BURR RIDGE, IL 60527

SPIRIT MASTER FUNDING
2727 N HARWOOD ST#300
DALLAS, TX 75201

ALAN JOHNSON
17 AMBRIANCE DR
BURR RIDGE, IL 60527

MPG RIC BURR RIDGE LLC
71 S WACKER DRIVE APT. 3725
CHICAGO, IL 60606

ATHIHALLI NAGARAJ
102 AMBRIANCE DR
BURR RIDGE, IL 60527

FAROUK B ASAAD
705 AMBERIANCE
BURR RIDGE, IL 60527

PATRICIA FORKAN
305 AMBRIANCE DR
BURR RIDGE, IL 60527

GIADLA HOLDINGS LLC
7702 CASS AVE APT. 220
DARIEN, IL 60561

BREYMEYER, WILLIAM
7701 DREW AVE
BURR RIDGE, IL 60527

RGT FAMILY LLC
501 AMBRIANCE DR
BURR RIDGE, IL 60527

D BEKTESHI
14 AMBRIANCE DR
BURR RIDGE, IL 60527

ANNE E MICALETTI TRUST
203 AMBRIANCE DR
BURR RIDGE, IL 60527

NANCY GATTUSO
401 AMBRIANCE DR
BURR RIDGE, IL 60527

KONDA REALTY LLC
10 ORCHARD APT. 200
LAKE FOREST, CA 92630

STRZELEC, WM E
7750 S COUNTY LINE RD
BURR RIDGE, IL 60527

MANSOUR AMIRAN
16 AMBRIANCE DR
BURR RIDGE, IL 60527

AMBRIANCE TRUST
1 AMBRIANCE DR
BURR RIDGE, IL 60527

SUZANNE DEYOUNG
12A AMBRIANCE
BURR RIDGE, IL 60527

ANTONIJE KELJEVIC
803 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

MOHRE LLC
1 CLUBSIDE CT
BURR RIDGE, IL 60527

MUDJER, STEPHEN & MARGARET
15W700 81ST ST
BURR RIDGE, IL 60527

DR GHASSAN ABBOUD
206 AMBRIANCE DR
BURR RIDGE, IL 60527

CERVANTES, LAURA
7619 DREW AVE
BURR RIDGE, IL 60527

SHAHID HUSSAIN
11 AMBRIANCE DR
BURR RIDGE, IL 60527



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

Consent to Install Public Notice Sign

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

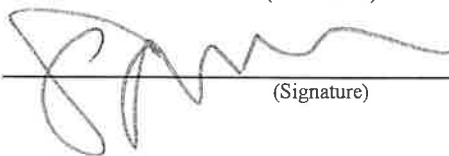
Street Address of Subject Property:

212 BURR RIDGE PARKWAY

Property Owner or Petitioner:

PATRICK MAGNESEN

(Print Name)



(Signature)

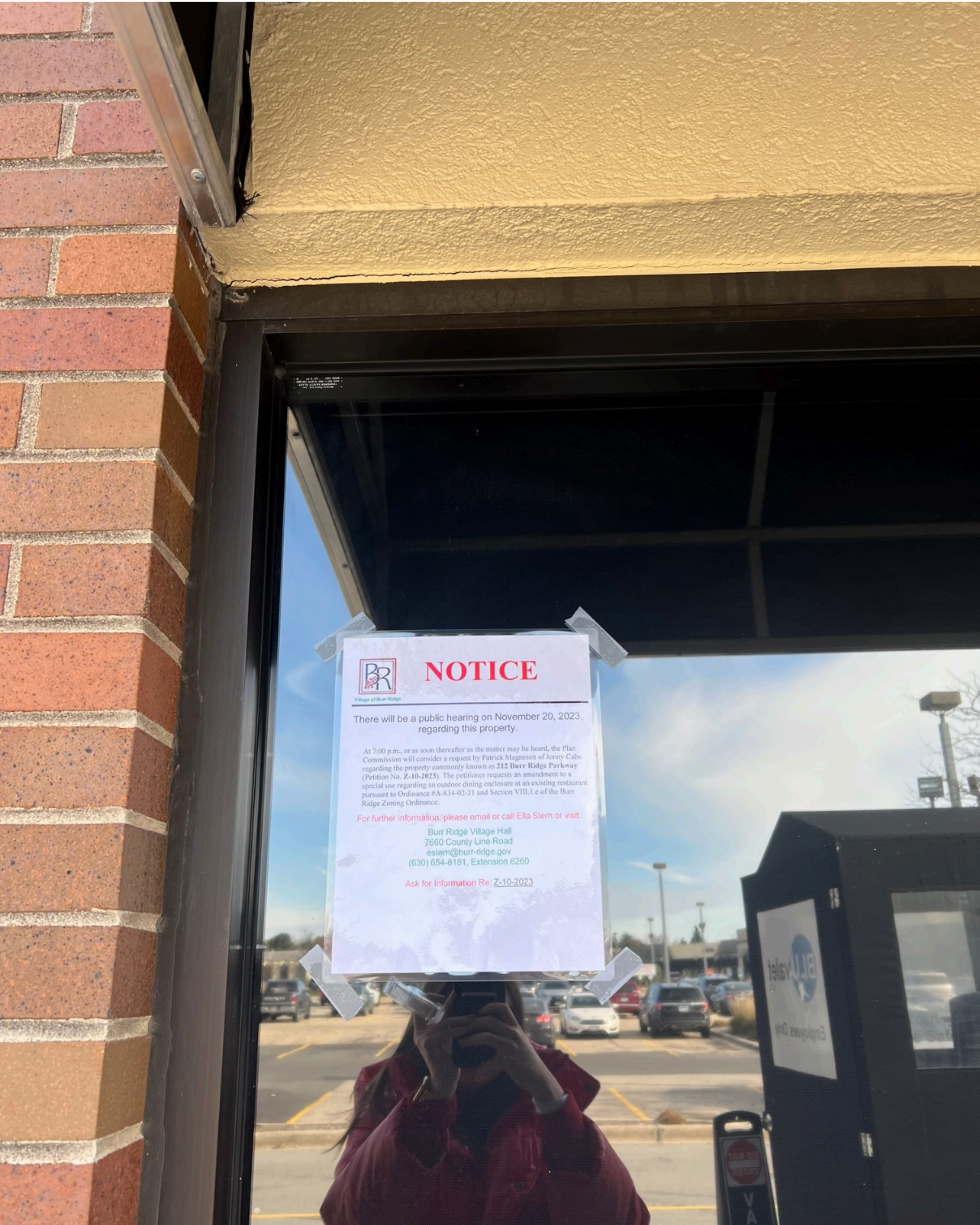


November 8
12:16 PM

[Edit](#)



LIVE ▾



NOTICE

There will be a public hearing on November 20, 2023,
regarding this property.

At 7:00 p.m., or as soon thereafter as the matter may be heard, the Plan Commission will consider a request by Patrick Magnusen of Jonny Cabs regarding the property commonly known as 212 Burr Ridge Parkway (Petition No. Z-10-2023). The petitioner requests an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21 and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

For further information, please email or call Ella Stern or visit:

Burr Ridge Village Hall
7660 County Line Road
estern@burr-ridge.gov
(630) 654-8181, Extension 6260

Ask for Information Re: Z-10-2023



November 8

12:16 PM

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LIVE ▾



NOTICE

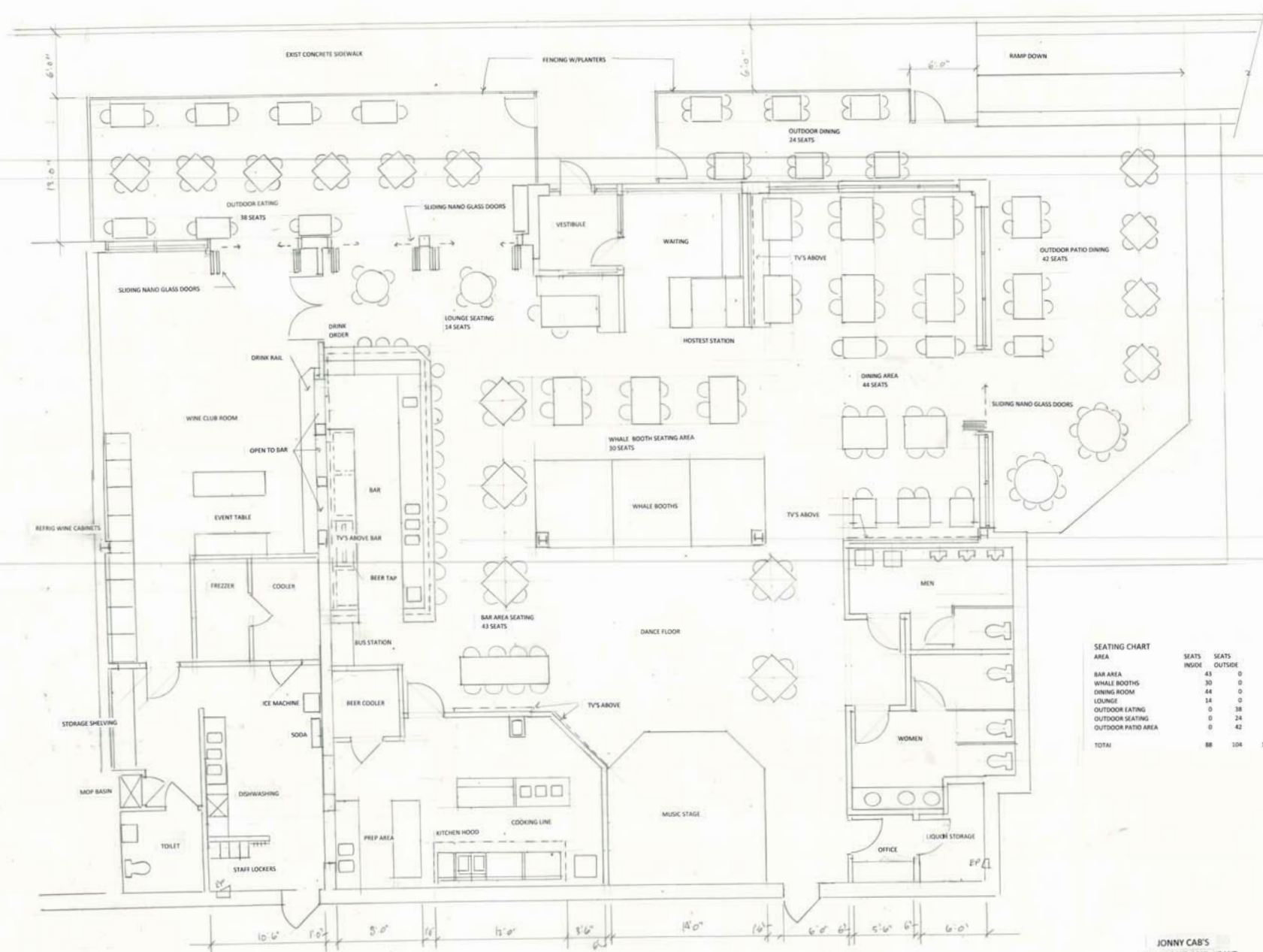
There will be a public hearing on November 20, 2023, regarding this property.

At 7:00 p.m., or as soon thereafter as the matter may be heard, the Plan Commission will consider a request by Patrick Magnusen of Joeny Cabs regarding the property commonly known as 212 Burr Ridge Parkway (Petition No. Z-10-2023). The petitioner requests an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21 and Section VIII.1.c of the Burr Ridge Zoning Ordinance.

For further information, please email or call Ella Stern or visit:

Burr Ridge Village Hall
7660 County Line Road
estern@burr-ridge.gov
(630) 654-8181; Extension 6260

Ask for Information Re: Z-10-2023



SEATING CHART

AREA	SEATS INSIDE	SEATS OUTSIDE
BAR AREA	43	0
WHALE BOOTH	30	0
DINING ROOM	44	0
LOUNGE	14	0
OUTDOOR EATING	0	38
OUTDOOR SEATING	0	24
OUTDOOR PATIO AREA	0	42
TOTAL	88	104

WILLIAM WARMAN ARCHITECT
27 EAST MADISON STREET 1100-4
CHICAGO ILLINOIS 60601 312-310-2826

FLOOR PLAN
SCALE 1/4"=1'-0"

JONNY CAB'S
PROPOSED RESTAURANT
212 BURRIDGE PARKWAY
BURRIDGE HILLS
10/20/2010

From: [Gene Halleran](#)
To: [William Warman](#)
Subject: Fresh Exterior Renderings updated 11-17-20
Date: Tuesday, December 1, 2020 10:30:22 AM

Sent from my iPhone

Begin forwarded message:

From: william warman <wwarchitects1@gmail.com>
Date: November 17, 2020 at 8:00:18 PM CST
To: Gene Halleran <cwmhaleran@gmail.com>, Tyler Metcalf <TMetcalf@randallmetals.com>
Subject: Fwd: Exterior Renderings updated 11-17-20

Here are the revised views

----- Forwarded message -----
From: Chuck <chuck@all.com>
Date: Tuesday, November 17, 2020
Subject: Exterior Renderings updated 11-17-20
To: "wwarchitects1@gmail.com" <wwarchitects1@gmail.com>









ORDINANCE NO. A-834-02-21

AN ORDINANCE GRANTING SPECIAL USE APPROVALS PURSUANT TO THE
BURR RIDGE ZONING ORDINANCE FOR A RESTAURANT WITH SALES OF
ALCOHOLIC BEVERAGES, LIVE ENTERTAINMENT AND OUTDOOR DINING

(Z-15-2020: 212 Burr Ridge Parkway - Halleran)

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

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use approvals on November 16, 2020 and December 7, 2020 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for special use approvals, including its findings and recommendations, to this Mayor and Board of

Trustees, and this Mayor and Board of Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the Petitioner for the special use for the property located at 212 Burr Ridge Parkway, Burr Ridge, Illinois, is Gene Halleran (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section VIII.B.2.ff to permit a restaurant with alcoholic beverage sales and live entertainment and a special use approval as per Section VIII.B.2.x to permit outdoor dining for said restaurant.
- B. That the proposed restaurant is in a shopping center with a variety of commercial tenants including other restaurants.

- C. That the subject property is appropriate for restaurants with sales of alcoholic beverages, live entertainment, and outdoor dining.

Section 3: That special use approvals for a restaurant with sales of alcoholic beverages, live entertainment, and outdoor dining ***are hereby granted*** for the property commonly known as 212 Burr Ridge Parkway and identified by the Permanent Real Estate Index Numbers of **18-30-301-001**; and **18-30-305-003**.

Section 4: That the special use is subject to the following terms and conditions:

1. The special use shall be limited to Gene Halleran and shall be null and void should Gene Halleran no longer have ownership interest in the restaurant consisting of approximately 4,200 square feet commonly known as 212 Burr Ridge Parkway.
2. Outdoor dining shall conform to the requirements of Section VII.A.5 of the Zoning Ordinance.
3. The enclosure of the outdoor dining area and design of outdoor furniture shall match the adjacent Dao Restaurant subject to staff review and approval.
4. Hours of operation for the restaurant and outdoor dining areas shall comply with Section VIII.A.11.c of the Zoning Ordinance.
5. The restaurant shall comply with the following parking management conditions:
 - a. All employees shall park behind the building or west of the shopping center main entryway.
 - b. Valet parking shall be provided each and every evening that the restaurant is open for business.
 - c. Four parking spaces shall be designated in the parking lot for staging of valet parking and under no circumstances shall the drive aisle/fire lane be used for valet parking or staging of valet parking.
 - d. At all times, valet customer vehicles shall be parked west of the shopping center main entryway. Before 8 pm each evening, valet customer vehicles shall be parked west of the first two double rows

(four single rows) of parking spaces that are west of the main entryway.

