

**REGULAR MEETING**  
**PRESIDENT AND BOARD OF TRUSTEES**  
**VILLAGE OF BURR RIDGE, IL**

**October 26, 2015**

**CALL TO ORDER** The Regular Meeting of the President and Board of Trustees of October 26, 2015 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:01 p.m. by President Pro-tem Paveza

**PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited by Milana Merkevicute of Burr Ridge Middle School.

**ROLL CALL** was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Grasso, Bolos, Murphy, Schiappa, and Paveza. Absent was President Straub. Also present were Village Administrator Steve Stricker, Community Development Director Doug Pollock, Public Works Director Dave Preissig and Village Clerk Karen Thomas.

**RESIDENT COMMENTS** Marty Gleason asked the Board to reconsider their vote placing non-resident comments at the end of the meeting. He stated that he believes that this was directed at his friend Dolores Cizek.

**CONSENT AGENDA – OMNIBUS VOTE** After reading the Consent Agenda by President Pro-tem Paveza, motion was made by Trustee Franzese and seconded by Trustee Schiappa that the Consent Agenda – Omnibus Vote (attached as Exhibit A), and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

**APPROVAL OF REGULAR BOARD MEETING OF OCTOBER 12, 2015** were approved for publication under the Consent Agenda by Omnibus Vote.

**RECEIVE AND FILE (DRAFT) PLAN COMMISSION MEETING OF OCTOBER 19, 2015** were noted as received and filed under the Consent Agenda by Omnibus Vote.

**APPROVAL OF AN ORDINANCE REZONING PROPERTIES FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE R-2B SINGLE FAMILY RESIDENTIAL DISTRICT PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE (Z-16-2015: 7950 BUCKTRAIL DRIVE – MCNAUGHTON BROTHERS)** The Board,

under the Consent Agenda by Omnibus Vote, approved the Ordinance.

**THIS IS ORDINANCE NO. A-834-18-15**



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**APPROVAL OF ORDINANCE GRANTING A SPECIAL USE PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE FOR AN AMENDMENT TO THE ESTANCIA PLANNED UNIT DEVELOPMENT (Z-14-2015: 100 HARVESTER DRIVE – BJB ESTANCIA, LLC)** The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance.

**THIS IS ORDINANCE NO. A-834-19-15**

**APPROVAL OF AN ORDINANCE GRANTING A SPECIAL USE PURSUANT TO THE BURR RIDGE ZONING ORDINANCE TO ALLOW RETAIL SALES OF POWER TOOLS, HAND TOOLS AND RELATED ITEMS ACCESSORY TO A WAREHOUSE AND MANAGEMENT OFFICE (Z-15-2015: 8080 MADISON STREET – BLACK & DECKER)** The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance.

**THIS IS ORDINANCE NO. A-834-20-15**

**ADOPTION OF RESOLUTION APPROVING PRELIMINARY PLAT BUCKTRAIL ESTATES SUBDIVISION (7950 BUCKTRAIL DRIVE)** The Board, under the Consent Agenda by Omnibus Vote, adopted the Resolution.

**THIS IS RESOLUTION NO. R-23-15**

**APPROVAL OF RECOMMENDATION TO AWARD CONTRACT FOR 2015 FALL ASPHALT PATCHING)** The Board, under the Consent Agenda by Omnibus Vote, awarded the contract for the 2015 Fall Asphalt Patching to American Sealcoating and Maintenance, Inc. of Lockport, IL, in the amount not to exceed \$6,858.00.

**RECEIVE AND FILE RESIGNATION LETTER FROM PUBLIC WORKS GENERAL UTILITY WORKER II WILLIAM KULIS EFFECTIVE OCTOBER 13, 2015** The Board, under the Consent Agenda by Omnibus Vote, noted that the resignation letter be received and filed.

**APPROVAL OF RECOMMENDATION TO HIRE TWO PART-TIME GENERAL UTILITY WORKER I EMPLOYEES TO FILL VACANCY CREATED BY RESIGNATION OF FULL-TIME GENERAL UTILITY WORKER II WILLIAM KULIS** The Board, under the Consent Agenda by Omnibus Vote, approved the recommendation.

