



**VILLAGE OF BURR RIDGE
REGULAR MEETING - MAYOR & BOARD OF TRUSTEES
VILLAGE HALL – BOARD ROOM**

AGENDA

Monday, May 9, 2022 - 7:00 P.M.

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. PRESENTATIONS AND PUBLIC HEARINGS**
- 4. CONSENT AGENDA**

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, discussed by the Board, opened for public comment, and voted upon during this meeting.

5. MINUTES

- A. * Approval of Regular Board Meeting of April 25, 2022
- B. * Receive and File Plan Commission Meeting of May 2, 2022

6. ORDINANCES

7. RESOLUTIONS

- A. Consideration of Resolution of Appreciation Recognizing Retirement after 20 Years of Dedicated Service to the Village of Burr Ridge – Julie Tejkowski
- B. Consideration of a Resolution Approving an Intergovernmental Agreement Between the Illinois Office of the Comptroller and the Village of Burr Ridge Regarding Access to the Comptroller's Local Debt Recovery Program
- C. * Adoption of a Resolution Appointing Pamela Foy as Alternate Delegate to the Intergovernmental Risk Management Agency (IRMA)

Public Comment Procedures: Public comments will be accepted in written or statement form prior to or during the meeting. Written public comments shall identify whether the comment is intended to address a specific agenda item or is intended for general public comment under Section 9 – Public Comment. Public comments may also be made during the meeting when discussing specific items on the agenda. Any person seeking to address the Board on topics not on the agenda may do so during Section 9 – Public Comment.

- D. * Adoption of Resolution Appointing an Authorized Delegate and Alternate Delegate to the South Central DuPage County Benefit Pool (SCDCBP)

8. CONSIDERATIONS

- A. Consideration of a Plan Commission Recommendation Regarding Text Amendments to the Zoning Ordinance Related to Hours of Operation at Restaurants in Business Districts (Z-09-2022)
- B. Consideration of a Plan Commission Recommendation to Approve a Special Use Amendment for a Restaurant (Z-04-2022: 308-312 Burr Ridge Parkway: Rovito)
- C. Consideration of a Plan Commission Recommendation to Approve a Variation to Permit a Detached Accessory Structure in the Side Buildable Area of a Residential Property (V-02-2022: 8311 Fars Cove – Panico)
- D. Consideration of Status of Lakeside Pointe Subdivision (Maintenance Period / Cash in Lieu of Required Sidewalk Construction)
- E. * Approval of a Proclamation Designating May 9 to May 13, 2022 as Economic Development Week in the Village of Burr Ridge
- F. * Approval of a Proclamation Designating May 15 to May 21, 2022, as Public Works Week in the Village of Burr Ridge
- G. * Receive and File Resignation Letter of Police Pension Board Trustee Joe Patyk
- H. * Approval of Vendor List Dated May 9, 2022, for the Fiscal Year 2021-22 in the Amount of \$206,417.63 for all Funds, plus \$192,557.98 for the Pay Period Ending April 16, 2022 for a Grand Total of \$398,975.61, Which Includes Special Expenditures of \$32,405.00 to Smitty's Tree Service for Tree Removal and Stump Grinding
- I. * Approval of Vendor List Dated May 9, 2022, for the Fiscal Year 2022-23 in the Amount of \$45,659.08 for all Funds, Which Includes No Payroll or Special Expenditures

9. PUBLIC COMMENTS

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT – NEXT MEETING MAY 23, 2022 @ 7:00PM

May 9, 2022 Board Meeting – Staff Summary

7A. Retirement of Executive Assistant Julie Tejkowski

Attached is a Resolution of Appreciation for Executive Assistant Julie Tejkowski, who is retiring on May 13. Julie has worked for the Village for nearly 21 years, starting on August 1, 2001. Julie's years of service have seen many changes and advancements, both in her own career as well as the growth and development of the Village's Community Development and Administration functions under her care. The attached Resolution provides a brief summary of Julie's many contributions to the Village of Burr Ridge. We thank her for her dedication to Burr Ridge and wish her well in retirement!

It is staff's recommendation: That the Resolution be adopted.

7B. IGA With IL State Comptroller – Local Debt Recovery Program

The Illinois Office of the Comptroller offers the Local Debt Recovery Program (LDRP) to units of local government as a way to collect unpaid debts such as parking tickets, water and sewer bills, traffic fines, ordinance violations and other miscellaneous outstanding amounts. Any amounts due to a participating unit of local government that are greater than \$10 and less than 7 years old can be submitted to LDRP and these amounts will be matched against any State payment issued by the Comptroller, including tax refunds, lottery payouts, vendor payments or payroll checks. Should a match occur, the amount will be withheld from the payment and the debtor will be notified and given a 60-day period to protest; if no protest is submitted (or a protest is not approved), the amount withheld is transferred to the unit of local government. There is no financial cost to the Village to participate in the LDRP.

The following amounts are currently due to the Village and would qualify for LDRP:

- Parking, Traffic and Building Code Violations - \$62,258 (issued since January 2021)
- Water Bills - \$21,436 (greater than 90 days old)
- Miscellaneous Receivables - \$17,271 (billed in 2021 and prior)

In order to participate in the program, the attached Intergovernmental Agreement (IGA) must be approved by the Board and executed by the Mayor. Upon Board approval, the IGA will be submitted to the Comptroller's Office, along with other required documentation, including the Village's current collection procedures.

It is staff's recommendation: That the Resolution be adopted.

7C. Appoint Alternate Delegate to IRMA

The Village is a member of the Intergovernmental Risk Management Agency (IRMA) for risk management cooperative services. IRMA, as part of its bylaws, requires a Delegate and Alternate Delegate be appointed from all its members, including the Village. As Executive Assistant Julie Tejkowski is retiring on May 13, her role as an Alternate Delegate must be filled by another staff member. Staff recommends her

replacement, Pamela Foy, be approved as an Alternate Delegate. Village Administrator Evan Walter currently serves as the Delegate to IRMA.

It is staff's recommendation: That the Resolution be adopted.

7D. Appoint Delegate and Alternate Delegate to SCDCBP

The Village is a member of the Intergovernmental Personnel Benefits Cooperative (IPBC), a public sector health benefits organization. Within IPBC are sub-pools, wherein IPBC members are grouped together by regional proximity; the Village's sub-pool is the South Central DuPage County Benefit Pool (SCDCBP). As part of our membership in IPBC and SCDCBP, the Village must appoint two voting delegates to the organization, similar to IRMA. As Executive Assistant Julie Tejkowski is retiring on May 13, her role as a Delegate must be filled by another staff member. Staff recommends her replacement, Pamela Foy, be approved as Delegate. Staff also recommends that Accounting Analyst Amy Sullivan be appointed as Alternate Delegate.

It is staff's recommendation: That the Resolution be adopted.

8A. Hours of Operation for Restaurants Located in Business Districts

Please find attached a letter from the Plan Commission recommending no changes to the existing hours of operation for restaurant uses in the Business Districts. For the April 18, 2022 Plan Commission meeting, the Village Attorney provided guidance that altering the Zoning Ordinance regulations for extended hours of operation for restaurant uses in the Business districts would not impact those establishments within Planned Unit Developments (PUDs), specifically the Village Center and County Line Square PUDs, nor those establishments previously granted special uses for extended hours. Those establishments would still be governed by the PUD or the special use. With that information, the Plan Commission determined that it would not be useful to alter the hours of operation in the Zoning Ordinance since the majority of restaurants would not benefit from that change. There were two public comments received for the petition, objecting to extended hours of operations at all restaurants.