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

PASSED this 11th day of January 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

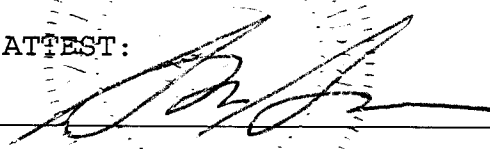
AYES: 5 - Trustees Mital, Snyder, Franzese, Schiappa, Paveza

NAYS: 1 - Trustee Mottl

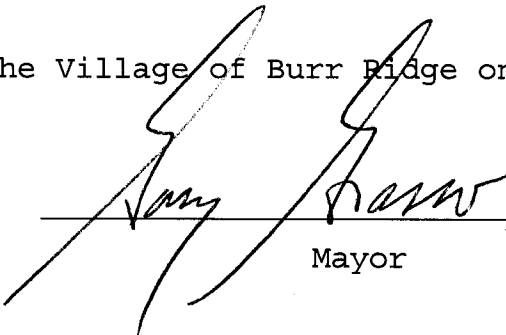
ABSENT: 0 - None

APPROVED by the Mayor of the Village of Burr Ridge on this 11th day of January 2021.

ATTEST:



Acting Village Clerk



Mayor

ORDINANCE NO. A-834-03-21

AN ORDINANCE GRANTING A VARIATION FROM THE
BURR RIDGE ZONING ORDINANCE TO PERMIT A RESTAURANT IN COUNTY
LINE SQUARE WITHOUT THE REQUIRED NUMBER OF PARKING SPACES

(Z-15-2020: 212 Burr Ridge Parkway - Halleran)

WHEREAS, an application for a variation from the Village of Burr Ridge Zoning Ordinance for certain real estate has been filed with the Assistant Village Administrator of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Zoning Board of Appeals of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Zoning Board of Appeals of this Village held a public hearing on the question of granting said zoning variation on November 16, 2020 and December 7, 2020, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

WHEREAS, the Village of Burr Ridge Zoning Board of Appeals has made its report on the request for zoning variation, including its findings and recommendations, to this Mayor and

Board of Trustees; and this Mayor and Board of Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the Petitioner for the variation for the property located at 212 Burr Ridge Parkway, Burr Ridge, Illinois, is Gene Halleran (hereinafter "Petitioner"). The Petitioner requests a variation from Section XI.C.13 to permit a restaurant in a shopping center without the required number of parking spaces.
- B. That the proposed restaurant results in the shopping center requiring approximately 35 more parking spaces than is currently available within the shopping center.

- C. That documentation was provided indicating that based on the varying hours of operation of businesses within the shopping center, sufficient parking is available during the peak hours of the proposed restaurant.
- D. That the petitioner has agreed to provide valet parking so that the customer vehicles may be parked at the far west end of the shopping center where parking is most available during the peak hours of the proposed restaurant.

Section 3: That a variation from Section XI.C.13 to permit a restaurant in a shopping center without the required number of parking spaces ***is hereby granted*** for the property commonly known as 212 Burr Ridge Parkway and identified with the Permanent Real Estate Index Numbers of 18-30-301-001; and 18-30-305-003.

Section 4: That the variation is subject to the following conditions:

- 1. All employees shall park behind the building or west of the shopping center main entryway.
- 2. Valet parking shall be provided each and every evening that the restaurant is open for business.
- 3. Four parking spaces shall be designated in the parking lot for staging of valet parking and under no circumstances shall the drive aisle/fire lane be used for valet parking or staging of valet parking.
- 4. At all times, valet customer vehicles shall be parked west of the shopping center main entryway. Before 8 pm each evening, valet customer vehicles shall be parked west of the first two double rows (four single rows) of parking spaces that are west of the main entryway.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication

as required by law. The Acting Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

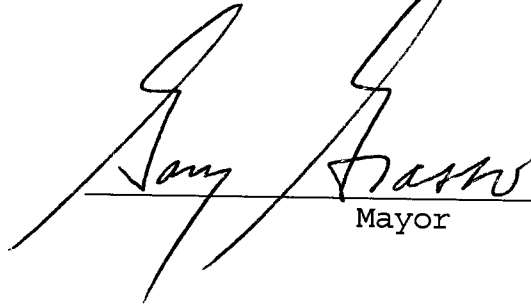
PASSED this 11th day of January 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 5 - Trustees Franzese, Snyder, Mital, Schiappa, Paveza

NAYS: 1 - Trustee Mottl

ABSENT: 0 - None

APPROVED by the Mayor of the Village of Burr Ridge on this 11th day of January 2021.



Mayor

ATTEST:



Acting Village Clerk

ORDINANCE NO. A-834-05-23

AN ORDINANCE AMENDING SECTION VIII OF THE ZONING ORDINANCE TO
AMEND THE REGULATIONS FOR OUTDOOR DINING.

(Z-03-2023: Text Amendment - Outdoor Dining)

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

WHEREAS, said Plan Commission of this Village held two public hearings on the question of granting said text amendment on February 6 and March 20, 2023, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

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

Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the recommendation is to amend Section VIII, the regulations for Outdoor Dining, as attached hereto as Exhibit A.
- B. That the amendments described are consistent with the purpose and intent of the Zoning Ordinance.

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 8th day of May, 2023, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 5 - Trustees Schiappa, Franzese, Paveza, Mital, Smith

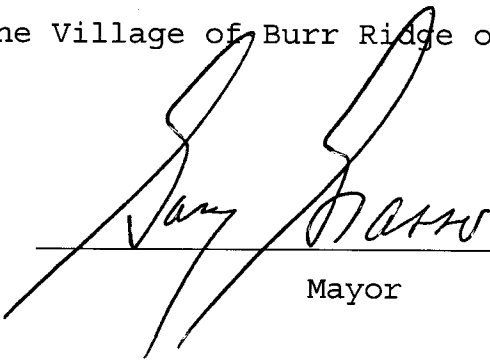
NAYS: 0 - None

ABSENT: 1 - Trustee Snyder

APPROVED by the Mayor of the Village of Burr Ridge on this 8TH day of May, 2023.

ATTEST:



Village Clerk

Mayor

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

Outdoor Dining

Restaurant outdoor dining areas are areas set up adjacent to the exterior wall of a commercial building with tables, chairs, or other such furnishings, for the purpose of serving food and/or beverages by an adjoining restaurant in which the same food and beverages are offered for sale, sold, and served. Outdoor dining areas shall be subject, at a minimum, to the following:

1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building;
3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
4. 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;
5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
6. The door to the dining area shall be self-closing;
7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
8. Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use;
9. 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;
10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas or railings;
12. All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of public view or off-site of the subject property when not in use;
13. Tables shall be cleaned promptly following use;
14. Outdoor food preparation, storage or display is prohibited;
15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations;
18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

**PLANNED UNIT DEVELOPMENT REGULATIONS RELATED TO THE
SHOPPING CENTER AT 50-324 (EXCLUDING 150) BURR RIDGE PARKWAY**

The following regulations are intended to govern the current use, scope, as well as present and future conditions of the subject property at 50-324 (excluding 150) Burr Ridge Parkway, known at this time as “County Line Square Shopping Center”, as described in Exhibit A (Plat of Survey).

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, or recreation areas for child care centers and nurseries.
- b. Outdoor activities listed as special uses may be approved by the Board of Trustees upon recommendation from the Plan Commission subject to the Zoning Ordinance.
- c. Temporary (less than or equal to 72 hours in total duration) outdoor activities may be permitted subject to written approval by the Village Administrator or their designee. 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.

Signs

Building Signs located at the subject property are subject to the issuance of a sign permit by the Village. Building Signs are subject to the following regulations:

- a. Each tenant shall be permitted one Building Sign on the building façade.
- b. Each Building Sign shall not exceed one square foot for each lineal foot of the storefront or tenant space width with a minimum area allowed of 20 square feet and a maximum area allowed of 40 square feet.
- c. All tenants are permitted to affix Storefront/Window Signs, defined as any covering of the front window for advertisement purposes, without need for a sign permit and in adherence to the following regulations:
 1. The sum total of all Storefront Signs shall not exceed 30 percent of the total area of the windows in which they are located.
 2. Storefront Signs shall not have any moving parts.
 3. A series of windows that are separated by frames and supporting material of less than six inches in width shall be considered as a single window for the purpose of computation.
 4. Storefront Signs must be hung from some appurtenance of the tenant space and may not be taped or suction-cupped to the window, except if the advertisement is not related to the business' primary functions and is equal or less than 8 ½ x 11 inches in size and laminated.

Design guidelines for Building Signs shall be defined as follows:

- f. Dry cleaners with on-site equipment for dry cleaning
- g. Funeral parlors or crematoriums
- h. Gun and ammo sales, including shooting ranges
- i. Hours of operation exceeding 7 A.M. to 10 P.M. for any permitted or special use
- j. Liquor stores
- k. Live entertainment and dancing accessory to any permitted or special use
- l. Professional massage services
- m. Offices related to the Secretary of State's Vehicle Services Division
- n. Parking lots and structures where such uses are the principal use on a lot
- o. Pet shops and pet service stores, with or without overnight services
- p. Restaurants (including specialty restaurants such as donut shops and ice cream shops) over 4,000 square feet with or without sales of alcoholic beverages.
- q. Tobacco shops
- r. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site

Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas 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 if table service is provided or alcohol served in the outdoor dining area;
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- 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;
- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 60" of a curblin or so as to impede the normal flow of pedestrian traffic into or from a doorway;
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes;
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

- Outdoor dining areas must be cumulatively approved by the Village Administrator or their designee to determine final compliance with the regulations set forth herein; and
- Outdoor dining areas shall be included as part of the size calculation for restaurants.

Parking Design Regulations

The subject property shall provide one parking space for each 200 gross square feet of commercial space available.

Every parking lot in excess of fifteen spaces shall contain planting islands for shade trees in compliance with the following standards:

- There shall be one island for every 15 parking spaces and one shade tree for each island.
- Each parking lot landscape island shall be a minimum of 9 feet wide and 18 feet in length.
- Required shade trees shall have a minimum 3 inch diameter measured two feet above ground level.
- Parking lot landscape islands generally shall be located at the ends of each row of parking (one double island to be located at the end of a double row of parking) and every 15 parking spaces within a row.
- Maintenance of Landscape Areas and Screening: All such landscaped areas and screening shall, once installed, be maintained in such manner as to retain at least the intended standards of the initial landscaping and to conform to the landscaping requirements of the Village.

Minimum Standards for Parking Stalls and Aisles

Angle of Parking	45 Degrees	60 Degrees	90 Degrees
Width of Stall	9'	9'	9'
Stall Width (parallel to aisle)	12'9"	10'5"	9'
Stall Depth (perp. to aisle)	20'	21'	18'
Stall Length	19'	19'	18'
Aisle Width	13'*	17'*	24'

*One-way aisles only

Parallel parking shall be permitted with stalls at least 24' in length with an aisle of 14'

Accessible parking areas shall be designed in accordance with State requirements

All open off-street loading berths, access drives, aisles, and maneuvering spaces shall be improved with an all-weather hard surface pavement including, at a minimum, a two inch (2") bituminous concrete surface course, with a twelve inch (12") minimum thickness aggregate base course, and six inch (6") high perimeter concrete curbing (Type B or Type B6:12) installed in accordance with Illinois Department of Transportation specifications.

Parking and Loading Regulations

The area immediately adjacent to the curbline shall be permitted to be used as a standing and loading zone (as shown in Exhibit C in yellow), except no parking, standing, or loading areas shall



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

Z-12-2023: 114 Burr Ridge Parkway (Salamone/Capri Express); Request for an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to special use Ordinance #A-834-17-21 and County Line Square PUD Ordinance #A-834-19-21, and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

HEARING:

December 4, December 18, 2023,
February 5, April 15, June 3, &
July 1, 2024

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Ella Stern, Planner

PETITIONER:

Vito Salamone of Capri Express

PETITIONER STATUS:

Co-Owner of Capri Express

PROPERTY OWNER:

Bob Garber

EXISTING ZONING:

B-1 Business District

LAND USE PLAN:

Recommends Commercial Uses

EXISTING LAND USE:

Mixed-Use Shopping Center

SITE AREA:

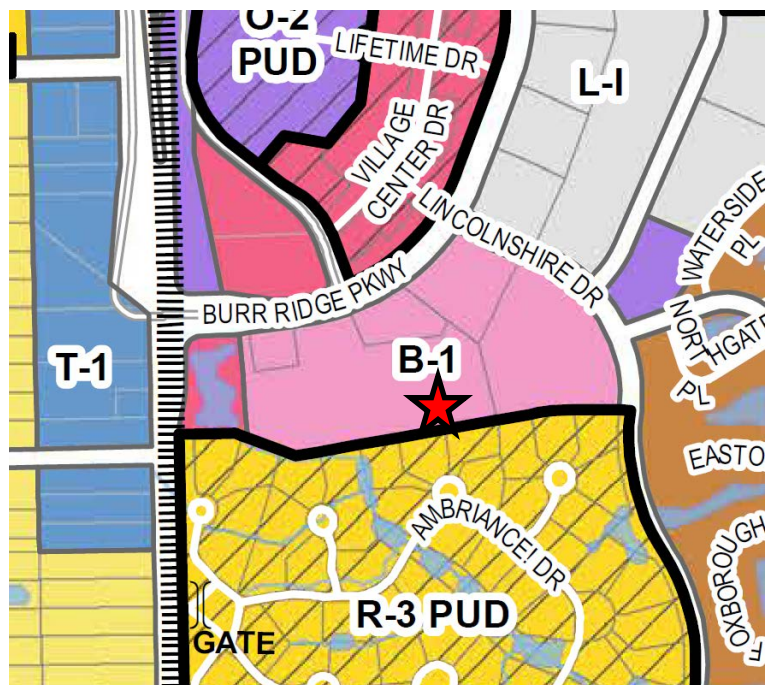
7.2 Acres

SUBDIVISION:

Burr Ridge Corporate Park

PARKING:

499 Public Spaces



Staff Report and Summary

Z-12-2023: 114 Burr Ridge Parkway (Salamone/Capri Express); Special Use, PUD Amendment, and Findings of Fact

On December 4, 2023, the Plan Commission held a public hearing for case Z-12-2023, a request to amend an existing special use regarding an outdoor dining enclosure at an existing restaurant. At the November 20, 2023, Plan Commission meeting, the Plan Commission requested direction from the Board to hold a public hearing to amend the outdoor dining regulations. The outdoor dining regulations, including the prohibition of wall enclosures, were most recently amended and approved on May 8, 2023.