**APPROVAL OF REQUEST FOR A RAFFLE AND CHANCE LICENSE FOR PLEASANTDALE PTA AND A HOSTING FACILITY LICENSE FOR CHICAGO MARRIOTT SOUTHWEST AT BURR RIDGE FOR THE PTA'S ANNUAL FUNDRAISER ON MARCH 5, 2016 (TICKET SALES BETWEEN NOVEMBER 1, 2015 AND MARCH 5, 2016; DRAWING AT EVENT ON MARCH 5, 2016)** The Board, under the Consent Agenda by Omnibus Vote, approved the request.



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**APPROVAL OF THE VENDOR LIST IN THE AMOUNT OF \$111,600.37 FOR ALL FUNDS, PLUS \$191,023.71 FOR PAYROLL, FOR A GRAND TOTAL OF \$302,624.08 WHICH INCLUDES NO SPECIAL EXPENDITURES** The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending October 26, 2015 in the amount of \$111,600.37 and payroll in the amount of \$191,023.71.

**PUBLIC HEARING**  
**ANNEXATION AGREEMENT**  
**SPECTRUM SENIOR LIVING**  
**16W800 91<sup>ST</sup> STREET AND 9101 KINGERY HIGHWAY**

**CALL TO ORDER** The Public Hearing of the President and Board of Trustees for the Annexation Agreement for Spectrum Senior Living – 16W800 91<sup>st</sup> Street and 9101 Kingery Highway was held in the Meeting Room of the Village Hall, 7660 South County Line Road, Burr Ridge, Illinois and called to order by President Pro-tem Paveza at 7:09 p.m., with the same Trustees in attendance as immediately preceding the Public Hearing.

**NOTICE OF HEARING** was published in The Hinsdale Suburban Life Newspaper on October 9, 2015.

**PURPOSE OF HEARING** is to consider the Annexation Agreement for Spectrum Senior Living – 16W800 91<sup>st</sup> Street and 9101 Kingery Highway.

**PRESENTATION** Community Development Director Doug Pollock stated that this is a Public Hearing for the Annexation Agreement for the property at 91st Street and Kingery Highway. The Annexation Agreement includes:

- Annexation of the property into the Village
- Zoning of the property to the O-2 District and the B-2 District
- Approval of final plans for the construction of a 190 unit senior living facility on 15.7 acres (12 units in 6 cottage units and the remaining 178 units in the two-story multi-unit building)
- Approval of zoning for a commercial development on 3.4 acres located at the corner of Kingery Highway and 91<sup>st</sup> Street with final plans to be subject to further review by the Plan Commission and by the Village Board
- Improvement of 91<sup>st</sup> Street with curb, gutter, left turn lanes, and a sidewalk
- Payment of in lieu of the required sidewalk on Kingery Highway



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- o Payment of annexation impact fees in the amount of \$206,057.14.

Mr. Pollock said that the Pathway Commission reviewed the sidewalk and recommended construction of sidewalks on 91<sup>st</sup> Street and Kingery Highway. He said that when they reviewed it, the estimated donation was only \$16,257 based on the concrete cost of \$5.00 a square foot. He continued that given the grading and other circumstances, it was determined that the actual cost of the sidewalk would be \$35,930. The developer has agreed to pay that amount in lieu of the Kingery Highway sidewalk. He said that the Pathway Commission recommended that the sidewalk be built but given the additional dollars as well as this is not part of the pathway plan for the Village, staff is recommending that the Board accept the donation in lieu of the Kingery Highway sidewalk.

**BOARD QUESTIONS AND COMMENTS** Trustee Bolos asked about school impact fees. Mr Pollock answered that they are not required with this type of development.

Trustee Bolos asked if the Pathway Commission agreed with the donation of \$35,930. Mr. Pollock stated that they have not had a meeting since the recommendation.