After the April 18, 2022 Plan Commission meeting, the Village Attorney re-reviewed regulations and provided a revised opinion related to this petition, stating that the Village would indeed be able to amend the hours of operation for restaurant uses with liquor licenses to automatically grant such uses a midnight closing time from Sunday-Thursday and a 1:00am closing time on Friday and Saturday in line with previous Board discussions, applying both to permitted uses as well as to those establishments with special uses or within PUDs.

Given the timing of revised opinion, staff requests Board direction regarding the status of this petition. The Board may either take up the petition under its current recommendation on May 9 or remand the petition to the Plan Commission to reconsider the petition.

It is staff's recommendation: That the Board direct staff as desired.

8B. Special Use Amendment for Restaurant - Rovito

Please find attached a letter from the Plan Commission recommending approval of a special use amendment and special use to expand Are We Live restaurant operations into adjoining unit 308. The petitioner, Filippo Rovito, seeks to expand the existing operations in units 310 & 312 which includes liquor service, outdoor dining, and hours until midnight. At the May 2 Plan Commission meeting, the Commission voted unanimously to recommend approval of the request with five conditions. There were several email objections received and included in for the Plan Commission. There were two public comments made at the public hearing, one in favor and one opposed.

It is staff's recommendation: That the Board direct staff to prepare an ordinance to approve the special use amendment and special use request with conditions for the restaurant expansion.

8C. Detached Accessory Structure in the Side Buildable Area of a Residential Property

Please find attached a letter from the Plan Commission recommending approval of a variation to permit a detached garage in the side buildable area. The petitioner, Richard Panico, seeks to build a second detached garage on his property within the side buildable area. The Zoning Ordinance permits detached accessory buildings in the rear yard only. At the May 2, 2022 Plan Commission meeting, the Commission voted unanimously to recommend approval of the request with two conditions. There were no public comments received.

It is staff's recommendation: That the Board direct staff to prepare an ordinance to approve the variation.

8E. Status of Lakeside Pointe Subdivision

Please find attached a memo from staff accepting the subdivision improvements for the Lakeside Pointe PUD built by McNaughton Development, which includes 44 single-family homes with private streets, a private park and commonly owned open space between homes. All 44 permits for the single-family homes have been issued while the streets, sidewalks, utilities, and stormwater improvements have been satisfactorily constructed in this 19.8-acre PUD off Bridewell Drive.

Staff recommends that the subdivision be accepted, for which a resolution would be prepared and placed for adoption at the next meeting of the Board of Trustees. Upon acceptance, the subdivision enters the maintenance period, wherein the Village retains an amount in the Letter of Credit to warranty that all related subdivision improvements remain in good order. A separate Letter of Credit and improvement schedule is maintained by the Village for off-site improvements which have not yet been constructed and are not considered "core" to the functions of the housing development but were included in the original development agreement, such as an off-site pedestrian bridge and sidewalk surrounding a nearby pond to the south and east.

McNaughton Development requests a cash payment be made to the Village in lieu of constructing the sidewalk connection that is presently required by the PUD agreement

between the western boundary of the Lakeside Pointe subdivision and an existing asphalt pathway at Burr Ridge Parkway. The engineer's estimate for constructing this section of sidewalk is \$27,930, which is the cash value that staff recommends the Board consider as the fee in lieu to be received if the requirement to build the sidewalk be removed from the agreement. The unbuilt sidewalk's proposed location is adjacent to a vacant parcel and would be reconstructed as a part of a future development on said site. The cash payment would be deposited to the Village's Capital Improvement Fund and reserved to fund future sidewalk construction projects.

It is staff's recommendation: That the Board direct staff to prepare necessary final documents to accept the subdivision improvements and move the Lakeside Pointe subdivision into the maintenance phase as well as provide direction regarding the requested fee-in-lieu for sidewalk construction, all for the May 23 Board meeting.

8F. Economic Development Week Proclamation

Please find attached a proclamation declaring May 9 – 13 as Economic Development Week in the Village of Burr Ridge. The Economic Development Committee reviewed this proclamation and recommended the Board take this action at their May 4 meeting.

It is staff's recommendation: That the Board approve the proclamation.

8G. Public Works Week Proclamation

Please find attached a proclamation declaring May 15 – 21 as Public Works Week in the Village of Burr Ridge. Public Works Week is a national awareness campaign through the American Public Works Association (APWA) with the 2022 theme being "Ready and Resilient".

It is staff's recommendation: That the Board approve the proclamation.

8H. Resignation of Police Pension Board Trustee Joe Patyk

Please find attached Joe Patyk's resignation letter from the Police Pension Board dated April 19, effective immediately. Mr. Patyk was first appointed to the Police Pension Board in 2004.

It is staff's recommendation: That the letter of resignation be received and filed.

8I. Vendor List of May 9, 2022 – FY2022

Attached is the vendor list dated May 9, 2022, for the fiscal year 2021-2022, in the amount of \$206,417.63 for all funds, plus \$192,557.98 for payroll for the period ending April 16, 2022, for a grand total of \$398,975.61, which includes special expenditures of \$32,405.00 to Smitty's Tree Service for tree removal and stump grinding.

It is staff's recommendation: That the FY22 May 9, 2022, vendor list be approved.

8J. Vendor List of May 9, 2022 – FY2023

Attached is the vendor list dated May 9, 2022, for the fiscal year 2022-2023, in the amount of \$45,659.08 for all funds, which includes no payroll or special expenditures.

It is staff's recommendation: That the FY23 May 9, 2022, vendor list be approved

REGULAR MEETING
MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

April 25, 2022

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of April 25, 2022, was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:00 p.m. by Mayor Pro-Tem Guy Franzese.

PLEDGE OF ALLEGIANCE Mayor Pro-Tem Guy Franzese asked Trustee Mital to lead the Pledge of Allegiance.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Schiappa, Paveza, Snyder, Mital and Smith, and Mayor Pro-Tem Franzese. Mayor Grasso gave advance notice that he would be delayed. Also present were Public Works Director Dave Preissig, Village Attorney Mike Durkin, and Deputy Chief Marc Loftus.

PRESENTATIONS AND PUBLIC HEARINGS

There were no presentations or public hearings.

CONSENT AGENDA – OMNIBUS VOTE

After reading the Consent Agenda, Mayor Pro-Tem Franzese asked if anyone wanted any item removed.

APPROVAL OF REGULAR BOARD MEETING MINUTES OF APRIL 11, 2022 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE OF ECONOMIC DEVELOPMENT COMMITTEE MEETING MINUTES OF APRIL 6, 2022 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE OF PLAN COMMISSION MEETING MINUTES OF APRIL 18, 2022 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF AN ORDINANCE REZONING PROPERTY FROM THE L-1 LIGHT INDUSTRIAL DISTRICT TO THE B-2 GENERAL BUSINESS DISTRICT (Z-05-2022: 100, 130, 800 AND 900 BURR RIDGE PARKWAY – VILLAGE OF BURR RIDGE) the Board, under the Consent Agenda by Omnibus Vote, Adopted the Ordinance.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
April 25, 2022

APPROVAL OF AN ORDINANCE REZONING PROPERTY FROM THE L-1 LIGHT INDUSTRIAL DISTRICT TO THE O-2 OFFICE AND HOTEL DISTRICT (Z-06-2022: 745 MCCLINTOCK DRIVE – VILLAGE OF BURR RIDGE) the Board, under the Consent Agenda by Omnibus Vote, Adopted the Ordinance.

APPROVAL OF AN ORDINANCE REZONING PROPERTY FROM THE L-1 LIGHT INDUSTRIAL DISTRICT TO THE O-2 OFFICE AND HOTEL DISTRICT (Z-07-2022: 835 MCCLINTOCK DRIVE – VILLAGE OF BURR RIDGE) the Board, under the Consent Agenda by Omnibus Vote, Adopted the Ordinance.