On February 5, 2024, the Plan Commission held a public hearing for case Z-12-2023 and discussed outdoor dining enclosures. The Plan Commission continued the case and requested the petitioners return with updated information regarding an outdoor dining enclosure. On April 1 and June 3, 2024, the Plan Commission held a public hearing for case Z-03-2024, a request to amend the outdoor dining regulations to permit year-round outdoor dining. The consensus from the meeting included permitting year-round outdoor dining but establishing concise regulations regarding year-round outdoor dining and outdoor dining enclosures. On April 15 and June 3, 2024, the Plan Commission continued the public hearing for case Z-12-2023. The Plan Commission requested the petitioner return with updated information regarding an outdoor dining enclosure.

On May 21, June 21, and June 24, 2024, staff members reached out to the petitioner to request updated information. In response, on June 24, 2023, the petitioner stated Capri Express was researching alternative outdoor dining enclosures. The petitioner did not provide any updated documents at the time of this report.

The Plan Commission may determine whether to look at the special use request individually or to continue the case and wait for more direction from the proposed outdoor dining text amendment. The following information was included in the previous staff report and remains unchanged.

The petitioner is Vito Salamone of Capri Express. Capri Express was approved originally for outdoor dining in 2021 through Ordinance #A-834-17-21. The outdoor dining area contains four (4) tables and sixteen (16) seats. The table and seat count will not change under the new proposal.



Aerial of the property with the property lines and yards.

Section VIII.A of the Zoning Ordinance stipulates several regulations related to outdoor dining at all places of eating in the Village within the Business Districts (B-1 and B-2). The petitioner's compliance with these regulations is noted in red. The petitioner has submitted a plan and information about the proposed outdoor dining area, included as Exhibit A.

1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building;
3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
4. 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; *Outdoor dining was previously approved through Ordinance #A-834-03-11, without a fence or enclosure.*
5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
6. The door to the dining area shall be self-closing;
7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
8. Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use; *The petitioner requests a fully enclosed, outdoor dining area with black fabric walls. Jonny Cabs proposed a similar black wall enclosure at the November 20, 2023, Plan Commission meeting and the case was continued until December 18, 2023. The Plan Commission will ask the Board to direct them to hold a public hearing for a text amendment regarding outdoor dining wall enclosures at the December 11, 2023 Board meeting.*
9. 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;
10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas, or railings;
12. All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of public view or off-site of the subject property when not in use; *The petitioner wants the outdoor dining enclosure for the winter season.*
13. Tables shall be cleaned promptly following use;
14. Outdoor food preparation, storage or display is prohibited;
15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;

Staff Report and Summary

Z-12-2023: 114 Burr Ridge Parkway (Salamone/Capri Express); Special Use, PUD Amendment, and Findings of Fact

17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations
18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;
20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

County Line Square Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas 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 if table service is provided or alcohol served in the outdoor dining area; *The petitioner requests an outdoor dining enclosure.*
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- 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;
- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 60" of a curbline or so as to impede the normal flow of pedestrian traffic into or from a doorway;
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes; *The petitioner requests an outdoor dining enclosure.*
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner; *The petitioner requests an outdoor dining enclosure.*
- Outdoor dining areas must be cumulatively approved by the Village Administrator or their designee to determine final compliance with the regulations set forth herein; and *The petitioner requests an outdoor dining enclosure.*
- Outdoor dining areas shall be included as part of the size calculation for restaurants.

Public Hearing History – Related to Capri Express

Z-01-2023: Zoning Ordinance Amendments for Outdoor Dining (Ordinance #A-834-05-23)

Z-06-2023: Zoning Ordinance granting special use approval for a restaurant with amended outdoor dining. (Ordinance #A-834-17-21)

Staff Report and Summary

Z-12-2023: 114 Burr Ridge Parkway (Salamone/Capri Express); Special Use, PUD Amendment, and Findings of Fact

Z-12-2010: Zoning Ordinance granting special use pursuant to the Village of Burr Ridge Zoning Ordinance for an outdoor sidewalk dining area. (Ordinance #A-834-03-11)
County Line Square Planned Unit Development Regulations

Public Comment

Two public comments were received.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. If the Plan Commission chooses to recommend approval of the special use amendment, PUD amendment, and special use for outdoor dining, staff recommends the following conditions. The conditions on this request include those from the 2021 approval.

1. The special use shall be limited to Capri Express and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plan.
3. All umbrellas, furniture, and other appurtenances shall be sorted off-site during the winter season when the enclosure is not being used for outdoor dining. * If the Plan Commission allows outdoor dining year-round, this condition should be removed.
4. The special use shall comply with the previously approved outdoor dining plan from the 2021 approval, Ordinance #A-834-17-21.

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

- Application
- Findings of Fact
- Proposed site plan and illustrations
- Public Notifications

Exhibit B – Plans from 2021 approval, Ordinance #A-834-03-11, #A-834-17-21, #A-834-05-23 & County Line Square Planned Unit Development Regulations



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): Vito Salamone

STATUS OF PETITIONER: Co-owner Capri Express

PETITIONER'S ADDRESS: 801 Village Center Jr; Unit 406; Burr Ridge IL 60527

ADDRESS OF SUBJECT PROPERTY: 114 Burr Ridge Parkway

PHONE: 630-323-1200

EMAIL: Vito823@gmail.com

PROPERTY OWNER: Bob Garber

PROPERTY OWNER'S ADDRESS: P.O. Box 639 PHONE: 630-920-9612

Hinsdale IL 60522

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

DESCRIPTION OF REQUEST:

Install an enclosure to provide outdoor seating
for the customers of Capri Express.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: 315,976 sq ft. EXISTING ZONING: B-1

EXISTING USE/IMPROVEMENTS: Business

SUBDIVISION: Burr Ridge corporate park

PIN(S) # 18-303-050-03

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

Petitioner's Signature

Date of Filing

Special Use Ordinance Plan for Capri Express Outdoor Seating Area

Applicant: Capri Express Restaurant

Date: 10/9/2023

Introduction

This Special Use Ordinance Plan outlines the proposal for installing an enclosed outdoor seating area at Capri Express Restaurant. The purpose of this proposal is to ensure that the outdoor seating area complies with local zoning regulations and adheres to specific guidelines for design, noise reduction, waste management, and lighting.

Description of Proposed Project

Project Name: Capri Express Enclosed Outdoor Seating Area

Location: 114 Burr Ridge Parkway; Burr Ridge IL 60527

Description:

The proposed project entails the construction of an enclosed outdoor seating area adjacent to Capri Express Restaurant. This seating area will consist of four tables and comfortably seat up to 16 customers. The enclosure will match the existing awning attached to the restaurant and will closely mirror the design of neighboring restaurants, including La Cabanita, DAO Sushi, and Capri Restaurante. The primary focus of this proposal is to create an outdoor space that enhances the dining experience while maintaining harmony with the surrounding establishments.

Compliance with Local Zoning Regulations

The project will adhere to all relevant local zoning regulations, including setback requirements, maximum seating capacity, and

use of public space. The proposed outdoor seating area will not encroach on public walkways or violate any established zoning codes.

Design and Aesthetics

The design of the outdoor seating area will be in keeping with the existing restaurant aesthetics, featuring matching awnings, colors, and materials. The design will closely mirror that of neighboring restaurants to maintain a cohesive look and feel in the area.

Noise Reduction Measures

To minimize disturbances to neighboring properties, the following noise reduction measures will be implemented:

- Use of noise-absorbing materials in the enclosure.
- Establishment of clear guidelines for acceptable noise levels.
- Training of restaurant staff in noise reduction techniques and customer communication.
- Regular monitoring of noise levels during peak hours.

Waste Management

A comprehensive waste management plan will be developed and implemented to ensure the cleanliness and hygiene of the outdoor seating area. This plan includes:

- Regular garbage collection and disposal.
- Staff training on waste management protocols.
- Scheduled cleaning and maintenance of the seating area.

Lighting

Appropriate lighting will be installed to enhance the safety and ambiance of the outdoor seating area. Lighting fixtures will be chosen to minimize light pollution and to avoid any glare or disturbance to surrounding properties.

Community Engagement

To address any concerns and maintain positive relations with the local community, the restaurant will engage in proactive

communication with neighboring businesses and residents.

Timeline

The project is expected to be completed within 60 days, including the necessary construction, lighting installation, and implementation of noise reduction and waste management measures.

Conclusion

This Special Use Ordinance Plan outlines Capri Express Restaurant's proposal to construct an enclosed outdoor seating area that enhances the dining experience while ensuring compliance with local regulations and harmonious coexistence with neighboring establishments. We are committed to implementing noise reduction, waste management, and lighting solutions that contribute positively to the community.

The cooperation of local authorities and community stakeholders is highly appreciated to move this project forward successfully.

This Special Use Ordinance Plan is subject to review, approval, and potential revisions by the relevant local authorities. All aspects of the plan will be implemented in accordance with local regulations and guidelines.

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

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

Allowing Capri Express to have outdoor seating benefits the Village by enhancing the dining experience, increasing foot traffic, creating a community gathering space, supporting local businesses, attracting tourists, and improving residents' quality of life.

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

Allowing Capri Express to have outdoor seating will not endanger public health, safety, morals, comfort, or general welfare because the restaurant will adhere to safety and zoning regulations, ensuring that the outdoor seating area is designed and managed responsibly to mitigate any potential negative impacts on the community.

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

Outdoor seating at Capri Express will not be injurious to nearby property uses or property values because it will be designed and managed to minimize noise, traffic disruptions, and other potential

nuisances, ensuring that the immediate vicinity retains its character and property values remain unaffected.

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

Outdoor seating at Capri Express will not impede the normal and orderly development of surrounding properties for permitted uses in the district, as it will conform to zoning regulations and not disrupt the existing development plans or hinder the potential for future property improvements in the area.

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

Outdoor seating at Capri Express will feature adequate utilities, including proper lighting to ensure safety, sound reduction measures to minimize noise disturbances, and a well-maintained waste management system. These provisions are in place or will be provided to create a comfortable and compliant outdoor seating area.

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

Outdoor seating at Capri Express will have two points of entry, which have been designed to minimize traffic congestion in public streets. Adequate measures have been taken to ensure smooth ingress and egress, reducing the impact on traffic flow in the surrounding area.

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

The proposed outdoor seating for Capri Express aligns with the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended because it promotes economic development and community engagement while adhering to zoning and safety regulations. The Plan aims to create a vibrant and attractive community, and allowing outdoor seating contributes to this goal by enhancing the local dining experience and supporting local businesses, which is in line with the Plan's economic development and community enhancement objectives.

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

Outdoor enclosed seating at Capri Express will conform to the applicable regulations of the district in which it is located, unless specific modifications are recommended by the Plan Commission or the Zoning Board of Appeals, following due process and review. This ensures that the outdoor seating complies with local zoning and safety requirements while allowing for potential adjustments based on expert recommendations.

Business Plan for Capri Express - The Restaurant

Table of Contents

Executive Summary
Business Description
Market Analysis
Marketing and Sales Strategy
Products and Services
Operations Plan
Special Use Ordinance for Outdoor Seating
Management and Personnel

1. Executive Summary

Capri Express - The Restaurant is a charming Italian restaurant located in a vibrant urban area. We specialize in authentic Italian cuisine, prepared with the finest ingredients, and served in a warm and inviting atmosphere. Our mission is to be the top choice for Italian dining in the area, providing our customers with a delightful experience.

Business Details:

Hours of Operation:

Sunday: 10 am - 9 pm

Monday through Thursday: 10 am - 9:30 pm

Friday and Saturday: 10 am - 10 pm

Outdoor Seating:

Capri Express plans to introduce outdoor seating in an enclosed structure. The outdoor area will undergo regular maintenance, which includes proper lighting, noise reduction strategies, and efficient waste management.

Average Daily Customers:

Capri Express serves an average of 50-80 customers daily.

Employee Count:

Capri Express employs 25 dedicated and skilled individuals.

2. Business Description

Capri Express - offers a diverse range of Italian culinary delights, from traditional pasta dishes to delicious pizzas and mouthwatering desserts. We aim to bring the flavors of Italy to our community, with a commitment to quality, authenticity, and outstanding customer service.

3. Market Analysis

Target Market:

Local residents and families seeking a cozy dining experience.

Tourists and visitors in search of authentic Italian cuisine.

Working professionals looking for a quick and delicious lunch.

Competition:

Capri Express faces competition from local Italian restaurants. Our competitive advantage lies in our commitment to delivering the highest quality and a consistent dining experience.

4. Marketing and Sales Strategy

Our marketing strategies include:

Online Presence: Maintain a strong online presence through a user-friendly website and active social media profiles.

Local Partnerships: Collaborate with local businesses and organizations for cross-promotion.

Customer Loyalty Program: Implement a rewards system to encourage repeat visits.

5. Products and Services

Our menu includes:

Authentic Italian Dishes: A variety of pasta, pizza, and seafood dishes prepared with fresh, high-quality ingredients.

Desserts: Homemade Italian desserts to satisfy any sweet tooth.

6. Operations Plan

Outdoor Seating Structure:

Construction: Build an enclosed outdoor seating structure.

Maintenance: Regularly maintain the outdoor area, including lighting, noise reduction measures, and waste management.

7. Special Use Ordinance for Outdoor Seating

To implement outdoor seating, Capri Express will adhere to the local Special Use Ordinance, which outlines specific regulations and requirements for this addition:

Zoning Compliance: Ensure that the proposed outdoor seating structure complies with local zoning regulations.

Noise Reduction Measures: Implement noise reduction strategies to minimize disturbances to neighboring properties.

Proper Waste Management: Develop and adhere to a waste management plan to keep the outdoor area clean and eco-friendly.

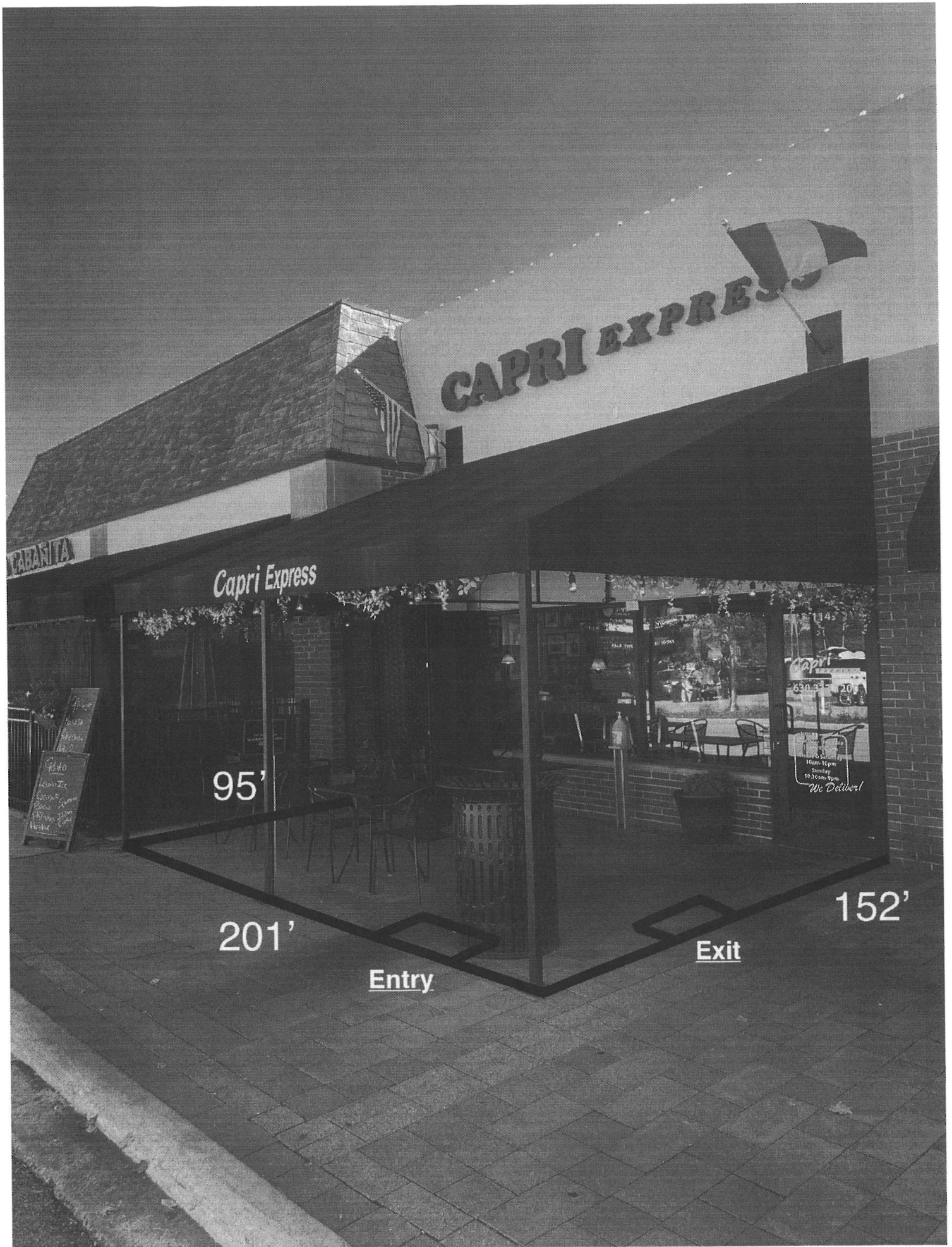
Proper Lighting: Install suitable lighting for the safety and comfort of customers.