Luisa Hoch, Pathway Commissioner, said that originally they did not want to collect \$16,000 for a sidewalk that they knew at some point in time might connect to something. She said this property would never be on our overview as planned sidewalks because it is not in Burr Ridge. She said that if the donation is \$35,000. She would be for it.

Trustee Franzese asked if the Pathway Commission had plans for a sidewalk along Kingery Highway adjacent to the Fallingwater Subdivision. Commissioner Hoch stated there was not.

**AUDIENCE QUESTIONS AND COMMENTS** There were none.

**CLOSE HEARING** Motion was made by Trustee Franzese and seconded by Trustee Grasso that the Annexation Agreement for Spectrum Senior Living – 16W800 91<sup>st</sup> Street and 9101 Kingery Highway Public Hearing of October 26, 2015 be closed.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried and the Public Hearing was closed at 7:15 p.m.

**CONSIDERATION OF APPROVAL OF ORDINANCE AUTHORIZING ANNEXATION AGREEMENT (SPECTRUM SENIOR LIVING – 91<sup>ST</sup> STREET AND KINGERY HIGHWAY – PIN NOS. 10-02-400-008; 10-02-400-009; AND 10-02-400-010)** Motion



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was made by Trustee Grasso and seconded by Trustee Bolos to approve the Ordinance Authorizing the Annexation Agreement for Spectrum Senior Living.

Trustee Paveza asked for clarification that the money collected in lieu of construction of the sidewalk on Kingery Highway would be put in escrow. Trustee Bolos stated it would be in the Pathway Fund and the Village Administrator agreed.

Trustee Schiappa asked for clarification that the Village would collect \$35,930 in lieu of construction of the sidewalk. Mr. Pollock stated that was correct.

On Roll Call, Vote Was:

AYES: 6 – Trustees Grasso, Bolos, Murphy, Schiappa, Franzese and Paveza  
NAYS: 0 – None  
ABSENT: 0 – None

There being six affirmative votes, the motion carried.

**THIS IS ORDINANCE NO: 1155**

**CONSIDERATION OF PLAN COMMISSION RECOMMENDATION TO APPROVE A SPECIAL USE TO PERMIT ADDITIONS TO AN EXISTING HOTEL AND REMODELING OF THE BUILDING FACADE AND FOR VARIATIONS TO INCREASE THE MAXIMUM FLOOR AREA RATIO TO APPROXIMATELY 0.42 RATHER THAN THE PERMITTED 0.40 AND TO REDUCE THE REQUIRED PARKING FROM APPROXIMATELY 212 PARKING SPACES REQUIRED TO 193 PARKING SPACES PROVIDED (Z-13-2015: 15W300 SOUTH FRONTAGE ROAD – VEGA HOSPITALITY)**

Community Development Director Doug Pollock explained that at the October 19 meeting of the Plan Commission they held a public hearing and approved special use approvals and variations for the hotel at 15W300 South Frontage Road. Formally known as the Quality Inn, presently called the Oaks and soon to be renamed the Crown Plaza Hotel. The special use approvals are for the addition to a hotel and the plan approval that is required for the new buildings in the B-2 District, variations are to allow the increase in the maximum floor area ratio from 0.40 to 0.42, approximately 3,000 additional square feet of floor area and parking variation to reduce the required parking from 212 to 193 spaces. The Plan Commission does recommend approval of this petition. They noted that this property has historically been used as a hotel and its continued use as a hotel is consistent with the Comprehensive Plan and the existing development. The additional floor area does not add sufficiently to the intensity of the use, they are not adding any new guest rooms and most of the additional floor area is just for circulation and additional office rooms to allow the lobby area to become bigger. The parking variation is minimal and the Plan Commission did recommend that the overflow parking either be provided by written agreement with the adjacent property owner or that additional parking be constructed on the property. Staff discussed this condition further and the concern is that constructing the additional parking would require stormwater detention that may be impractical or even unfeasible for a property such as this. Staff worked with the property owner to come up



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with ten more parking spaces so that the parking variation is actually for seven spaces. Staff is recommending that the Plan Commission recommendation be modified to eliminate the requirement for additional parking and that the variation be accepted as requested, with the revised plan showing 205 total parking spaces.