ADOPTION OF RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF BURR RIDGE AND THE COUNTY OF DUPAGE FOR THE ELM STREET CULVERT REPLACEMENT PROJECT the Board, under the Consent Agenda by Omnibus Vote, Approved the Adoption of the Resolution.

ADOPTION OF RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF BURR RIDGE, THE JUSTICE-WILLOW SPRINGS WATER COMMISSION, AND THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY FOR A WATER SYSTEM INTERCONNECT AS PART OF THE TOLLWAY'S MILE LONG BRIDGE PROJECT the Board, under the Consent Agenda by Omnibus Vote, Approved the Adoption of the Resolution.

APPROVAL OF AWARD OF A SUPPLEMENTAL CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES ON THE COUNTY LINE ROAD SIDEWALK CONNECTION PROJECT TO BURNS & MCDONNELL ENGINEERING CO., INC., OF CHICAGO, ILLINOIS, IN THE AMOUNT OF \$37,251 the Board, under the Consent Agenda by Omnibus Vote, Approved the Award.

APPROVAL OF PURCHASE OF POLICE FLEET COMPUTERS AND RELATED EQUIPMENT FROM CDS OFFICE TECHNOLOGIES OF ITASCA, ILLINOIS, IN THE AMOUNT OF \$80,339 the Board, under the Consent Agenda by Omnibus Vote, Approved the Purchase.

APPROVAL TO HIRE A REPLACEMENT PART-TIME ADMINISTRATIVE ASSISTANT TO FILL THE VACANCY CREATED BY THE PROMOTION OF CLAIRE NASS the Board, under the Consent Agenda by Omnibus Vote, Approved the Hire.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
April 25, 2022

APPROVAL OF VENDOR LIST DATED APRIL 25, 2022, IN THE AMOUNT OF \$274,201.41 FOR ALL FUNDS, PLUS \$189,995.09 FOR PAYROLL FOR THE PERIOD ENDING APRIL 2, 2022, FOR A GRAND TOTAL OF \$464,196.50, WHICH INCLUDES NO SPECIAL EXPENDITURES the Board, under the Consent Agenda by Omnibus Vote, Approved the Vendor List for the Period Ending April 25, 2022 plus Payroll for the Period Ending April 2, 2022.

Pro-Tem Mayor Franzese asked for any questions or comment from the Board and/or public. There were none.

Mayor Grasso arrived at 7:04 pm, and thanked Trustee Franzese for starting the meeting for him.

Motion was made by Trustee Schiappa, seconded by Trustee Snyder, to approve 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 Schiappa, Snyder, Mital, Smith, Franzese, Paveza

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

CONSIDERATION OF PHASE I STUDY BY INDIAN HEAD PARK AND COOK COUNTY FOR THE WOLF ROAD RECONSTRUCTION PROJECT

Indian Head Park's engineering consultant, Tony Spinelli of Strand Associates, presented the design alternatives which have been developed preliminarily for the Wolf Road corridor. The Village of Indian Head Park, with the Cook County Department of Transportation and Highways (DOTH), initiated a Preliminary Engineering and Environmental (Phase I) Study for Wolf Road between Plainfield Road and 79th Street. The Phase I Study, in process now, evaluates the broader transportation needs of the corridor and encompasses vehicular, bicycle, and pedestrian facilities. Only the preliminary engineering is in progress, while any future phases to prepare detailed plans, acquire land, or construct any part of the project are not yet programmed for funding by the County. The public comment period related to this project is open until May 12, and Burr Ridge residents may provide their comments directly on-line at the Village's website or by contacting the Village Hall.

Mayor Grasso asked for any questions or comment from the Board and/or public.

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Mayor and Board of Trustees, Village of Burr Ridge
April 25, 2022

Trustee Snyder asked about any potential property loss for residents on Wolf Road. Mr. Spinelli said that the majority is right of way land. He added that Cook County owns the road, and this project is 100% funded by Cook County, with Indian Head Park as the lead agency. The lead agency for Phase 2 and 3 has not yet been determined.

Trustee Franzese asked if in the sections in Burr Ridge, if this project has considered existing power cords, etc. Mr. Spinelli said that the project does include moving or burying utilities as needed. Trustee Franzese asked about the overall width of the street expansion, which is about 70 ft., with 10 feet anticipated on the west side, 5 feet on the east – though these numbers may change with Phase 2. There is also some change to existing pathways anticipated, as Cook County prefers pathways to be uniform throughout a project. Future traffic projections were also used as a planning tool, with cross streets taken into consideration (only 72nd and 79th in Burr Ridge for this project).

Mr. Spinelli noted that Pleasantdale School safety will be a priority and is an existing condition of this project, and the school will lose some parking spaces.

Trustee Snyder asked who will maintain the road, and it will be Cook County. He also asked about the anticipated timeline for the project, which is four years.

Mr. Spinelli stated that at the Joliet Road and Wolf Road intersection that there is the possibility of five lanes at this intersection based on traffic counts and projections, but this might change in Phase 2. Trustee Franzese asked if the cost estimate for the five-lane intersection is in the current cost, which it is, and asked about any impacts to the cemetery on that corner. Mr. Spinelli confirmed that the cemetery would not be impacted. Trustee Smith asked about any potential light at 72nd as it can be a high traffic area and the sidewalk is planned for the west side of the street, but there is currently no plan for a traffic signal at this time. Mayor Grasso added that when the Village Center was initially built, that a bridge was planned from 71st street to 294 and said that it might be something to investigate down the line.

Mayor Grasso then asked for any additional comments from the Board and for comments from the public.

Dave Palzet, Superintendent of Pleasantdale School said that this project will have a significant impact on the school and that the School Board has not discussed it, but they will at a future meeting. Mr. Palzet added that the Board will be acting in the best interest of the students and recommended reducing the speed limit to 35 in the school area.

Trustee Franzese asked that residents be directed to the Indian Head Park website, so residents have all the information, which is the case on the Burr Ridge website. Residents may also stop by the Village Hall.

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April 25, 2022

Mayor Grasso asked for consensus from the Board. Trustee Franzese supported the three-lane proposal, with the school enhancements mentioned (reduced speed limit to 35 miles per hour and pedestrian crosswalk) along with the pathways proposed. Mayor Grasso remained concerned about 72nd Street and felt that some sort of signaling may be needed for motorists making a left turn on Wolf Road, as pedestrian and bike traffic will increase.

Trustee Schiappa asked about enhanced lighting or if different street lighting was planned. Streetlamps (lighting) will probably be included as the end of Phase 1 ends. Mr. Spinelli said that villages will be given the option to weigh in if they wanted to spend money to enhance the safety of their portions of the roads.

The Board had unanimous consensus for this Consideration.

PUBLIC COMMENT

Mayor Grasso asked for any public comment. There was none.

REPORTS AND COMMUNICATIONS

Trustee Mital mentioned the Run the Ridge event on May 7, with both a 5K and 1K featured and a new running route, and that registration is still open. She also mentioned that there will be an Armed Forces Day celebration on May 21 at the Burr Ridge Veterans Memorial. Trustee Mital concluded with a mention of the concert series on Thursdays and that they would begin on June 2.

Trustee Smith asked that with the weather getting nicer and more bikes and motorcycles on the roads, if Public Works could keep an eye out and advise the counties when repairs were needed. Public Works Director Dave Preissig said that they will put cones out if needed as well so drivers would be aware of any potholes until IDOT comes out to fix the areas.