Community Engagement: Collaborate with the local community to address any concerns and ensure a harmonious coexistence.

8. Management and Personnel

Capri Express is managed by a dedicated team with extensive experience in the restaurant industry. Our 25 employees include chefs, waitstaff, and administrative personnel, all committed to delivering exceptional service.

Capri Express - The Restaurant is ready to become a culinary hub in our community, offering Italian authenticity and an unforgettable dining experience. We are dedicated to providing quality food, exceptional service, and fostering a sense of community. Thank you for considering our business plan. We look forward to bringing the flavors of Italy to your neighborhood.



CAPRI EXPRESS

Capri Express

95'

201'

Entry

152'

Exit

November 25, 2023

To Chairman Trzupsek and Burr Ridge Plan Commissioners:

As a Burr Ridge resident I write in opposition to petitions Z-12-2023 (Capri Express) and Z-13-2023 (Great American Bagel) to be discussed at your December 4 meeting. I object to these petitions for year-round outdoor dining in County Line Square for many of the same reasons I proffered against Z-10-2023 (Jonny Cab's). I don't know the status of the Cab's petition, but I reiterate some of my same objections: this is the wrong look for County Line Square.

Generally, neither petition meets Section XII.K.7(a) of the Burr Ridge Zoning Ordinance: "The use meets a public necessity...". The petitions for "outdoor dining" merely seek to expand the capacity of each business and, as such, is not strictly a "public necessity."

Z-12-2023 (Capri Express)

IT'S NOT A SIT-DOWN DINING EXPERIENCE -- Capri Express's petition claims that it is "a charming Italian restaurant" and that "its mission is to be the top choice for Italian dining in the area, providing customers with a delightful experience." Let's face facts: ***Capri Express is a take-out and delivery operation (hence the name, "Express").*** It is disingenuous to call it "a cozy dining experience" in "an unforgettable hub in our community." It is a grab-n-go operation who was previously chastised by Village Board members in July 2021 for having delivery vehicles parked too long in the mall's fire lane. (<https://patch.com/illinois/burridge/inconsistent-burr-ridge-enforcement-fire-lanes>)

PETITIONER'S RENDERINGS ARE INADEQUATE – The rendering shows the proposed "outdoor dining" enclosure at 201' x 152'. No fence is shown, yet that is a requirement for so-called "outdoor dining" per the County Line Square PUD (CLS PUD). The rendering also shows the only ways of entry and exit would be through the canvas structure which is not ideal. Is the proposed enclosed space ADA compliant?

ENCROACHMENT INTO PUBLIC SPACE – The rendering does not show how far into the public right-of-way the proposed enclosure would extend. The CLS PUD mandates that "outdoor dining areas" be located 60" from a curb line.

"OUTDOOR DINING" SHOULD BE...OUTDOORS! – "Outdoor dining" is, by definition, *outside in fresh air*, and should remain a seasonal event from March 1 to November 1. Outdoor dining in decent weather, with necessary regulation, is a fine option, but no-one can call tables enclosed in black canvas "outdoor dining." It is also not in keeping with how other villages (e.g., Hinsdale, La Grange, Arlington Heights) handle outdoor seasonal dining; *none* of them allow enclosed "outdoor" structures year-round.

BAD AESTHETICS – These black enclosures destroy the openness of the mall, give a funereal and foreboding look, and create blight. The proliferation of year-round, enclosed "outdoor dining" structures outside restaurants serves only to make County Line Square less inviting, not more so.

MORE CAPACITY MEANS MORE PARKING PROBLEMS – Capri Express asks for 16 more seats in its "outdoor dining" petition. If both indoor and outdoor seating were at full capacity, that creates additional parking requirements for the restaurant and affects parking availability of surrounding businesses. No parking plans are provided in the petition.

Z-13-2023 (Great American Bagel)

KNOW THY PETITIONER! – The petitioner is Michael Garber, son of County Line Square owner, Bob Garber d/b/a/ Reegs Properties. He is the franchise owner of Great American Bagel-Burr Ridge.

PETITIONER'S RENDERINGS ARE INADEQUATE – Little information is given in the petition to show the type and style of fence or the awning proposed. It does not show how far into the public right-of-way the proposed fence will extend. Is it ADA compliant? There also is no entry into/exit from the main of the bagel shop into the outdoor dining space as all other "outdoor dining" petitions are mandated to have.

I would also caution the Plan Commission that if you approve the bagel store's petition for outdoor dining delineated by a fence, then it's just a matter of time until Mr. Garber comes back with a petition to enclose it for year-round "outdoor dining." This isn't the look we want in County Line Square.

Both petitions nod to increasing the ambience of the dining experience at their establishments, but that's a disingenuous claim. It's all about greed and capacity. The restaurants in County Line Square *wish* they had the same space and opportunities for "outdoor dining" as restaurants in the Village Center, only they lack the space. If they truly "need" such increased capacity, perhaps they should relocate?

Community Development Director Janine Farrell admitted recently that increased "enforcement action at County Line Square" explains "why special uses are coming in for these temporary wall enclosures." Only they are not "temporary;" two petitioners have now said they want to increase their business by offering meals in these outdoor enclosures. Don't be fooled: these are permanent, year-round structures. And why is "enforcement action" only a recent event? I would advise the Community Development Director, the new Village Planner, and our Village Code Enforcement Officer together uphold the mandates of the County Line Square PUD, enacted November 8, 2021, and hold these businesses to the terms set for them FIRST before granting them any additional special uses. Thank you.

Respectfully submitted,

Patricia A. Davis
Burr Ridge resident

From: [Gail DeMory](#)
To: [Ella Stern](#)
Subject: Plan Commision Meeting - December 4th 2023
Date: Friday, December 1, 2023 10:38:23 PM

As a resident of Burr Ridge for 35 years, I still remember when there was nothing on that land. Today we have our restaurants thriving and bringing people to Burr Ridge from other suburbs and the City. In my opinion, the black enclosures are very tastefully designed with large windows all around, holiday decorations, beautiful lights, and the cozy atmosphere they provide. I applaud Jonny Cabs and Capri for opening up their space to provide more residents and patrons to enjoy Burr Ridge.

I have NO OBJECTION to any or all of our restaurants putting up these temporary enclosures for the winter months. In the Springtime when the enclosures are taken down, the lovely patios and awnings will still be there for our outside dining pleasure. This is the best of both worlds. Please say yes to keeping them up.

Gail DeMory



LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on **Monday, December 4, 2023, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.**

PURPOSE OF HEARING

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Vito Salamone of Capri Express for an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to special use Ordinance #A-834-17-21 and County Line Square PUD Ordinance #A-834-19-21, and Section VIII.1.e of the Burr Ridge Zoning Ordinance. The petition number and address of this petition is **Z-12-2023: 114 Burr Ridge Parkway (Capri Express)**, and the Permanent Real Estate Index Number is **18-30-305-003-0000.**

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, November 28, 2023. All public comment may be emailed to Planner Ella Stern (estern@burr-ridge.gov) or mailed to Ms. Stern's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

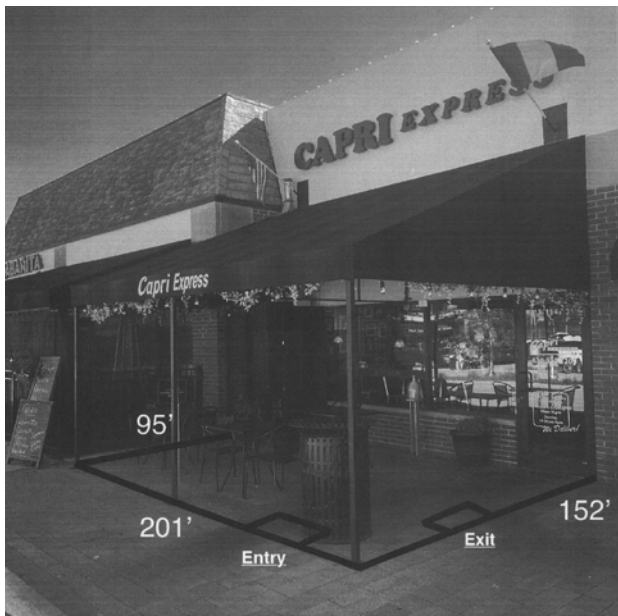
BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.

Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



The site is outlined in red



Proposed outdoor dining enclosure. Walls will be attached to the awning

Additional information is posted on the Village's website in the link below:

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/index.php

Burr Ridge homepage – Government – Boards, Committees, and Commissions – Plan Commission & Zoning Board of Appeals – Upcoming Public Hearing Petitions

The December 4, 2023 Plan Commission meeting agenda packet will be posted the Thursday before the meeting and will be available on the website here:

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/agendas_minutes.php

Burr Ridge homepage – Government – Agendas & Minutes – Plan Commission & Zoning Board of Appeals