Mr. Pollock pointed out that numbers in the Staff summary were wrong and they currently had 195 parking spaces, the new plan is for 205 parking spaces and the required parking is 212. In answer to Trustee Bolos, Mr. Pollock said there would four landscaping islands in front of the building and two south of the building, nearest the residential side of the property.

Mr. Pollock said that another condition the Plan Commission recommended was that a solid fence be provided along the south lot line because they were concerned about headlights and for additional visual screening. He continued that there was some disagreement in terms of feedback at the Public Hearing. He said there was a letter received requesting a solid fence and another testimony requesting an open fence with landscaping. He said Staff recommended an open fence with landscaping. He pointed out that solid fences are not typically allowed adjacent to a street yard and Staff feels that an open fence with pillars and landscaping would provide the screening for headlights and would be more attractive than a solid wood or vinyl fence.

In answer to Trustee Franzese, Mr. Pollock stated that the recommended height of the fence is 6 feet.

Mark Toma, 7515 Drew, said he believes a fence is needed but does not think a solid fence is in keeping with Burr Ridge.

Cheryl Giacomini, 220 75<sup>th</sup> Street, stated that they are the only home that is directly behind the hotel. She said they would prefer a solid fence to screen the shining of the headlights and prevent the cars from driving across the property onto 75<sup>th</sup> Street.

Trustee Franzese stated a wood fence would require periodic maintenance and a vinyl fence may not be in keeping with Burr Ridge. He would prefer the aluminum fence, with pillars and decorative and appropriate year round landscape screening to prevent headlights from shining in the neighbor's yard.

Trustees Bolos and Murphy stated that they agree with the open fence and appropriate landscaping screening.

In answer to Trustee Grasso, Mr. Pollock said that the landscaping would have to be maintained in perpetuity as a condition of the approval.

Motion was made by Trustee Murphy and seconded by Trustee Grasso to direct staff to prepare an Ordinance approving the special use, variations, open fence with landscaping and eliminate

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the condition requiring additional or off-site parking in lieu of the added parking spaces as described.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

**OTHER CONSIDERATIONS** Trustee Bolos said that DuPage County Zoning Board of Appeals has a Public Hearing for a gun range on Kingery Highway, behind the McDonalds. The Notice says the Hearing is for a gun range, fire arms and ammunition sales. She says she does not think this is a good location because of its proximity to two schools.

The Village Administrator said this is a concern of the school district and the police department. Mr. Stricker suggested that because this hearing is tomorrow, he could prepare a letter indicting the Village's concern. Trustee Franzese suggested that the letter indicate Village "opposition" to the use. The consensus of the Board was to use the term "opposition" not "concern".

**RESIDENT COMMENTS** There were none.

**REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS** There were none.

**NON-RESIDENT COMMENTS** Dolores Cizek stated she would like to complete her statements from previous meetings. The Illinois Municipal Handbook says that "Municipal officials should be aware that they are liable for potential civil right suits if they discriminate in the manner in which they allow or seek to limit public criticism. The courts have held that elected officials do not possess legislative immunity for actions taken during the public time." She feels that what the Board enacted on September 14 discriminates in the manner in which they allow or seek to allow public criticism.

She continued that she resents comments made by Trustee Grasso at the last meeting when she said during the discussion of the Bucktrail Subdivision, that it would improve the area. She continued that area is near where she lived and it is a nice area and does not need improvement.

In answer to Mrs. Cizek, the Village Administrator stated that the Village has nothing to do with the finances of the Village Center, it is all privately financed.

**ADJOURNMENT** Motion was made by Trustee Schiappa and seconded by Trustee Murphy that the Regular Meeting of October 26, 2015 be adjourned



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On Roll Call, Vote Was:

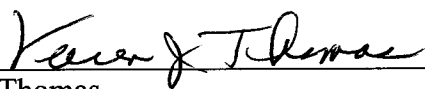
AYES: 6 – Trustees Schiappa, Murphy, Franzese, Grasso, Paveza and Bolos

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried and the meeting was adjourned at 7:46 P.M.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.