Mayor Grasso expressed condolences for the passing of retired Police Officer Angie (Zuccherò) Wilhelmi. Angie was a Police Officer in Burr Ridge for 25 years and was instrumental in developing the Department's DARE program.

Mayor Grasso also mentioned that on Arbor Day, April 29, that there would be a tree planting at the Veterans Memorial for Jack Schaus, who was a founding member of the Burr Ridge Veterans Memorial. He also mentioned the opening game of Little League, and that the Village is supportive. Mayor Grasso concluded with a mention of a Ramadan dinner that he recently attended at the Mecca Center and that it was a lovely event. Trustees Schiappa and Paveza also attended and agreed with Mayor Grasso that they all felt welcomed and the food was delicious.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
April 25, 2022

ADJOURNMENT

Mayor Grasso asked for a motion to Adjourn the Board Meeting at 8:12 pm.

Motion was made by Trustee Paveza, seconded by Trustee Snyder, to Adjourn. The Board unanimously approved.

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

Susan Schaus
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this _____ day of _____, 2022.

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF MAY 2, 2022

I. ROLL CALL

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

ROLL CALL was noted as follows:

PRESENT: 8 – Petrich, Broline, Stratis, Morton, Irwin, Parrella, McCollian, and Trzupek
ABSENT: 0

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

II. APPROVAL OF PRIOR MEETING MINUTES – APRIL 18, 2022

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Stratis to approve the minutes of the April 18, 2022 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 5 – Morton, Stratis, Petrich, Broline, and Trzupek
NAYS: 0 – None
ABSTAIN: 3 – Irwin, Parrella, and McCollian

MOTION CARRIED by a vote of 5-0 with 3 abstentions.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearings on the agenda for the meeting.

Z-04-2022: 308-312 Burr Ridge Parkway (Rovito); Special Use Amendment, Special Use, and Findings of Fact [CONTINUED FROM MARCH 21, 2022]

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that Z-04-2022 is a request to expand a restaurant use, Are We Live. The petition was continued from the March 21, 2022 meeting. At that time, there was not an individual present able to answer questions regarding the petition and the Commission requested outdoor dining and parking plans. Since March 21, no new information has been received except two new email objections, and no changes have been made to the request.

Nick Esposito, attorney for the petitioner, distributed plans that had been previously included in the staff report packet. Sandy Andrews explained that three additional tables will be added to the interior and the outdoor dining area will extend to the end of the unit.

Chairman Trzupek stated that at the last meeting the Commission requested an outdoor dining plan. Chairman Trzupek noted the ADA ramp and planter box location may impact the outdoor dining and wished to see these items addressed on a plan.

Ms. Andrews and Chairman Trzupek discussed the locations of the existing ramp in relation to the outdoor dining plan. Ms. Andrews explained that the petitioner did not want to spend funds on architectural drawings if the request was not going to be approved. Chairman Trzupek reiterated the Commission's request for a plan to ensure that there was adequate space to accommodate the ramp and accessibility. Chairman Trzupek and Ms. Andrews discussed the need for the outdoor dining area to be accessed from the interior.

Chairman Trzupek confirmed that the outdoor dining space is calculated as part of the total restaurant square footage within the County Line Square PUD.

Chairman Trzupek asked for public comment.

Alice Krampits of 7515 Drew asked what the capacity would be for this additional unit. Ms. Andrews clarified that high tops within the existing space will be relocated to this new unit. The current capacity is about 80. Ms. Krampits questioned about rental space and the outdoor area. Ms. Andrews stated that the entire establishment would be rented. Ms. Krampits asked about happy hours. Mrs. Farrell explained that the Village Board discussed the matter but decided to not take action at this time. Ms. Krampits stated that she was opposed to the expansion since it is being marketed to a younger crowd which may be more like a nightclub which is not within the image of Burr Ridge.

Chairman Trzupek asked Mrs. Farrell about complaints. Mrs. Farrell noted that no complaints were received by the Village Hall, but there were a few complaints to the Police Department about rowdy patrons in the parking lot and a sign. The attorney for the petitioner confirmed that they are not aware of any complaints.

Richard Panico, 8311 Fars Cove, supported the request. Mr. Panico noted the small size of the expansion and that outdoor dining is very common in surrounding municipalities.

Commissioner Stratis expressed concerns about the location of the outdoor dining with the ramp. Commissioner Stratis asked the petitioner to comment on the sign which was installed and subject of the complaint. Commissioner Stratis supports first amendment rights but felt that the sign was inappropriate. Mr. Esposito stated that the matter was adjudicated and the sign was removed.

Commissioners McCollian and Broline did not have questions.

Commissioner Petrich expressed a desire to have outdoor dining and indoor seating plans in advance of the next meeting. Chairman Trzupek supported the request for an interior plan. The

petitioner and Chairman Trzupek discussed what would be shown on that plan and the costs associated with an architectural plan.

Commissioner Petrich noted that there was a space inside which was set up for a dancing area and reinforced the need for a seating plan. The petitioner stated that there is not an intent to have a dance floor inside the restaurant. Commissioner Petrich asked the petitioner to clarify the type of outdoor furniture. Ms. Andrews confirmed that the photos from the report packet were for the grand opening only and not the furniture which is intended to be there permanently.

Commissioner Parrella reiterated the need for a conceptual plan which illustrates the interior and outdoor flow of the spaces. This would be a 2-D plan, not a rendering or 3-D model, which shows connections, ingress and egress, and any safety issues.

Commissioner Irwin seconded Commissioner Parrella's comments.

Commissioner Morton requested that the relationship of the ramp with the flat area and slope be shown on the plan. Commissioner Morton also requested that the seating plan be shown to ensure wheelchair access within the spaces and around tables and chairs. Commissioner Morton did not have concerns about noise issues since the noise ordinance is in effect and the piped in music should not create problems.

Chairman Trzupek stated that there were options to continue the public hearing to obtain additional information or the hearing could be closed and a vote taken on the request.

Commissioner Broline commented that the concern about accessibility has been brought up with other establishments. Commissioner Broline did not have concerns about the expansion of the use.

Mr. Esposito requested that the Commission move the petition forward subject to receiving the plans.

Commissioner Stratis stated that he supported moving the request forward with staff and Chairman Trzupek's review and approval of the plans. Commissioner Petrich requested additional information be added about ADA and noise ordinance compliance to the conditions.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to close the public hearing for Z-04-2022.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 8-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to recommend to the Village Board approval of an amendment to Ordinance #A-834-10-21 to expand the subject use and a special use for a restaurant over 4,000 square feet with indoor and outdoor dining, and with the sale of alcoholic beverages pursuant to section XIII.K of the Zoning Ordinance and the County Line Square Planned Unit Development (Ordinance #A-834-19-21) with the following conditions:

1. The special use shall be limited to Filipo Rovito and shall be null and void should Filipo Rovito no longer have ownership interest in the restaurant consisting of approximately 4,400 square feet commonly known as 308-312 Burr Ridge Parkway.
2. Activity in the indoor restaurant area shall cease and all patrons shall vacate the premises no later than midnight on any given day.
3. Activity in the outdoor dining area shall cease and all patrons shall vacate the premises no later than 11pm on any given day.
4. The outdoor dining area shall comply with the Burr Ridge Municipal Code and County Line Square PUD regulations in respect to ingress, egress, and ADA compliance, as well as liquor control and noise ordinance regulations. The outdoor dining plan and any remaining details shall be approved by staff and the Plan Commission Chairman through the building permit process and prior to building permit issuance.
5. Prior to building permit issuance, the petitioner shall submit a parking management plan, subject to staff and Plan Commission Chairman approval, that includes at a minimum:
 - a. A commitment to provide valet parking off-site, behind the building, or at the west end of the shopping center.
 - b. The reservation of four (4) parking spaces for valet parking that does not interfere with any drive aisles or fire lanes.
 - c. A commitment that employees be required to park offsite or behind the shopping center.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 8-0.