KARL J VAN CURA
20 38TH STREET
SIOUX CITY, IA 51104

HETALKUMAR PATEL
202 AMBRIANCE DR
BURR RIDGE, IL 60527

FERN INC
15 AMBRIANCE
BURR RIDGE, IL 60527

RANJBAR, DONNA A
7734 S COUNTY LINE RD
BURR RIDGE, IL 60527

T & M KELLY
802 AMBRIANCE DR
BURR RIDGE, IL 60527

KUKUC, FRANK & MARGARET
7603 S DREW AVE
BURR RIDGE, IL 60521

SUNIL SURI
103 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

DANA SHINNEMAN
207 AMBRIANCE DR
BURR RIDGE, IL 60527

VILLAGE OF BURR RIDGE
7660 S COUNTY LINE RD
BURR RIDGE, IL 60521

GEETHA PUNDALEEKA
502 AMBRIANCE DR
BURR RIDGE, IL 60527

ANDREW J MOORMANN
50 BURR RIDGE PKWY
BURR RIDGE, IL 60527

BRVC OWNER LLC
PO BOX 1243
NORTHBROOK, IL 60065

KUKUC, STANLEY & IRENE
7615 S DREW AVE
BURR RIDGE, IL 60527

PARRIS SZOT
301 AMBRIANCE DR
BURR RIDGE, IL 60527

L PETERSON & J KENNEDY
117 NORTHGATE PL
BURR RIDGE, IL 60527

101 BRP LLC
20 DANADA SQ W #274
WHEATON, IL 60189

TERRELL PATTERSON
407 AMBRIANCE DR
BURR RIDGE, IL 60527

ASTA KAUPAITE
201 AMBRIANCE DR
BURR RIDGE, IL 60527

S SINGHAL
405 AMBRIANCE DR
BURR RIDGE, IL 60527

MAGDALENA KOLOSA
303 AMBRIANCE DR
BURR RIDGE, IL 60527

BREYMEYER, WILLIAM G
7711 DREW AVE
BURR RIDGE, IL 60527

OPUS NORTH MGMT CORP
701 VILLAGE CENTER DR
BURR RIDGE, IL 60527

TCF BANK
1405 XENIUM LN PCC00PD
PLYMOUTH, MN 55441

KRISHNA & ARUNA REDDY
406 AMBRIANCE DR
BURR RIDGE, IL 60527

HOSPITALITY PROP TRUST
255 WASHINGTON ST
NEWTON, MA 2458

GYTIS ARANAUSKAS
402 AMBRIANCE DR
BURR RIDGE, IL 60527

KENSINGTON PARK LLC
743 MCCLINTOCK DR
BURR RIDGE, IL 60527

NABEEL JABRI
204 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

INTER CONTL BURR RIDGE
108 BURR RIDGE RD
ESSEX, IL 60527

GARY R MURINO
18 AMBRIANCE
BURR RIDGE, IL 60527

JAMES M SNYDER
807 AMBRIANCE DR
BURR RIDGE, IL 60527

PAULIUS, ANDRIUS
1815 W IOWA ST
CHICAGO, IL 60622

EDWARD T PRODEHL
104 AMBRIANCE CT
BURR RIDGE, IL 60527

AN UNDIVIDED ONE HALF
801 AMBIANCE DRIVE
BURR RIDGE, IL 60527

TRP 745 MCCLINTOCK LLC
1700 W HIGGINS RD 280
DES PLAINES, IL 60018

CHRISTIAN BROTHER MIDWEST
7650 S COUNTY LINE RD
BURR RIDGE, IL 60527

LIFE TIME FITNESS 130
2902 CORPORATE PLACE
CHANHASSEN, MN 55317

YANAHAN, PARTICK 0013505
7754 S COUNTY LINE RD
BURR RIDGE, IL 60521

FIRST MIDWEST S19733
703 AMBRIANCE DR
BURR RIDGE, IL 60527

NILUFAR KABIR
304 AMBRAINCE DR
BURR RIDGE, IL 60527

KALEEM MALIK
101 AMBRIANCE CT
BURR RIDGE, IL 60527

PABIJANSKI, HENRYK
7626 DREW AVE
BURR RIDGE, IL 60521

FIRST MIDWEST BANK AS
704 AMBRIANCE DR
BURR RIDGE, IL 60527

SHARAD GANDHI
403 AMBRIANCE DR
BURR RIDGE, IL 60527

KORFIST, CHRISTIAN
7611 DREW AVE
BURR RIDGE, IL 60527

SPENCER LEE & MI Y WON
205 AMBRIANCE
BURR RIDGE, IL 60527

RIVERA, RUDOLPH & L TR
7607 DREW AVE
BURR RIDGE, IL 60527

REEGS PROPERTIES
PO BOX 639
HINSDALE, IL 60522

SALVATORE QUATRUCHI
404 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

MOINNUDDIN, ABID & S
7623 S DREW
BURR RIDGE, IL 60521

GEORGE S SPINDLER
7344 LAKESIDE CIRCLE
BURR RIDGE, IL 60527

MONA GHOBRIAL & SONIA
450 VILLAGE CENTER DR3
BURR RIDGE, IL 60527

R & N KAPOOR TR KNR TR
302 AMBRIANCE DR
BURR RIDGE, IL 60527

SPIRIT MASTER FUNDING
2727 N HARWOOD ST#300
DALLAS, TX 75201

ALAN JOHNSON
17 AMBRIANCE DR
BURR RIDGE, IL 60527

MPG RIC BURR RIDGE LLC
71 S WACKER DRIVE APT. 3725
CHICAGO, IL 60606

ATHIHALLI NAGARAJ
102 AMBRIANCE DR
BURR RIDGE, IL 60527

FAROUK B ASAAD
705 AMBERIANCE
BURR RIDGE, IL 60527

PATRICIA FORKAN
305 AMBRIANCE DR
BURR RIDGE, IL 60527

GIADLA HOLDINGS LLC
7702 CASS AVE APT. 220
DARIEN, IL 60561

BREYMEYER, WILLIAM
7701 DREW AVE
BURR RIDGE, IL 60527

RGT FAMILY LLC
501 AMBRIANCE DR
BURR RIDGE, IL 60527

D BEKTESHI
14 AMBRIANCE DR
BURR RIDGE, IL 60527

ANNE E MICALETTI TRUST
203 AMBRIANCE DR
BURR RIDGE, IL 60527

NANCY GATTUSO
401 AMBRIANCE DR
BURR RIDGE, IL 60527

KONDA REALTY LLC
10 ORCHARD APT. 200
LAKE FOREST, CA 92630

STRZELEC, WM E
7750 S COUNTY LINE RD
BURR RIDGE, IL 60527

MANSOUR AMIRAN
16 AMBRIANCE DR
BURR RIDGE, IL 60527

AMBRIANCE TRUST
1 AMBRIANCE DR
BURR RIDGE, IL 60527

SUZANNE DEYOUNG
12A AMBRIANCE
BURR RIDGE, IL 60527

ANTONIJE KELJEVIC
803 AMBRIANCE DRIVE
BURR RIDGE, IL 60527

MOHRE LLC
1 CLUBSIDE CT
BURR RIDGE, IL 60527

MUDJER, STEPHEN &MARGARET
15W700 81ST ST
BURR RIDGE, IL 60527

DR GHASSAN ABOUD
206 AMBRIANCE DR
BURR RIDGE, IL 60527

CERVANTES, LAURA
7619 DREW AVE
BURR RIDGE, IL 60527

SHAHID HUSSAIN
11 AMBRIANCE DR
BURR RIDGE, IL 60527



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

Consent to Install Public Notice Sign

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

Street Address of Subject Property:

114 Burr Ridge Parkway, Burr Ridge IL 60527

Property Owner or Petitioner:

Vito Salomone

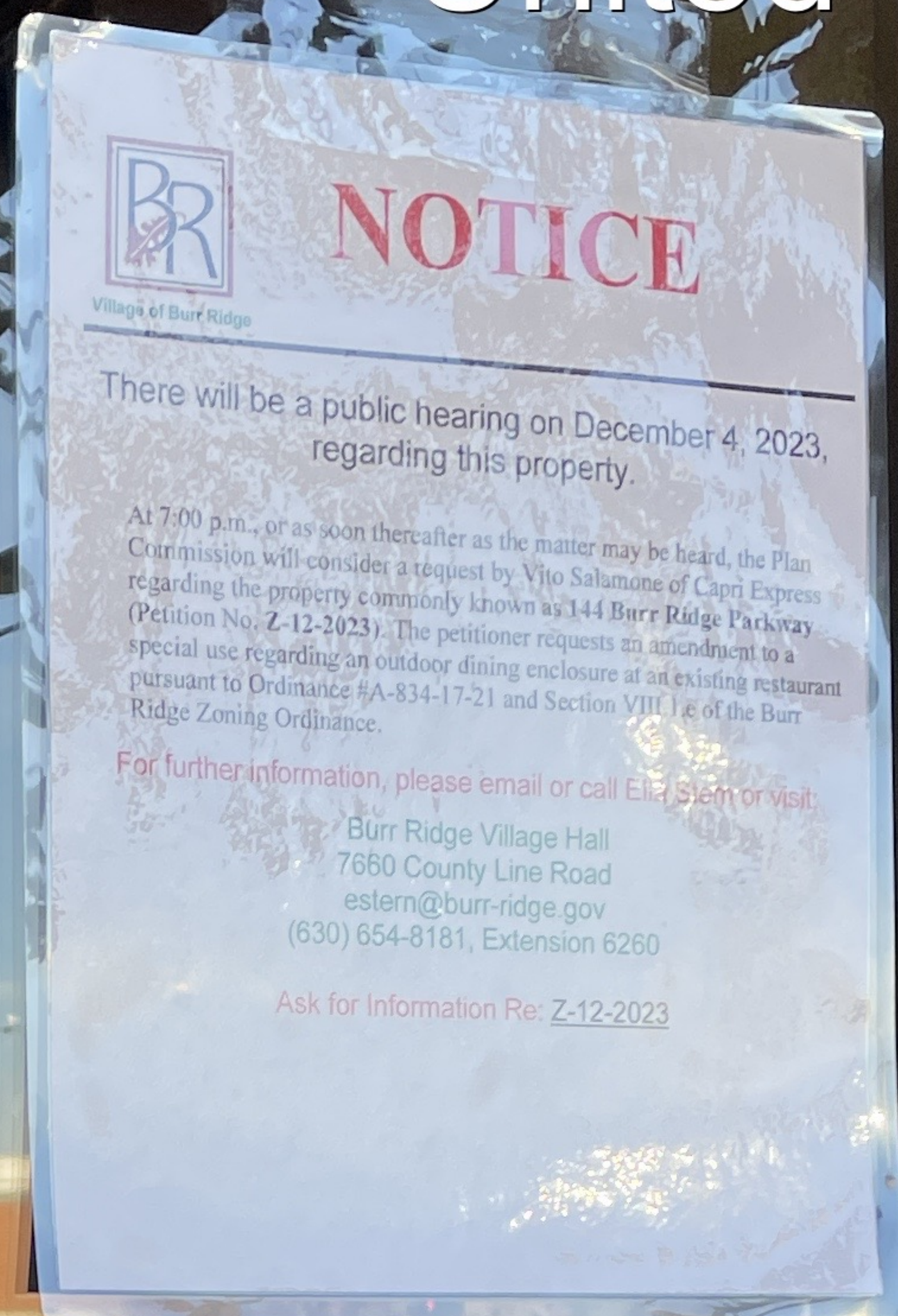
(Print Name)

[Signature]

(Signature)

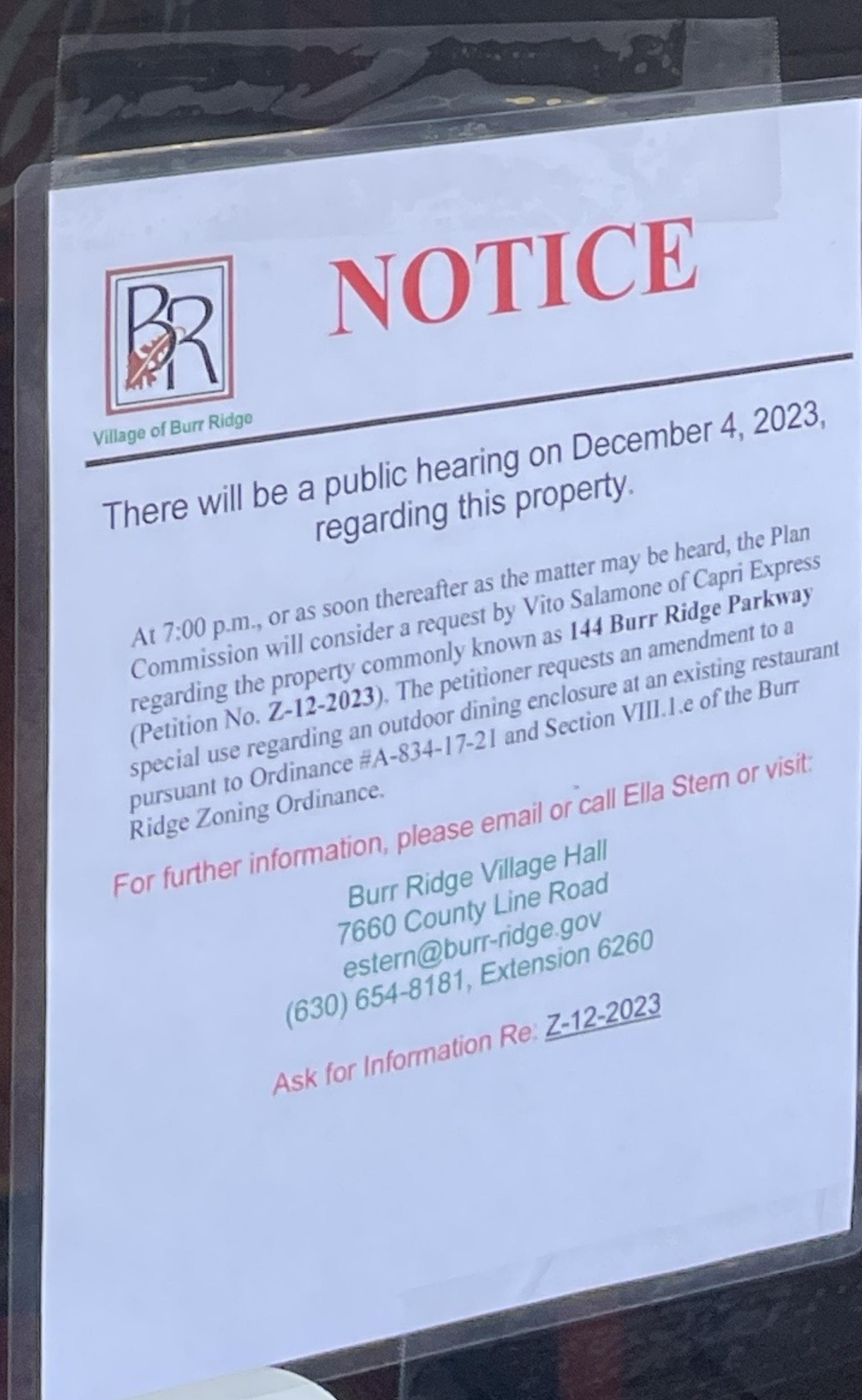
114

Nov 16, 2023 at 9:01:41 AM
114 Burr Ridge Pkwy
Burr Ridge IL 60527
United States



Capri
EXPRESS

630.323.1200



ORDINANCE NO. A-834-03-11

AN ORDINANCE GRANTING SPECIAL USE
PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE
FOR AN OUTDOOR SIDEWALK DINING AREA
(Z-12-2010: 114 Burr Ridge Parkway - Capri Express)

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

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use on December 6, 2010, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

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

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

Illinois, as follows:

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

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

- A. That the Petitioner for the special use for the property located at 114 Burr Ridge Parkway, Burr Ridge, Illinois, is Robert Spadoni on behalf of Capri Express (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section VIII.B.2.x of the Zoning Ordinance to permit outdoor seating on the common sidewalk in front of an existing restaurant.
- B. That the special use will not be detrimental to surrounding properties because the outdoor seating area will be limited in size and will not include outdoor table service and the restaurant does not serve alcoholic beverages.
- C. That the special use is consistent with the Burr Ridge Comprehensive Plan which calls for the continued use of the property and retail shopping center as commercial which is consistent with the other uses in the retail shopping center.

Section 3: That special use approval as per Section VIII.B.2.x of the Zoning Ordinance to permit outdoor seating on the common sidewalk in front of an existing restaurant *is hereby granted* for the tenant space within the existing County Line Square commonly

known as 114 Burr Ridge Parkway and legally described as follows:

Parcel 1 - Lot 1 in Burr Ridge Market Resubdivision of Lots, 4, 5 and Vacated Emro Drive in Burr Ridge Park Unit 2 in the West ½ of the Southwest ¼ of Section 30, Township 38 North, Range 12, East of the Third Principal Meridian, According to the Plat Thereof Recorded April 18, 1989 as Document Number 89171549, Cook County, Illinois.

Parcel 2 - Lot 1 in Burr Ridge Unit 1 Being a Subdivision in the West ½ of the Southwest ¼ of Section 30, Township 38 North, Range 12, East of the Third Principal Meridian, According to the Plat Thereof Recorded January 3, 1984 as Document Number 26915064, in Cook County, Illinois.

Section 4: That the special use approval as per Section VIII.B.2.x of the Burr Ridge Zoning Ordinance to allow modifications to the outdoor dining area is subject to the following terms and conditions:

- A. The location and configuration of the outdoor seating area shall be as specified on the submitted plans attached hereto as **Exhibit A** including but not limited to a maximum of four tables and 16 chairs.
- B. At all times, the tables and chairs shall be kept at least 5 feet from the back of the curb to ensure an adequate pedestrian sidewalk.
- C. The tables shall not exceed 36 inches in diameter.
- D. There shall be no table service or service of alcoholic beverages for the sidewalk seating.
- E. The umbrellas shall be black or heather beige but shall be a uniform color for all umbrellas that are used and shall not include any lettering, logos or other advertising.
- F. The operation of the outdoor seating areas shall not include any advertising, signs, or leaflets.
- G. The tables and chairs shall match the tables and chairs approved for other sidewalk seating for County Line Square as approved in Ordinance # A-834-5-03.
- H. A trash container shall be provided adjacent to the

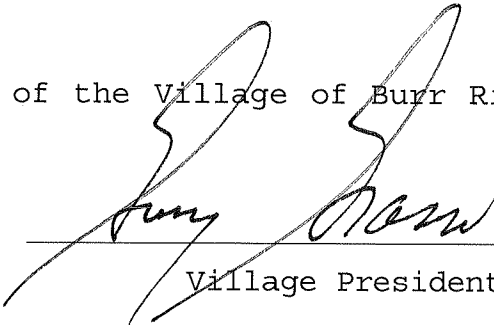
I. Outdoor seating shall be limited to May 1 to October 31 each year, and all furniture and facilities for outdoor seating shall be removed from November 1 to April 30.