  
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Karen J. Thomas  
Village Clerk  
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 9<sup>th</sup> day of November  
2015.





**AGENDA**  
**REGULAR MEETING – VILLAGE PRESIDENT & BOARD OF TRUSTEES**  
**VILLAGE OF BURR RIDGE**

**October 26, 2015**  
**7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**  
**- Milana Merkeviute, Burr Ridge Middle School**
- 2. ROLL CALL**
- 3. RESIDENTS COMMENTS**
- 4. CONSENT AGENDA – OMNIBUS VOTE**

All items listed with an asterisk (\*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda.

**Public Hearing**  
**Annexation Agreement**  
**Spectrum – 15W800 91<sup>st</sup> Street & 9101 Kingery Highway**

**5. MINUTES**

- \*A. Approval of Regular Board Meeting of October 12, 2015
- \*B. Receive and File Draft Plan Commission Meeting of October 19, 2015

**6. ORDINANCES**

- A. Consideration of Ordinance Authorizing Annexation Agreement (Spectrum Senior Living – 91<sup>st</sup> Street and Kingery Highway – PIN Nos. 10-02-400-008; 10-02-400-009; and 10-02-400-010)
- \*B. Approval of An Ordinance Rezoning Properties from the R-1 Single Family Residential District to the R-2B Single Family Residential District Pursuant to the Village of Burr Ridge Zoning Ordinance (Z-16-2015: 7950 Bucktrail Drive – McNaughton Brothers)
- \*C. Approval of An Ordinance Granting a Special Use Pursuant to the Village of Burr Ridge Zoning Ordinance for an Amendment to the Estancia Planned Unit Development (Z-14-2015: 100 Harvester Drive – BJB Estancia, LLC)
- \*D. Approval of An Ordinance Granting a Special Use Pursuant to the Burr Ridge Zoning Ordinance to Allow Retail Sales of Power Tools, Hand Tools and Related Items Accessory to a Warehouse and Management Office (Z-15-2015: 8080 Madison Street – Black & Decker)

**EXHIBIT** A

**7. RESOLUTIONS**

- \*A. Adoption of Resolution Approving Preliminary Plat Bucktrail Estates Subdivision (7950 Bucktrail Drive)

**8. CONSIDERATIONS**

- A. Consideration of Plan Commission Recommendation to Approve a Special Use to Permit Additions to an Existing Hotel and Remodeling of the Building Façade and for Variations to Increase the Maximum Floor Area Ratio to Approximately 0.42 rather than the Permitted 0.40 and to Reduce the Required Parking from Approximately 212 Parking Spaces Required to 193 Parking Spaces Provided (Z-13-2015: 15W300 South Frontage Road – Vega Hospitality)
- \*B. Approval of Recommendation to Award Contract for 2015 Fall Asphalt Patching
- \*C. Receive and File Resignation Letter from Public Works General Utility Worker II William Kulis effective October 13, 2015
- \*D. Approval of Recommendation to Hire Two Part-Time General Utility Worker I Employees to Fill Vacancy Created by Resignation of Full-Time General Utility Worker II William Kulis
- \*E. Approval of Request for a Raffle and Chance License for Pleasantdale PTA and a Hosting Facility License for Chicago Marriott Southwest at Burr Ridge for the PTA's Annual Fundraiser on March 5, 2016 (Ticket Sales between November 1, 2015 and March 5, 2016; Drawing at Event on March 5, 2016)
- \*F. Approval of Vendor List in the Amount of \$111,600.37 for all funds, plus \$191,023.71 for Payroll, for a Grand Total of \$302,624.08, which includes no Special Expenditures
- G. Other Considerations – For Announcement, Deliberation and/or Discussion only – No Official Action will be Taken

**9. RESIDENTS COMMENTS**

**10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

**11. NON-RESIDENTS COMMENTS**

**12. ADJOURNMENT**