Z-10-2022: 9115 Kingery Highway (Thorntons LLC); Special Uses, PUD Amendment, Variations, and Findings of Fact

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that Z-10-2022 is for ten requests related to a gas station development on a vacant parcel south of McDonald's. Mrs. Farrell stated that the petitioner is Ryan Swanson of Arc Design Resources, Inc., on behalf of Thorntons LLC. Thorntons is proposing to develop the vacant site with a gas station and convenience store, amending the Spectrum PUD. The 4,400 sq. ft. convenience store will have packaged liquor and tobacco sales, and extended hours of operation, 5:00 a.m. to 11:00 p.m., which

is beyond the 7:00 a.m. to 10:00 p.m. permitted. The neighboring property to the north, McDonald's, was approved for extended hours 5:00 a.m. to 11:00 p.m. Mrs. Farrell illustrated the requests on the site plan. Mrs. Farrell displayed the sign proposal and explained the four variation requests. All of the ground and walls combined exceed 100 sq. ft. of area, measuring 155 sq. ft. There are three wall signs total, two on the convenience store itself and one on the fuel canopy. The internal drive on the property is private and does not count as a road frontage. A gasoline pricing sign is required to be affixed to an existing sign, but the proposed sign is itself a free-standing sign. This sign also exceeds the maximum sign face square footage for a gasoline pricing sign from 20 sq. ft. to 49.8 sq. ft. and 40 sq. ft. to 99.6 sq. ft. The gasoline pricing sign contains six colors, exceeding the three colors permitted. Mrs. Farrell displayed the photometric plan and showed the footcandle amount at the property lines. The average foot candle light level is 4.39 exceeding the 1.0 permitted and the uniformity ratio is 4.39 to 1 exceeding the 4 to 1 permitted.

Chairman Trzupek confirmed that the average foot candle light level permitted is 1.0.

Ryan Swanson of Arc Design Resources introduced himself as the project manager and Todd Smutz as the representative of Thorntons. Thorntons currently has 212 stores with 10 new stores proposed and 3,000 employees. Thorntons was acquired by British Petroleum last year but permitted to keep the Thorntons banner. Mr. Smutz discussed the core values of Thorntons and the company's charitable initiatives. Mr. Smutz stated that while the pandemic shut down many businesses, Thorntons was permitted to be open and had policies which allowed them to adapt to the changing environment. Mr. Smutz stated that the proposed store will be a typical convenience store with 10 fuel stations and air service station.

Chairman Trzupek asked if the sign on the rear façade was illuminated and believed it was not necessary for identification purposes. Chairman Trzupek believed the light may negatively impact the residential use neighboring the property. Chairman Trzupek also asked about the wall packs on the rear. The petitioner displayed photometry on the screen to illustrate the real light levels. There are higher light levels under the fuel canopy due to the fueling, credit card use, and checking under the hood of automobiles.

Chairman Trzupek stated for clarification on the traffic study. Mr. Smutz confirmed that the original traffic study was modeled for uses which had a greater traffic impact than the proposed gas station, including a drive-through restaurants and a retail pharmacy.

Chairman Trzupek asked for public comment.

Richard Panico, 8311 Fars Cove, stated that this site has access to major thoroughfares which could be a target for car jackings. Mr. Panico did not see a business core value regarding safety. Mr. Panico asked if this proposal has been shown to the Police Department and what measures the petitioner will take for safety. Mr. Smutz stated that adequate lighting and security cameras are a necessity for safety. The security cameras are monitored remotely. A uniformed security guard would not be at the site since the area is safe.

Chairman Trzupek asked Mrs. Farrell to confirm if the Police Department had reviewed the request. Mrs. Farrell stated that Chief Madden was informed of the proposal and did not express concerns about extra police force being required for the operation.

Sandra Allen, a Burr Ridge resident for 44 years, expressed concern about the subdivision to the south and if this development would be a disruption.

Alice Krampits, 7515 Drew, asked if Spectrum had comments about the proposal and why there were no entrances or exits to Route 83. Mrs. Farrell stated that the entire development was planned to limit direct access to Route 83 from a safety and congestion standpoint. Route 83 is under IDOT jurisdiction and authorizes access points.

Commissioner Morton was concerned about the light levels and asked about the accuracy of the photometry illustration to real life. Mr. Smutz stated that the photometry is an accurate representation of how the real light levels will appear. Commissioner Morton asked for clarification on the number of colors for the signage. Kate Berliner with Thorntons clarified the number of colors for the gas pricing sign. There are two different reds, green, blue, black, and white. Commissioner Morton confirmed the LED digits are included in the colors. Commissioner Morton reviewed the gas pricing signage in the Village and had concerns about the size and number of colors for the proposed sign in relation to others that are existing. Commissioner Morton asked about the salt tolerance of the landscaping proposed. Mr. Swanson stated that the species are salt tolerant. Commissioner Morton asked if this is a full-service station. Ms. Berliner stated it was not, but there are help buttons on the pumps which can be pressed from inside the vehicle to request assistance. Commissioner Morton asked for the petitioner to expound on the Findings of Fact which stated that “an equivalent facility is not located in the general area of the proposed development.” Mr. Swanson stated that it was related to the amount of fuel stations, the circulation, and the modern store. Commissioner Morton asked about electronic vehicle (EV) charging. Ms. Berliner stated that Thorntons has an infrastructure plan for EV in the future.

Commissioner Irwin asked Ms. Berliner to explain further. Ms. Berliner stated that the infrastructure, the electricity, will be installed but she cannot state if the charging stations themselves will be installed at the time of development. Ms. Berliner stated that Thorntons is working with a vendor to have stations installed at multiple locations. Commissioner Irwin stated that the EV charging could contribute to the Findings for the necessity of the use. Commissioner Irwin asked about the remote monitoring. Mr. Smutz confirmed that the office is located in Louisville but the individuals monitoring the site cannot sound internal alarms. The remote office can notify local law enforcement. Commissioner Irwin asked about the red colors and if they are the same. Ms. Berliner stated they are the same tone, but two different vendors and therefore counted as two colors.

Commissioner Parrella asked if the reds will look the same. Ms. Berliner confirmed they will.

Commissioner Petrich asked about the original PUD and what was envisioned. Mrs. Farrell read Condition B of the PUD which required “the future preliminary and final plans for the commercial development on Lot 2 under this planned unit development shall be submitted to the Plan Commission for its review and recommendations, and then to the Board of Trustees for approval.” Commissioner Petrich asked about McDonald’s signage. Mrs. Farrell confirmed that McDonald’s was approved for variations related to the number of signs. Commissioner Petrich asked about the design of the proposed convenience store in relation to McDonald’s. Ms. Berliner stated that the

design was intended to complement the McDonald's with the stone. Ms. Berliner confirmed there are storefront windows. Commissioner Petrich confirmed with staff that the plans had been reviewed by the Village Engineer. Commissioner Petrich questioned how often the Route 83 entrance is used and expressed concerns about the safety of this entrance and exit. Mr. Smutz stated that the access is existing and was approved by IDOT. Commissioner Petrich confirmed the location of the underground fuel tanks. Commissioner Petrich was concerned about the amount of the variations required for signage. Commissioner Petrich confirmed with the petitioner that there was no dine-in, only carry-out.