J. Failure at any time to comply with these regulations shall deem this special use approval null and void.

PASSED this 10th day of January, 2011, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

ABSENT: 1 - Trustee Wott

of the Village of Burr Ridge on t



Village President

Karen J. Thomas
Village Clerk

**NICK SCARLATS
& ASSOCIATES, LTD.**
5405 West 127th Street
Crestwood, Illinois 60445
tel 708 653-5200
fax 708 653-5202

VOTES:

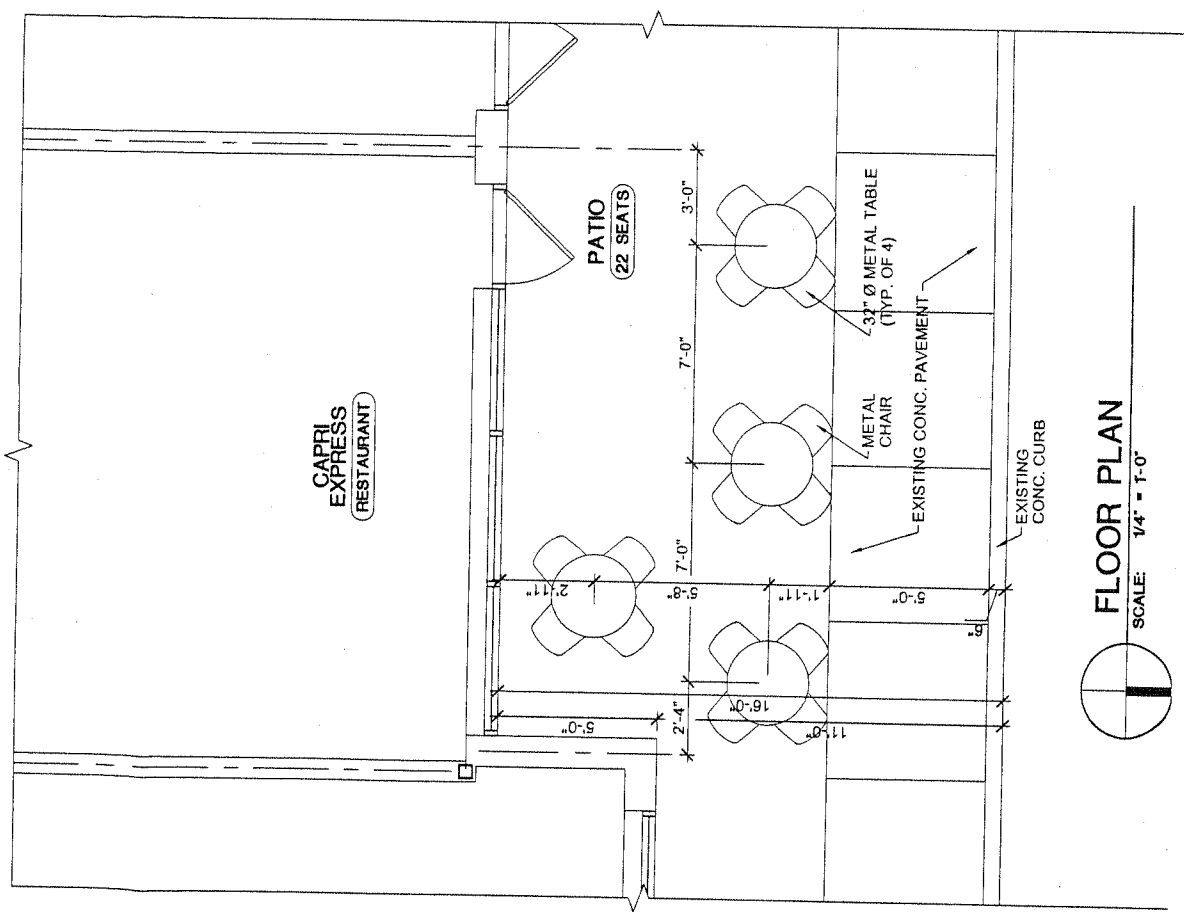
NO.	DATE	DESCRIPTION
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OUTDOOR
PATIO FOR:
"CAPRI
EXPRESS"
RESTAURANT

14 BURR RIDGE PKWY
BURR RIDGE, IL 60527

FLOOR PLAN

Scale: AS SHOWN	Sheet Number: A-1
Drawn: DC	
Project No. 201053	



FLOOR PLAN
SCALE: 1/4" = 1'-0"

ORDINANCE NO. A-834-17-21
AN ORDINANCE GRANTING SPECIAL USE APPROVAL FOR A RESTAURANT
WITH AMENDED OUTDOOR DINING

(Z-06-2021: 114 Burr Ridge Parkway - Salamone)

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

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use approvals on July 19, 2021, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for special use approvals, including its findings and recommendations, to this Mayor and Board of

Trustees, and this Mayor and Board of Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the Petitioner for the special use for the property located at 114 Burr Ridge Parkway, Burr Ridge, Illinois, is Phil Salamone (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section VIII.B.2.ff to permit a restaurant with amended outdoor dining.
- B. That the restaurant is in a shopping center with a variety of commercial tenants including other restaurants.
- C. That the subject property is appropriate for a restaurant with outdoor dining, as the use has provided outdoor dining for many years without incident.

Section 3: That special use approval for a restaurant with amended outdoor dining *is hereby granted* for the property commonly known as 114 Burr Ridge Parkway and identified by the Permanent Real Estate Index Number of 18-30-305-003.

Section 4: That the special use is subject to the following terms and conditions:

1. The general location of the outdoor seating area and of the proposed awning shall be as specified on the submitted plans attached hereto as Exhibit A including and limited to a maximum of four tables and 16 chairs.
2. At all times, the tables and chairs shall be kept at least 5 feet from the back of the curb to ensure an adequate pedestrian sidewalk.
3. The tables shall not exceed 36 inches in diameter.
4. There shall be no table service or service of alcoholic beverages for the sidewalk seating.
5. The operation of the outdoor seating areas shall not include any advertising, signs, or leaflets.
6. A trash container shall be provided adjacent to the building, and said container shall include a self-closing lid.
7. Failure at any time to comply with these regulations shall deem this special use approval null and void.
8. The middle pole on the awning shall be marked by a clearly-visible identification, such as paint or planter.
9. The slope of the adjacent canopy at La Cabanita shall match that of the proposed awning.

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

PASSED this 11th day of October, 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as

follows:

AYES: 6 - Trustees Snyder, Schiappa, Paveza, Mital,
 Smith, Franzese

NAYS: 0 - None


ABSENT: 0 - None

APPROVED by the Mayor of the Village of Burr Ridge on this
11th day of October, 2021.

ATTEST:



Village Clerk



Mayor

Ed Signs

Graphic Solutions For The Sign Industry

Contact us today for your free Estimate "If you can't come to us, we will come to you"

(773) 436-5764 Fax: (773) 436-5770

edsigns@sbcglobal.net

Business Name: Capri Express

Name: Phil

Address: 114 Burr Ridge Parkway, Burr Ridge, IL 60527

Ph: 630-232-3430

Cell: 708-692-1200

E-mail: phil@capriexpress.com

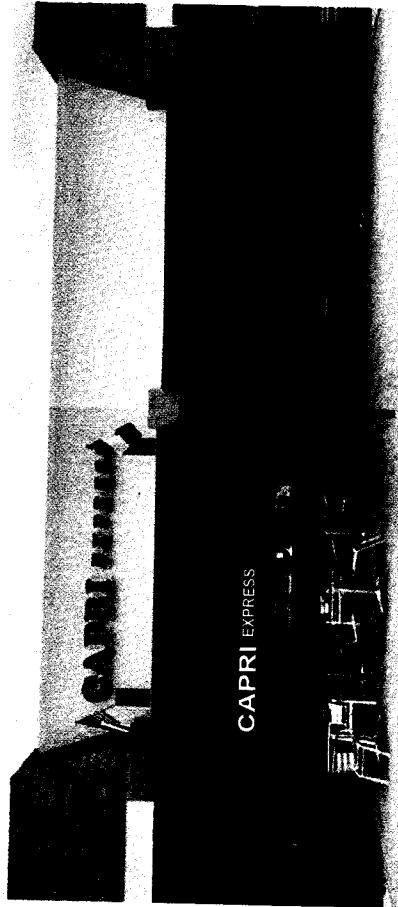
Now



Patio black canvas
Fabrications & Intallation

Proposal

Half Awning



Estimate:

58" x 19' x 13' proyection

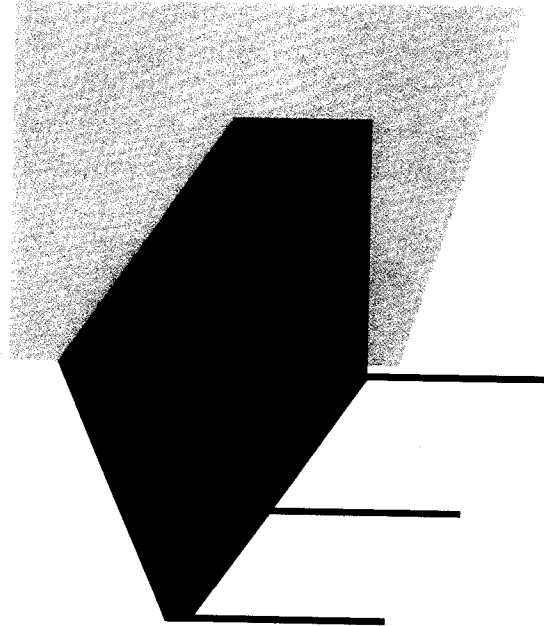
48" x 19' x 13' proyection

36" x 19' x 13' proyection

\$ 11,225.00

\$ 10,400.00

\$ 9,700.00



EXHIBIT

A

ORDINANCE NO. A-834-05-23

AN ORDINANCE AMENDING SECTION VIII OF THE ZONING ORDINANCE TO
AMEND THE REGULATIONS FOR OUTDOOR DINING.

(Z-03-2023: Text Amendment - Outdoor Dining)

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

WHEREAS, said Plan Commission of this Village held two public hearings on the question of granting said text amendment on February 6 and March 20, 2023, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

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

Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the recommendation is to amend Section VIII, the regulations for Outdoor Dining, as attached hereto as Exhibit A.
- B. That the amendments described are consistent with the purpose and intent of the Zoning Ordinance.

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 8th day of May, 2023, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 5 - Trustees Schiappa, Franzese, Paveza, Mital, Smith

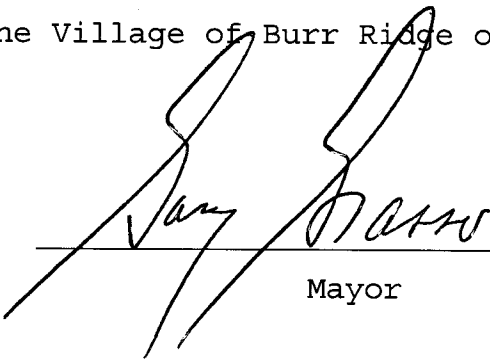
NAYS: 0 - None

ABSENT: 1 - Trustee Snyder

APPROVED by the Mayor of the Village of Burr Ridge on this 8TH day of May, 2023.

ATTEST:



Village Clerk

Mayor

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

Outdoor Dining

Restaurant outdoor dining areas are areas set up adjacent to the exterior wall of a commercial building with tables, chairs, or other such furnishings, for the purpose of serving food and/or beverages by an adjoining restaurant in which the same food and beverages are offered for sale, sold, and served. Outdoor dining areas shall be subject, at a minimum, to the following:

1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building;
3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
4. 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;
5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
6. The door to the dining area shall be self-closing;
7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
8. Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use;
9. 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;
10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas or railings;
12. All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of public view or off-site of the subject property when not in use;
13. Tables shall be cleaned promptly following use;
14. Outdoor food preparation, storage or display is prohibited;
15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations;
18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

- f. Dry cleaners with on-site equipment for dry cleaning
- g. Funeral parlors or crematoriums
- h. Gun and ammo sales, including shooting ranges
- i. Hours of operation exceeding 7 A.M. to 10 P.M. for any permitted or special use
- j. Liquor stores
- k. Live entertainment and dancing accessory to any permitted or special use
- l. Professional massage services
- m. Offices related to the Secretary of State's Vehicle Services Division
- n. Parking lots and structures where such uses are the principal use on a lot
- o. Pet shops and pet service stores, with or without overnight services
- p. Restaurants (including specialty restaurants such as donut shops and ice cream shops) over 4,000 square feet with or without sales of alcoholic beverages.
- q. Tobacco shops
- r. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site

Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas 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 if table service is provided or alcohol served in the outdoor dining area;
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- 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;
- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 60" of a curblin or so as to impede the normal flow of pedestrian traffic into or from a doorway;
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes;
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

- Outdoor dining areas must be cumulatively approved by the Village Administrator or their designee to determine final compliance with the regulations set forth herein; and
- Outdoor dining areas shall be included as part of the size calculation for restaurants.

Parking Design Regulations

The subject property shall provide one parking space for each 200 gross square feet of commercial space available.

Every parking lot in excess of fifteen spaces shall contain planting islands for shade trees in compliance with the following standards:

- a. There shall be one island for every 15 parking spaces and one shade tree for each island.
- b. Each parking lot landscape island shall be a minimum of 9 feet wide and 18 feet in length.
- c. Required shade trees shall have a minimum 3 inch diameter measured two feet above ground level.
- d. Parking lot landscape islands generally shall be located at the ends of each row of parking (one double island to be located at the end of a double row of parking) and every 15 parking spaces within a row.
- e. Maintenance of Landscape Areas and Screening: All such landscaped areas and screening shall, once installed, be maintained in such manner as to retain at least the intended standards of the initial landscaping and to conform to the landscaping requirements of the Village.

Minimum Standards for Parking Stalls and Aisles

Angle of Parking	45 Degrees	60 Degrees	90 Degrees
Width of Stall	9'	9'	9'
Stall Width (parallel to aisle)	12'9"	10'5"	9'
Stall Depth (perp. to aisle)	20'	21'	18'
Stall Length	19'	19'	18'
Aisle Width	13'*	17'*	24'

*One-way aisles only

Parallel parking shall be permitted with stalls at least 24' in length with an aisle of 14'

Accessible parking areas shall be designed in accordance with State requirements

All open off-street loading berths, access drives, aisles, and maneuvering spaces shall be improved with an all-weather hard surface pavement including, at a minimum, a two inch (2") bituminous concrete surface course, with a twelve inch (12") minimum thickness aggregate base course, and six inch (6") high perimeter concrete curbing (Type B or Type B6:12) installed in accordance with Illinois Department of Transportation specifications.

Parking and Loading Regulations

The area immediately adjacent to the curbline shall be permitted to be used as a standing and loading zone (as shown in Exhibit C in yellow), except no parking, standing, or loading areas shall

06/13/2024

Permits Applied for May 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JCPE-24-141	05/02/2024	304 Burr Ridge Pkwy	Feniks Electric (773) 387-3637 ziggy@fenikselectric.com	Electrical Misc
JCMSC-24-150	05/06/2024	10S 110 Madison	Garaventa USA, Inc. (847) 395-9988 terri.davis@garaventlift.com	Commercial Miscellaneous
JPF-24-142	05/06/2024	109 SHORE DR	Peerless Fence (630) 584-7710 chrisg@peerlessfence.com	Fence
JRPP-24-149	05/06/2024	16 Hidden Lake Dr	ABC PHCE (847) 562-5578 permit@4abc.com	Res Plumbing Permit
JPS-24-148	05/07/2024	800 Village Center Dr	My Salon Suite	Sign
JRAD-24-146	05/07/2024	11888 Crosscreek Ct	Bart, Christopher (630) 863-3829 chris@cbarthomes.com	Residential Addition
JRAL-24-144	05/07/2024	8221 Lake Ridge Dr	Frank Casciaro (630) 663-9900 jcasciaro@lamantia.com	Residential Alteration
JRES-24-145	05/07/2024	8300 County Line Rd	Mario Reyes (312) 778-1987 reyesmario842@gmail.com	Residential Miscellaneous
JRES-24-147	05/07/2024	365 KIRKWOOD CV	Sameh S Ebeid (312) 804-7446 ssebeid@gmail.com	Residential Miscellaneous

06/13/2024

Permits Applied for May 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRPE-24-143	05/07/2024	15W640 83rd St	GRNE Solar (312) 859-3417	Res Electrical Permit
JPS-24-151	05/09/2024	312 Burr Ridge Parkway	Capri by Gigi agrovito@comcast.net	Sign
JPS-24-152	05/09/2024	166 Shore Dr	Ezzi Signs Inc sales@ezzisignschicago.com	Sign
JRAL-24-153	05/09/2024	8701 Aintree Ln	Dressler-Block Concrete (630) 878-3162 Brianrblock@comcast.net	Right-of-Way
JCA-24-154	05/10/2024	582 Village Center Dr	Permit Advisors, Inc. (310) 275-7774 justinvilhauer@gmail.com	Com Alteration
JPF-24-156	05/10/2024	8472 Walredon Ave	Farhad Radfar	Fence
JRES-24-155	05/10/2024	6575 Elm St	Aardvark Electric (630) 789-1949 aardvarkelectricservice@gmail.com	Residential Miscellaneous
JPR-24-160	05/13/2024	11735 Briarwood Ct	Cassidy Excavating (708) 239-6470 cassidyexc@gmail.com	Right-of-Way Utility
JDS-24-164	05/14/2024	15W431 59th St	Lagestee-Mulder Inc. (312) 907-3431 ALLEN@LMTEAM.COM	Demolition

06/13/2024

Permits Applied for May 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRAL-24-157	05/14/2024	Elm St	Nicor Gas (224) 239-7907 jartis@southernco.com	Right-of-Way
JRAL-24-158	05/14/2024	8206 Garfield Ave	David and Kate Zobrist (630) 561-1511 katieziobrist2029@gmail.com	Residential Alteration
JODK-24-163	05/16/2024	1033 Laurie Ln	King's Landscape Design	Res Outdoor Kitchen
JPAT-24-162	05/16/2024	1033 Laurie Ln	King's Landscaping (630) 323-3757 eherrera@kingslandscaping.com	Res Patio
JRDB-24-159	05/16/2024	10S420 Drew Ave	John & Guadalupe Rico & Guadalupe (708) 587-7426 johnricosr@sbcglobal.net	Residential Detached Accessory Bu
JPAT-24-165	05/17/2024	9225 FOREST EDGE LN	Power Court (630) 222-9160 mitch@powercourtcchicago.com	Res Patio
JPF-24-161	05/17/2024	8129 KATHRYN CT	Golebiowski, Paulina & L Puchakayala (484) 723-3807 puchakayalals@gmail.com	Fence
JPR-24-167	05/20/2024	365 Tamerton Pkwy	Irish Castle Inc (708) 599-0844 nestor@irishcastlepaving.com	Right-of-Way Driveway
JPR-24-168	05/20/2024	370 Madison St	King's Landscape Design (630) 323-3757 eherrera@kingslandscaping.com	Right-of-Way Driveway

06/13/2024

Permits Applied for May 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRAL-24-166	05/20/2024	8180 Lake Ridge Dr	Home For Life Advantage (630) 466-2611 Michael@homeforlifeadvantage.com	Residential Alteration
JDEK-24-170	05/22/2024	8050 Savoy Club Ct	D&M Outdoor Living Spaces	Res Deck
JPAT-24-169	05/22/2024	8050 Savoy Club Ct	D&M Outdoor Living Spaces	Res Patio
JRAD-24-171	05/22/2024	1603 Burr Ridge Club Dr	Garnet Real Estate Investments, LLC Jean R (708) 707-1807 j.rollo@comcast.net	Residential Addition
JCPP-24-173	05/23/2024	324 BURR RIDGE PKWY	Dr. Rooter 911 miguel@mydrroooter911.com	Plumbing Misc
JPR-24-174	05/23/2024	11215 W 71ST ST	GERARD CHAN EVERETTE CHAN (312) 225-1012 CHARLENECHAN34@YAHOO.COM	Right-of-Way Driveway
JRAL-24-172	05/23/2024	1102 Kenmare Dr	A.V.H. Construction LLC (708) 453-0036 auhconllc@gmail.com	Residential Alteration
JRAL-24-176	05/23/2024	10S513 Madison St	MIGUEL VILLASENOR (708) 657-7521 miguel@mydrrouter911.com	Residential Alteration
JCPB-24-175	05/24/2024	143 TOWER DR	Newlin, Dave (815) 575-6215 dnewlin@blupetroleum.com	Building Misc

06/13/2024

Permits Applied for May 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JPR-24-178	05/28/2024	6379 COUNTY LINE RD	Trusty Plumbing, Inc. (630) 518-2092	Right-of-Way Utility
JRAL-24-177	05/28/2024	8051 Savoy Club Ct	Absolute Construction, Inc. Eric (219) 865-2771	Residential Alteration
JPF-24-179	05/30/2024	8223 Windsor Ct	Shukairy, Mr Abdul Rahman Sebaihi, L (248) 880-3797 abdshukairy@gmail.com	Fence
JPR-24-180	05/30/2024	8400 Dolfor Cove	Elia Paving Co. (630) 323-7408	Right-of-Way Driveway
JRPB-24-181	05/31/2024	4 Sylvan Glen Ct	Kapital Electric, Inc. (630) 833-2389 solar@kapitalelectric.com	Res EV Charger
TOTAL:	41			



Permits Issued May 2024

06/14/2024

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
Jose De Jesus Padilla	JPF-23-083	05/30/2024	15W227 79th St	Fence	3,500	
Homer Tree Service, Inc	JPTR-24-040	05/17/2024	800 Burr Ridge Parkway	Tree Removal		
Beary Landsacping	JRAL-24-052	05/01/2024	FIELDSTONE DR	Right-of-Way	163,000	
max welding inc	JPF-24-089	05/14/2024	78 BURR RIDGE PKWY	Fence	5,000	
Integrity Sign Company	JPS-24-083	05/14/2024	1000 Burr Ridge Parkway	Sign	7,450	
Golden Nail Builders	JDEK-24-102	05/09/2024	9299 Fallingwater Dr East	Res Deck	100,000	
Golden Nail Builders	JPAT-24-104	05/09/2024	9299 Fallingwater Dr East	Res Patio	30,000	
Golden Nail Builders	JRAL-24-103	05/09/2024	9299 Fallingwater Dr East	Residential Alteration	300,000	
Bradford & Kent Builders	JRAD-24-107	05/28/2024	8720 Grant St	Residential Addition	186,800	
Bradford & Kent Builders	JRAL-24-112	05/02/2024	7717 Ridgewood Ln	Residential Alteration	96,600	333
Sunpower Corp	JRES-24-120	05/06/2024	1 Deer Path Trl	Residential Miscellaneous	32,800	
William Geisler	JCA-24-121	05/13/2024	7020 High Grove Blvd	Com Alteration	20,000	
Warfield, Demond	JPF-24-122	05/14/2024	125 TOWER DRIVE	Fence	4,980	
Classic General Contractors	JRAL-24-123	05/06/2024	801 Ambriance	Residential Alteration	431,630	
AJD Concrete Construction Corp	JRAL-24-125	05/14/2024	16 Dougshire Ct	Right-of-Way	42,000	
AJD Concrete Construction Corp	JRES-24-124	05/15/2024	16 Dougshire Ct	Residential Miscellaneous	42,000	36
LaMantia Enterprises, Inc	JRAL-24-126	05/14/2024	8436 Clynderven Rd	Right-of-Way	8,535	
MCNAUGHTON BROS. CONST	JRAL-24-130	05/20/2024	5 Arcadia Ct	Residential Alteration	100,000	
Dominic LaMontia	JRES-24-127	05/14/2024	8436 Clynderven Rd	Residential Miscellaneous	2,750	



Permits Issued May 2024

06/14/2024

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
United General Concrete, Inc	JRES-24-129	05/09/2024	121 CARRIAGE WAY DR	Residential Miscellaneous	3,400	
Advantage Paving Solutions	JCMSC-24-134	05/06/2024	601 BURR RIDGE PKWY	Commercial Miscellaneous	584,172	
Tom & Elaine Layden & Elaine	JRAL-24-132	05/02/2024	121 CARRIAGE WAY DR	Right-of-Way	6,822	
Mr & Mrs Patrick Tumpane	JRDB-24-133	05/30/2024	8413 PARK AVE	Residential Detached Accessory Buil	15,000	
O'Hare Mechanical	JCMSC-24-135	05/22/2024	1000 Burr Ridge Parkway	Commercial Miscellaneous	300,000	
John Broucek	JGEN-24-138	05/30/2024	6520 S. Elm St.	Generator	5,000	
Robert R. Andreas & Sons Inc.	JRAL-24-137	06/11/2024	9011 Enclave Dr	Right-of-Way	28,000	
ABC PHCE	JRPP-24-149	05/22/2024	16 Hidden Lake Dr	Res Plumbing Permit	28,670	
Frank Casciaro	JRAL-24-144	05/22/2024	8221 Lake Ridge Dr	Residential Alteration	150,000	615
Mario Reyes	JRES-24-145	05/22/2024	8300 County Line Rd	Residential Miscellaneous	500	
Capri by Gigi	JPS-24-151	05/15/2024	312 Burr Ridge Parkway	Sign	1,000	
Dressler-Block Concrete	JRAL-24-153	05/22/2024	8701 Aintree Ln	Right-of-Way	26,500	
Farhad Radfar	JPF-24-156	05/22/2024	8472 Walredon Ave	Fence	5,600	
Cassidy Excavating	JPR-24-160	05/24/2024	11735 Briarwood Ct	Right-of-Way Utility	10,000	
Lagestee-Mulder Inc.	JDS-24-164	05/29/2024	15W431 59th St	Demolition	5,000	
Nicor Gas	JRAL-24-157	05/16/2024	Elm St	Right-of-Way	310,294	
David and Kate Zobrist	JRAL-24-158	05/22/2024	8206 Garfield Ave	Residential Alteration	155,000	
King's Landscape Design	JODK-24-163	05/23/2024	1033 Laurie Ln	Res Outdoor Kitchen	60,000	39
John & Guadalupe Rico & Guadal	JRDB-24-159	05/30/2024	10S420 Drew Ave	Residential Detached Accessory Buil	4,700	107

06/14/2024

Permits Issued May 2024



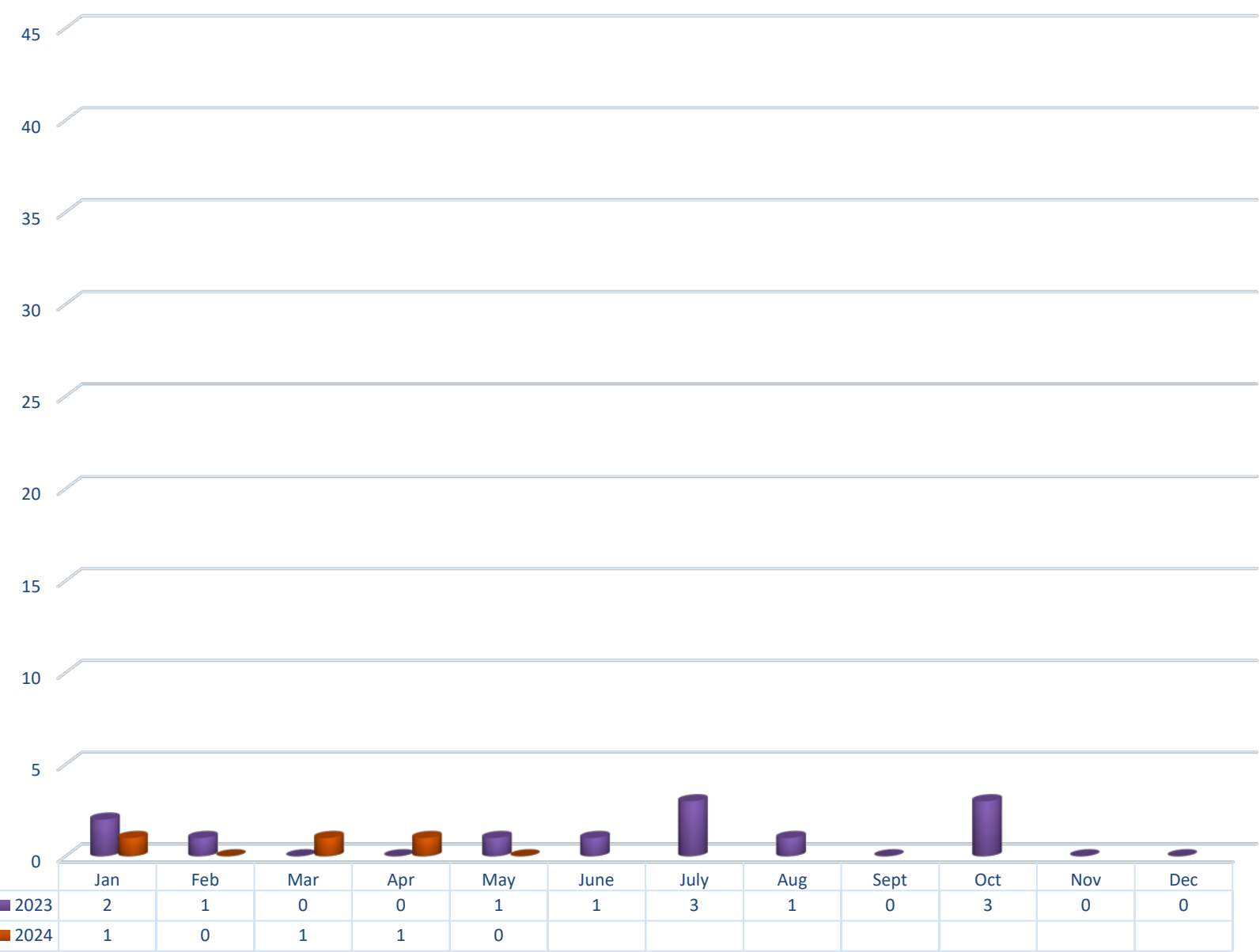
Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
Irish Castle Inc	JPR-24-167	05/24/2024	365 Tamerton Pkwy	Right-of-Way Driveway	6,200	
King's Landscape Design	JPR-24-168	05/31/2024	370 Madison St	Right-of-Way Driveway	76,000	
Home For Life Advantage	JRAL-24-166	05/22/2024	8180 Lake Ridge Dr	Residential Alteration	44,655	
Dr. Rooter 911	JCPP-24-173	05/30/2024	324 BURR RIDGE PKWY	Plumbing Misc	7,487	
GERARD CHAN EVERETTE C	JPR-24-174	05/31/2024	11215 W 71ST ST	Right-of-Way Driveway	5,000	
A.V.H. Construction LLC	JRAL-24-172	05/31/2024	1102 Kenmare Dr	Residential Alteration	58,900	168
MIGUEL VILLASENOR	JRAL-24-176	05/31/2024	10S513 Madison St	Residential Alteration	67,000	
Absolute Construction, Inc. Eric	JRAL-24-177	05/31/2024	8051 Savoy Club Ct	Residential Alteration	14,459	26
Elia Paving Co.	JPR-24-180	05/31/2024	8400 Dolfor Cove	Right-of-Way Driveway	6,950	
TOTAL:	47					

Occupancy Certificate List

CofO	Status	Issued To	Location	Category	Issued
OF24007	Issued	Anton & Lena Fakhouri & Lena	8250 County Line Road		05/09/2024
OF24008	Issued	King Bruwaert House	6101 COUNTY LINE RD		05/29/2024
OF24009	Issued	McCallion, James & Bernadette & Bernadette	8955 Glenmora Ln		05/20/2024
OF24012	Issued	DOUBLE GOOD	16W030 83rd St		05/21/2024

Total Occupancy Certificates: 4

Village of Burr Ridge New Housing Permits 2023 Compared to 2024





VILLAGE OF BURR RIDGE

MEMORANDUM

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

FROM: Ella Stern, Planner

DATE: July 1, 2024

RE: Extraterritorial Review of DuPage County Text Amendments/DuPage County Zoning Case T-2-2024

The Village has been notified of proposed Text Amendments to Chapter 37 of the DuPage County Zoning Ordinance concerning Electric Vehicles, Accessory Dwelling Units, and Dwelling Units. These amendments integrate electric vehicle charging stations into the Permitted and Conditional Use sections of all nonresidential zoning districts. Furthermore, the amendments propose new residential use criteria and bulk regulations for accessory dwelling units, detailing provisions such as maximum occupant limits, kitchen allowances, setback requirements, and parking stipulations. It appears that the proposed amendments expand Accessory Dwelling Unit (ADU) provisions to allow for broader inclusion without age restrictions.