Commissioner Broline confirmed the existing one-way exit to Route 83. Commissioner Broline asked about the size of the sign proposed and if it was similar to Speedway's. Ms. Berliner stated that the speed on the road and the 640 ft. slow down distance sets the standard for pricing digit size which dictates the overall size of the sign. Commissioner Broline asked about the foot candle amount on the east side adjacent to Spectrum. Mrs. Farrell confirmed it was 1.5 foot candles to the property line which borders the access drive.

Commissioner McCollian asked about security cameras and the need for extra security if it is deemed necessary. Ms. Berliner stated that if it is necessary, the stores can be changed over quickly. Commissioner McCollian expressed concern about the volume of traffic on 91st Street. Chairman Trzupek stated that traffic was a big issue for the McDonald's proposal and is unsure about how it is working today. Commissioner McCollian asked where the EV chargers would be located under the canopy. Ms. Berliner stated that it would be on the south side of the canopy. Mr. Smutz stated it is two dedicated triple charge stations.

Commissioner Stratis disclosed that he and his wife own McDonald's to the north. Commissioner Stratis clarified that Route 83 is a Strategic Arterial Roadway which is under IDOT jurisdiction and Spectrum was only able to receive the one access to Route 83. Commissioner Stratis asked about the fuel tanks. Mr. Smutz confirmed that they are fiberglass, double wall tanks with monitoring and two emergency shut-off buttons. Commissioner Stratis asked about the security and if there is the ability to lock the doors with a panic button. Ms. Berliner stated that there is not that option currently. Commissioner Stratis asked about ownership. Mr. Smutz confirmed that Thorntons will rent and have a 50-year lease. Commissioner Stratis asked about liquor sales. Phillip Bolove with Thorntons stated it will have beer, wine, and hard spirits. Commissioner Stratis asked how much of the interior is dedicated to liquor sales. Ms. Berliner stated that the hard liquor will fit in an 8 ft. cabinet. Commissioner Stratis asked if the lights will be dimmed when closed. Mr. Smutz stated that only four stores are not 24-hour operation so they intend to keep them on for security reasons even when closed. Commissioner Stratis confirmed with the petitioner that the light bulbs will not be exposed in the canopy. Commissioner Stratis confirmed with the petitioner that background or existing lighting is factored into the photometric plan. Commissioner Stratis noted that there was an intent to have matching lighting throughout the development but Spectrum and McDonald's do not match. The petitioner's proposed lighting will not match McDonald's. Commissioner Stratis complemented the high cleanliness standard for Thorntons and requested that outdoor sales be limited to the spot designated on the plan and not anywhere else on the site. Commissioner Stratis spoke with Evan Walter, Village Administrator, about the traffic on 91st Street shortly after McDonald's opened. Mr. Walter stated that traffic has not been a significant issue. Commissioner Stratis asked if Thorntons was going to request to be on the multi-tenant sign.

Ms. Berliner stated that they would like to, but they were not sure if that would count towards their signage calculations. There was discussion about the sign being off-site in a common area in the PUD and potentially calculated separately.

Chairman Trzupek stated that the sign package is reasonable given the use. Chairman Trzupek asked about the red illuminated band on the fuel canopy. Mrs. Farrell confirmed that it was not included in the signage calculation. Ms. Berliner confirmed that the signage calculations were for the logos only, not the red backgrounds.

Commissioner Parrella asked about the alarm system and who is notified. Ms. Berliner stated that it notifies local police and fire and the corporate office.

Commissioner Morton asked about the proposed fuel tanker truck circulation. Mr. Smutz stated that the trucks would enter the site and head east since the fueling is on the driver side. Mr. Smutz confirmed an auto-turn plan was generated to ensure access.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Morton to close the public hearing for Z-10-2022.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 8-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to recommend to the Village Board approval of amending the Spectrum PUD Ordinance #A-834-24-15; special uses for an automobile gasoline sale station, with a convenience food store, with packaged liquor and tobacco sales, and with hours of operation exceeding 7:00 a.m. to 10:00 p.m. pursuant to section VIII.C of the Zoning Ordinance; special use for an outside sales display accessory to a special use pursuant to sections VIII.A and VIII.C of the Zoning Ordinance; variations from sections 55.06.A.1, 55.06.A.2, 55.06.A.4.a, and 55.06.A.4.b of the Sign Ordinance to permit ground and walls signs in excess of 100 sq. ft. of area measuring 155 sq. ft., to permit more than one wall sign per street frontage for a total of three, to permit a free-standing gasoline pricing sign, and to exceed the maximum sign face square footage for a gasoline pricing sign from 20 sq. ft. to 49.8 sq. ft. and 40 sq. ft. to 99.6 sq. ft.; conditional sign approval for a sign with six colors, exceeding the three colors permitted pursuant to Sign Ordinance section 55.06.B; and variations from Zoning Ordinance section XI.C.9.c.2 to permit an average foot candle light level of 4.39 exceeding the 1.0 permitted and a uniformity ratio of 4.39 to 1 exceeding the 4 to 1 permitted subject to four conditions:

1. Final plans shall substantially comply with the submitted business plan, site plan, landscape plan, building elevations, photometric plan, and sign plans attached hereto as Exhibit A.

2. The special uses shall be limited to Thorntons LLC or a designated franchisee in a manner consistent with the submitted business plan and shall expire if Thorntons LLC or a designated franchisee no longer operates the business at 9115 Kingery Highway.
3. The hours of operation shall be limited to 5:00 a.m. to 11:00 p.m.
4. The outdoor sales area shall be restricted to the area shown on the plan.
5. The Thorntons sign on the rear (east) elevation shall be eliminated.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

Mr. Bolove asked if the hours were restricted to 5:00 a.m. to 11:00 p.m. Chairman Trzupek confirmed. Mr. Bolove stated that he was unaware of this restriction and that the business requires 24-hour operation. Mr. Bolove asked if there was a way to amend that. Chairman Trzupek stated that there was not, that 5:00 a.m. to 11:00 p.m. was what was requested through the petition and noticed. Mr. Bolove stated that he will petition the Village Board to change the hours.

Commissioner Stratis believed that this would need to be re-noticed and questioned if Spectrum and Tad Lagestee was aware of the 24-hour request. Tad Lagestee stood in the audience and confirmed that Spectrum has reviewed and approved the proposal.

V-02-2022: 8311 Fars Cove (Panico); Variation and Findings of Fact

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that Z-10-2022 is a request by Richard Panico, as petitioner, for a variation to permit a detached accessory building, specifically a garage, within the side buildable area pursuant to Zoning Ordinance section IV.I.1. The property is zoned R-2B. Current Zoning Ordinance regulations permit accessory structures within the rear yard only. The petitioner currently has an attached garage and detached garage on the property and wishes to build a second detached garage in the side buildable area. In 2004, the petitioner provided plans to the Village when the home was initially proposed which showed the residence with a side yard garage attached by a masonry wall. When these plans were then submitted for permit, they were rejected. The petitioner received a letter of apology from the Village acknowledging that incorrect information was provided when the original plans were shown. In 2005, the petitioner abandoned the side yard garage and continued with the residence and detached garage in the rear. In 2021, the petitioner pursued a text amendment to allow detached garages in the side buildable area which was denied by the Plan Commission and later withdrawn. The petitioner is now seeking to build this secondary garage in the side buildable area.

Chairman Trzupek clarified with the petitioner that the original drawing showed the proposed structure connected to the residence with a masonry wall. Richard Panico confirmed that the wall was to keep with the architecture of the residence and these plans were preliminary approved. Mr. Panico stated these were the plans which were then later denied. Mr. Panico then eliminated the proposed garage and moved forward with the residence and detached garage in the rear yard. Mr.