Legal Authority for Review and Recommendation

The Commission may wish to submit comments on the proposal.

The public hearing for this proposal is scheduled to occur on July 11, 2024 with DuPage County. The Commission may wish to submit comments on this request to DuPage County for that meeting.

Attachments

Exhibit A – Petition Materials from DuPage County

**DU PAGE COUNTY ZONING BOARD OF APPEALS
JACK T. KNUEPFER ADMINISTRATION BUILDING
421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187/ 630-407-6700**

T-2-24 Text Amendments

The DuPage County Zoning Board of Appeals will conduct the following public hearing:

NOTICE OF PUBLIC HEARING: 6:00 p.m. **THURSDAY, JULY 11, 2024**, Room 3-500 B, JACK T. KNUEPFER ADMINISTRATION BUILDING, 421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187

Please be advised that access to the 421 JACK T. KNUEPFER ADMINISTRATION BUILDING is limited to the main entrance located in the center on the east side of the building.

PLEASE NOTE: Public comment may also be submitted through the County Website at: <https://dupagecounty-ktgfp.formstack.com/forms/publiccomment>.

The deadline for public comment via the County website is Wednesday, July 10, 2024, at 3:00 P.M. Public comment will be made part of the public record.

PETITIONER: DUPAGE COUNTY

REQUEST: To consider Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units:

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements), relative to the following:

Add to and Amend ARTICLE III. RULES AND DEFINITIONS Section 37-302: DEFINITIONS:

Add Definitions Relative Electric Vehicles Accessory Dwelling Units and Dwelling units:

ACCESSORY UNIT: A group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

CONVERTED DWELLING: A ~~single-family~~ dwelling unit which has been converted into one primary unit and one accessory unit.

DWELLING UNIT, ACCESSORY: A self-contained room or group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

DWELLING, MULTIPLE-FAMILY: A building, or portion thereof, consisting of three (3) or more dwelling units of any type.

DWELLING, SINGLE-FAMILY: A building containing a single dwelling unit only, which is separated from all other dwellings by open space.

DWELLING, TWO-FAMILY: A building consisting of two (2) dwelling units either attached, side by side, or one above the other, with each dwelling unit having a separate entrance.

DWELLING UNIT: One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of ~~a single family~~ maintaining a household.

AC: Alternating current (electricity).

BATTERY, BATTERIES: A cell or cells onboard an electric vehicle which is used for storing and furnishing electrical energy for the purpose of propelling the vehicle.

BATTERY ELECTRIC VEHICLE (BEV): An electric vehicle with an onboard battery that operates exclusively on electrical energy from the battery which battery is charged from an electrical power source (charging station) not onboard the vehicle.

CHARGING LEVEL: The standardized indicators of electrical force, or voltage at which an electric vehicle's battery is recharged. Typical electric vehicle charging levels and specifications are:

- **Level 1: AC slow battery charging. Voltage is one hundred twenty (120) volts.**
- **Level 2: AC medium battery charging. Voltage is between one hundred twenty (120) volts and two hundred forty (240) volts.**
- **Level 3: DC fast or quick battery charging. Voltage is greater than two hundred forty (240) volts. Sometimes referred to as "DC fast".**

CHARGING STATION: Equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device located onboard an electric vehicle. Various types of charging stations include:

- **Accessible Charging Station: A charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" is defined by the Illinois vehicle code.**
- **Level 3 Charging Station (Sometimes: DC Fast Charging Station): A charging station that provides any single-phase voltage or current rating higher than that of level 2, or any 3-phase supply voltage configuration.**

- Private Charging Station: A charging station that is: 1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking, etc.), or 2) publicly owned and restricted (e.g., fleet parking with no access to the public).
- Public Charging Station: A charging station that is: 1) publicly owned and publicly available (e.g., park and ride, public parking lots, on street parking, etc.) or 2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots, etc.).

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

DC: Direct current (electricity).

ELECTRIC SCOOTERS AND/OR MOTORCYCLES: A two-wheel or three-wheel electric vehicle that operates exclusively on electrical energy stored in the vehicle's batteries.

ELECTRIC VEHICLE: A vehicle that operates, either partially or exclusively, on electrical energy from a charging station or other electrical energy source that is stored in the vehicle's battery for propulsion purposes. "Electric vehicle" includes a) a battery electric vehicle; b) a plug-in hybrid electric vehicle; c) a neighborhood electric vehicle; and d) electric scooters or motorcycles.

NEIGHBORHOOD ELECTRIC VEHICLE: An electric vehicle with four (4) wheels that conforms to federal regulations under title 49 CFR part 571.500 which can from a standstill attain a speed of twenty (20) miles per hour within one mile but cannot exceed a speed of more than twenty-five (25) miles per hour.

NONELECTRIC VEHICLE: A vehicle that does not meet the definition of "electric vehicle" as provided herein.

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV): An electric vehicle that: a) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; and b) charges its battery primarily by connecting to a charging station or other electrical source not onboard the vehicle; c) may additionally be able to sustain a battery charge using an onboard internal combustion driven generator; and d) has the ability to be propelled through the use of electricity.

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

Add to and Amend Section 37-417: ACCESSORY HOUSING:

37-417.1: DECLARATION OF POLICY:

The County Board of DuPage County, Illinois recognizes the need to create not only more housing that is affordable to a variety of income levels but also create more housing types in a variety of neighborhoods for residents of all income levels. Accessory Dwelling Units (ADU'S) can serve as a source of financial stability or relief, encouraging revenue generation and wealth building for homeowners, especially for those who experience high housing costs.

~~The county board of DuPage County, Illinois, recognizes that the number of persons living in the county who are sixty two (62) years old or older is increasing and that many of these persons who would otherwise desire to maintain separate households are unable to do so because of insufficient incomes or need for services. The intent of section 37-417 of this chapter providing for accessory housing is to alleviate this problem. By permitting an accessory unit to be maintained in single family dwellings in the single family residential districts of the county, persons over sixty two (62) years old or older will be afforded a means of obtaining the additional income and security which will enable them to remain in homes owned and occupied by them. Also other persons owning and occupying single family dwellings in these districts will be provided with a means of caring and providing companionship for relatives who are sixty two (62) years or older. (2005 Code)~~

37-417.2: REQUIREMENTS FOR ACCESSORY DWELLING UNIT ~~HOUSING~~ ~~CONDITIONAL USE~~:

An accessory ~~dwelling~~ unit may be maintained **as part of the principal** ~~in a single-family dwelling as a conditional use~~ in the districts hereinafter indicated. Conversion of the dwelling **unit** and maintenance of the accessory unit and primary unit must conform to the following requirements:

- A. Only one accessory **dwelling** unit may be maintained in a converted dwelling **or on a property where there is an existing dwelling unit.**
 - B. The total floor area of an accessory **dwelling** unit shall not exceed ~~seven hundred (700)~~ **one thousand (1,000)** square feet.
 - C. ~~The accessory unit shall be structurally part of the converted dwelling; no accessory unit or portion thereof shall be maintained in an accessory building.~~
 - D. The converted **accessory dwelling unit** must conform to all applicable yard and bulk requirements of the district **for either the principal building or for the accessory building.**
 - E. **The owner of the property must obtain a building permit for the converted accessory dwelling unit. The application for permit to include at least the following:**
 - a. **Floor plans for the construction of the accessory dwelling unit; and**
 - b. **A reconversion plan showing both the principal dwelling unit and the accessory dwelling unit to a single-family dwelling after the accessory dwelling unit is no longer in operation.**
- (1) Reconversion of the property to a single dwelling shall be completed within ninety (90) days after the discontinuance of the accessory dwelling unit**

(2) The property shall be reconverted according to the plans submitted at the time the accessory dwelling unit was issued a permit.

F. The exterior of the converted dwelling must retain the appearance of a single-family dwelling **or an existing accessory building containing the accessory dwelling unit.** The number of exterior entries on the front of the converted dwelling shall be the same number as prior to its conversion.

G. The total number of occupants in the combined principal and accessory dwelling units shall not exceed five (5) people including one or more persons related by blood, marriage, adoption, or guardianship, or a group of not more than five (5) persons not so related, including their domestic servants or resident staff, maintaining a common household in both the principal and accessory dwelling unit.

H. The total number of passenger vehicles permitted on the property shall not exceed six (6) passenger vehicles combined for the principal dwelling unit and the accessory dwelling unit.

G. No roomers or boarders allowed by the definition of dwelling unit in section 37-302 of this chapter shall be permitted in either the primary unit or the accessory unit.

H. At least one of the occupants **of either the principal dwelling unit or the** converted **accessory** dwelling **unit** must be the legal or beneficial owner of the property. ~~If none of the owners who occupy the converted dwelling are sixty-two (62) years old or older, then the accessory unit must be occupied by a person who is sixty-two (62) years old or older and who is related to one of the owners by blood, marriage, adoption or guardianship.~~

I. ~~By January 31 of each year after the occupancy permit for the accessory unit is issued, all owners of the property shall file an affidavit, along with the annual renewal fee, with the director of the department of economic development and planning certifying that the property complies with the preceding subsection A through I of this section on the date of the filing. (2005 Code)~~

37-417.3: EXPIRATION OF CONDITIONAL USE:

~~Every conditional use for accessory housing shall expire by its own terms without action by the county board if the property fails to conform with any of the requirements of subsection 37-417.2A through I of this chapter, or if an affidavit is not filed in accordance with subsection 37-417.2I of this chapter. The expiration date shall be thirty (30) days after the date on which the property first fails to conform with these requirements or thirty (30) days after the date on which the affidavit was to have been filed. The conditional use shall not expire, however, if the property is brought into conformity with the requirements of subsection 37-417.2A through I of this chapter, or if the affidavit is filed as required prior to the expiration date. Every conditional use for accessory housing shall also expire when any owner of the converted dwelling conveys any portion of his or her interest in the property, unless the conveyance is to a trust of which that owner is a beneficiary. (2005 Code)~~

37-417.4: RECONVERSION TO SINGLE-FAMILY DWELLING:

~~Reconversion of the property to a single family dwelling shall be completed within ninety (90) days after the expiration of the conditional use. The county development committee may extend the period of~~

~~conversion for cause shown. The property shall be reconverted according to the plans submitted at the time the conditional use was applied for. (2005 Code)~~

Add to all zoning districts as a permitted use:

Level 1 and Level 2 charging stations are permitted in every zoning district, when accessory to the primary permitted use of said district.

Charging stations located at single-family and multiple-family uses shall be designated as private use only. Installation of Level 2 charging stations shall be subject to building permit approval.

Add to and Amend 37-801: B-1 LOCAL BUSINESS DISTRICT:

37-801.1: PERMITTED USES:

Level 3 (DC fast) charging stations when accessory to the primary permitted use.

37-801.2: CONDITIONAL USES:

Automobile service stations, including minor services customarily incidental thereto, and facilities for chassis and gear lubrication, and Level 3 (DC fast) charging stations but not including the sale, storage, or rental of vehicles, new or used.

Add to and Amend 37-802: B-2 GENERAL BUSINESS DISTRICT:

37-802.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

Add to and Amend 37-1001: I-1 LIGHT INDUSTRIAL DISTRICT:

37-1001.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

37-1001.2: CONDITIONAL USES:

~~Automobile service stations.~~

Add to and Amend 37-1002: I-2 GENERAL INDUSTRIAL DISTRICT:

37-1002.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

Truck stop: Large

37-1002.2: CONDITIONAL USES:

~~Automobile service stations, need not be enclosed.~~

37-1205: OFF STREET LOADING REQUIREMENTS:

37-1205.1: GENERAL REQUIREMENTS:

M. Electric Vehicle charging station/parking space requirements for multi-family residential, nonresidential development:

1. Charging stations spaces are reserved for use by electric vehicles only.
2. Electric vehicles may park in any parking space otherwise designated for parking, subject to the restrictions that would apply to any other vehicle generally.
3. Charging Station Space Requirements:
 - a. Minimum Requirements: A charging station space may be included in the calculation for minimum parking spaces that are required pursuant to other county and state regulations.
 - b. Number: No minimum number of charging station spaces is required.
4. Charging Station Space Location and Design Criteria:
 - a. Where provided, spaces for charging station purposes are required to include the following:

- (1) Signage: Each charging station space shall be posted with signage indicating the charging station space is only for use by electric vehicles for charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced.
- (2) Maintenance: Charging station equipment shall be always maintained with a phone number or other contact information provided on the charging station equipment for reporting purposes when the equipment is not functioning, or other equipment problems are encountered.
- (3) Accessibility: Where charging station equipment is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the charging station equipment shall be located so as not to interfere with accessibility requirements of the Illinois accessibility code or other applicable accessibility standards.
- (4) Lighting: Where charging station equipment is installed, adequate site lighting shall be provided in accordance with county of DuPage lighting and glare performance standards and ordinances.
- (5) Charging Station Equipment: Charging station outlets and connector devices shall be no less than thirty-six inches (36") and no higher than forty-eight inches (48") from the ground or pavement surface where mounted and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface.
 - (a) Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel or create trip hazards on sidewalks.
 - (b) Charging Station Equipment Protection: Adequate charging station equipment protection, such as concrete filled steel bollards, shall be used.
- (6) Non-mountable curbing may be used in lieu of bollards if the charging station is set back a minimum of twenty-four inches (24") from the face of the curb.
- (7) Usage Fees: An owner of a charging station is not prohibited from collecting a fee for the use of a charging station, in accordance with applicable state and federal regulations.
 - (a) Fees shall be prominently displayed on the charging station.

Add to and Amend 37-1203: SCHEDULE OF OFF STREET PARKING REQUIREMENTS:

37-1203: SCHEDULE OF OFF STREET PARKING REQUIREMENTS

1-1 Dwelling, Single Family Detached Separate living quarters, domestic Servants and Accessory Dwelling Unit Two (2) parking space per each dwelling unit

*****END*****