Panico now would like to build this garage and was provided advice by the Village to pursue a text amendment to allow detached garages in the side buildable area. Mr. Panico explored what it would take to attach the garage but the cost and structural requirements made it not feasible. Mr. Panico was also denied a balcony on the residence but appealed to the Board and was permitted to construct it.

Chairman Trzupek confirmed the history and sequence of events with the petitioner.

Mr. Panico stated that in order to build a second detached garage on the property in the rear yard, a new driveway would need to be installed which would not be aesthetically pleasing and could negatively impact his neighbor's property. The proposed garage is to house a classic car collection.

Chairman Trzupek discussed the need for a hardship with a variation request. The Chairman asked staff to discuss with the Village Attorney. The Village Attorney stated that there may be a hardship if someone purchased a property with the intent to do something and was informed that it would be allowed only to then be told it was not after the purchase. Chairman Trzupek stated that this was not the situation in this case.

Mr. Panico would like to build a garage that is aesthetically pleasing. Mr. Panico stated that the hardship was created by misdirection provided by the authorities that are now restricting his ability to build and a lack of accountability by the Village. Mr. Panico stated that what he is proposing will not negatively impact his neighbors.

Chairman Trzupek asked for public comment. There was none.

Commissioner Stratis felt bad that the petitioner was provided bad advice but is concerned about setting precedent. Commissioner Stratis understands the petitioner's frustration but does not believe that granting this garage now will address the previous wrongs. Mr. Panico stated that he does not believe this will create a precedent due to the documented history of this particular situation. Mr. Panico stated that there are structures in his neighborhood which are in poor condition that the Village does not address. Commissioner Stratis confirmed with the petitioner that this occurred 17 years ago and questioned why it was not addressed during that time. Mr. Panico stated that he did not have time to pursue the issue while growing his business and did not have the expansive car collection that he now does.

Chairman Trzupek asked if the petitioner would construct the wall which was originally shown. Mr. Panico stated he would not due to the foundation disturbance, the impact to the façade of his residence, and the cost.

Commissioner McCollian did not have questions.

Commissioner Broline stated that there is a ring of a hardship in the letter of apology but struggles with it.

Commissioner Parrella asked for the rendering to be displayed on the screen. Commissioner Parrella stated that the proposed garage is not a negative or bad thing and looks better without the archway wall.

Commissioner Irwin stated that this garage looks nice and wants to find a way to approve it. Commissioner Irwin does not want the petitioner to game the system with an attached wall.

Commissioner Morton agreed the structure looks good. Commissioner Morton stated that the litany of errors set up this condition. Commissioner Morton confirmed with Chairman Trzupek the information about a hardship from the Village Attorney. Commissioner Morton stated that the hardship in this situation is different than someone building a structure that did not meet regulation and then later asked for forgiveness. Commissioner Morton asked if a similar variation had ever been requested. Chairman Trzupek said that it had not, but that hardships are typically tied to the land. Commissioner asked about pursuing a text amendment to allow for garages like this. Chairman Trzupek stated that the text amendment had been pursued but was denied because it would apply to the whole Village.

Commissioner Petrich was concerned about precedence but stated that this proposal was unique in terms of setbacks and design.

Chairman Trzupek stated that precedence is a concern but he has heard that there is also no such thing as precedence if the conditions of approval are specific enough to the site and request.

Mr. Panico asked how many requests like this have been made in the past decade. The Commissioners could not recall any such similar cases.

Chairman Trzupek was concerned that someone may challenge the hardship. Mrs. Farrell offered to obtain a more formal comment from the Village Attorney. The Commissioners agreed to make a motion and have the Village Attorney then review their findings for a hardship.

Commissioner McCollan asked for clarification on the attorney's review. The Commissioners confirmed that the Commission finds the hardship, but the attorney will review and confirm the language.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to close the public hearing for V-02-2022.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend to the Village Board approval of a request for a variation to permit a detached accessory building (garage) within the side buildable area pursuant to Zoning Ordinance section IV.I.1 with two conditions:

1. The Village Attorney shall review the Findings of the Fact made by the Plan Commission.
2. The garage shall substantially comply with the rendering submitted by the petitioner depicting the red brick structure and included as Exhibit A.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0.

IV. CORRESPONDENCE

Chairman Trzupek asked if there were any comments on the Board or Building Reports. Commissioner Petrich asked for clarification about a right-of-way permit by a concrete contractor and if it was related to a brick mailbox. Mrs. Farrell was unsure about the specific permit but stated that it was likely for a driveway.

V. OTHER CONSIDERATIONS

PC-03-2022: 16W135 Honeysuckle Rose St. (New Wave Carwash); Extraterritorial Review of a Conditional Use for a PUD and Variations

Mrs. Farrell stated that this proposal was discussed briefly at the last meeting but was not formally on the agenda. Mrs. Farrell introduced the proposal that was received from DuPage County for an expansion of an existing car wash located on Route 83, south of 91st Street. Mrs. Farrell did not have a response on the outcome of the County meeting and did not receive any extra information regarding directional signage. Mrs. Farrell stated that the Village does not have the authority to hold the proposal to their standards, but comments can be submitted.

Commissioner Stratis was unsure how the development would impact Burr Ridge which is across the highway but expressed concern about the access.

VI. PUBLIC COMMENT

There were no public comments.

VII. FUTURE MEETINGS

May 9, 2022 Board of Trustees

Commissioner McCollan is the scheduled representative.

May 16, 2022 Plan Commission

Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section XIV.B of the Zoning Ordinance to create a definition for an attached garage.

The Commission agreed that this item should stay on the agenda regardless of the outcome of the variation request that was approved earlier.

Z-13-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section 55.09.E of the Sign Ordinance to clarify regulations pertaining to right-of-way signs.

Z-15-2022: 7950 Drew Avenue (Perino/Jarper Properties LLC); Special Use, PUD Amendment and Findings of Fact

Request to consider a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18 in accordance with Section XIII of the Zoning Ordinance. This major change will reduce the open space in the PUD and increase the garage area for the proposed homes.

Alice Krampits asked for clarification on the proposal. Mrs. Farrell clarified that three-car garages are now proposed which reduces open space. The petitioner was required to bring forward landscaping, final engineering, and elevations to the Plan Commission for final approval regardless, but now the PUD is being amended as well.

May 23, 2022 Board of Trustees

Commissioner Irwin is the scheduled representative.

June 6, 2022 Plan Commission

Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM APRIL 18, 2022]

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

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

Z-14-2022: Consideration of text amendments regarding short-term rentals.

June 13, 2022 Board of Trustees

Commissioner Parrella is the scheduled representative.

June 20, 2022 Plan Commission

No cases scheduled at this time. The deadline for newspaper publication is May 27, 2022.

June 27, 2022 Board of Trustees

Commissioner Petrich is the scheduled representative.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to adjourn the meeting at 9:56 pm.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 8-0.

Respectfully Submitted:

Janine Farrell, AICP
Community Development Director

RESOLUTION NO. R- -22

**RESOLUTION OF APPRECIATION RECOGNIZING RETIREMENT
AFTER 20 YEARS OF DEDICATED SERVICE TO THE VILLAGE OF BURR RIDGE
JULIE TEJKOWSKI**

WHEREAS, Julie Tejkowski has provided exceptional service to the Village of Burr Ridge since August 1, 2001, and will, on May 13, 2022, retire as the Executive Assistant with the Village of Burr Ridge; and

WHEREAS, Julie Tejkowski has provided outstanding support and service in her current role to Village Administrators Doug Pollock and Evan Walter and Mayors Mickey Straub and Gary Grasso; and

WHEREAS, Julie Tejkowski has served the Village and its employees by administering the Village Wellness Committee, Safety Committee, and Employee Personnel Committee, while also ably providing information and guidance to ensure that said programs are operated efficiently and in the best interest of both the Village and its employees; and

WHEREAS, Julie Tejkowski has led the Front Office as part of her duties as Executive Assistant, placing considerable importance on the service of those residents and businesses contacting the Village for assistance, and is an example to those working for the Village in her commitment to serving the public; and

WHEREAS, Julie Tejkowski contributed significantly to many important development projects in Burr Ridge in her previous roles as Community Development Assistant and Building and Zoning Assistant in the Community Development Department through management of the building permit process, including the Burr Ridge Village Center, Spectrum Senior Living, and Estancia/Hampton Inn; and

WHEREAS, Julie Tejkowski successfully managed over 7,000 building permits during her career in the Village, including over 400 single-family homes, 1,100 single-family additions and alterations, totaling over \$625,000,000 in construction value; and

WHEREAS, Julie Tejkowski, by virtue of her over 20 years of employment with the Village of Burr Ridge, has provided outstanding service to Burr Ridge residents, businesses, Mayors, Trustees, Administrators and employees with efficiency, thoroughness, dedication, and integrity; and

WHEREAS, residents and businesses in Burr Ridge are urged to recognize Julie Tejkowski's exemplary service and contributions to the Village of Burr Ridge.

NOW, THEREFORE, Be It Resolved by the Mayor and Board of Trustees of the Village of Burr Ridge, DuPage and Cook Counties, Illinois, that Julie Tejkowski shall hold a place of high esteem in the minds and hearts of the residents and employees of the Village and is offered our sincere gratitude, congratulations, and best wishes on the occasion of her retirement after completing 20 years of service to the Village.

ADOPTED this 9th day of May, 2022, by roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this 9th day of May, 2022.

Mayor

Village Clerk

STATE OF ILLINOIS)
COUNTY OF COOK) SS.
COUNTY OF DuPAGE)

CLERK'S CERTIFICATE

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

RESOLUTION NO. R- -22

**RESOLUTION OF APPRECIATION RECOGNIZING RETIREMENT AFTER 20 YEARS
OF DEDICATED SERVICE TO THE VILLAGE OF BURR RIDGE
JULIE TEJKOWSKI**

which was adopted by the Board of Trustees of the Village of Burr Ridge at a regular meeting held on the 9th day of May, 2022, at which meeting a quorum was present, and approved by the Mayor of the Village of Burr Ridge on the 9th day of May, 2022.

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

AYES:

NAYS:

ABSENT:

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Burr Ridge, this 9th day of May, 2022.

Village Clerk

RESOLUTION NO. R- -22

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE ILLINOIS OFFICE OF THE COMPTROLLER AND
THE VILLAGE OF BURR RIDGE REGARDING ACCESS
TO THE COMPTROLLER'S LOCAL DEBT RECOVERY PROGRAM**

WHEREAS, the Corporate Authorities of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, seeks to enter into an Intergovernmental Agreement between the Illinois Office of the Comptroller and the Village of Burr Ridge in the form attached hereto and made a part hereof as **EXHIBIT A**; and

WHEREAS, said Intergovernmental Agreement is for the purpose of collecting both tax and nontax debts owed to the Village of Burr Ridge.

NOW, THEREFORE, Be It Resolved by the Mayor and Trustees of the Village of Burr Ridge, Cook and Du Page Counties, Illinois, as follows:

Section 1: That the Mayor and Board of Trustees of the Village of Burr Ridge hereby find that it is in the best interests of the Village of Burr Ridge and its residents that the aforesaid Intergovernmental Agreement be entered into and executed by said Village of Burr Ridge, with said Agreement to be substantially in the form attached hereto and made a part hereof as **EXHIBIT A**.

Section 2: The Mayor is authorized and directed to execute the Intergovernmental Agreement on behalf of the Village of Burr Ridge.

Section 3: This Resolution shall be in full force and effect upon its adoption and approval as required by law.

ADOPTED this 9th day of May, 2022, by vote of the Board of Trustees of the Village of Burr Ridge, as follows:

AYES:

NAYS:

ABSENT:

APPROVED this 9th day of May, 2022.

Mayor

ATTEST:

Village Clerk

**INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE ILLINOIS OFFICE OF THE COMPTROLLER
AND
THE VILLAGE OF BURR RIDGE
REGARDING ACCESS TO THE COMPTROLLER'S LOCAL DEBT RECOVERY
PROGRAM**

This Intergovernmental Agreement ("the Agreement") is hereby made and entered into as of the date of execution by and between the Illinois Office of the Comptroller (hereinafter "IOC") and the Village of Burr Ridge (hereinafter "local unit"), in order to provide the named local unit access to the Local Debt Recovery Program for purposes of collecting both tax and nontax debts owed to the named local unit. Each of the parties hereto is a "public agency" as defined in Section 2 of the Intergovernmental Cooperation Act [5 ILCS 220/2].

WHEREAS, both the State of Illinois and the local unit have a responsibility to collect debts owed to its respective public bodies;

WHEREAS, IOC operates a system, known as the Comptroller's Offset System (hereinafter, "the System"), for collection of debt owed the State by persons receiving payments from the State;

WHEREAS, the Illinois General Assembly specifically provided for the ability of the local unit to utilize the System when it amended Section 10.05 and added Section 10.05d to the State Comptroller Act [P.A. 97-632; 15 ILCS 405/10.05 and 10.05d];

WHEREAS, IOC and the local unit are empowered under the Illinois Constitution [Ill. Const., Art. VII, Sec. 10], Section 3 of the Intergovernmental Cooperation Act [5 ILCS 220/3], and Section 10.05d of the State Comptroller Act (hereinafter, "the Act") [15 ILCS 405/10.05d] to contract with each other in any manner not prohibited by law;

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises contained herein, the sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

Article I – Purpose

The purpose of the Agreement between the IOC and the local unit is to establish the terms and conditions for the offset of the State's tax and nontax payments in order to collect tax and nontax debts owed to the local unit.

Article II – Authority

The authority for State payment offset is granted under Section 10.05 of the Act [15 ILCS 405/10.05] and the authority for entering into this Agreement is granted under Section 10.05d of the Act [15 ILCS 405/10.05d], Section 3 of the Intergovernmental Cooperation Act [5 ILCS 220/3], and Article VII of the Illinois Constitution [Ill. Const., Art. VII, Sec. 10].

Article III – State Payment Offset Requirements and Operations

- A. Legal Requirements. The offset of State payments shall be conducted pursuant to the authority granted in Section 10.05 and 10.05d of the Act [15 ILCS 405/10.05 and 10.05d] and the requirements set forth in this Agreement.

1. Definition of “Debt”

- (a) For purposes of this Agreement, debt shall mean any monies owed to the local unit which is less than 7 years past the date of final determination, as confirmed by the local unit in Article III(A)(2)(a)(viii) of this Agreement.
- (b) No debt which is more than 7 years past the date of final determination may be placed or may remain on the System.
- (c) No debt which has resulted in the issuance of a warrant for the arrest of the debtor may be placed or remain on the System so long as that warrant for arrest is active.
- (d) No debt which has resulted in the attachment of a lien on any personal property or other personal interest of the debtor shall be placed or remain on the System so long as that lien is attached to that property or interest.

2. Due Process & Notification

- (a) Before submitting a debt to IOC for State payment offset, the local unit must comply with all of the notification requirements of this Agreement. For purposes of this Agreement, notification of an account or claim eligible to be offset shall occur when the local unit submits to IOC the following information:
 - (i) the name and address and/or another unique identifier of the person against whom the claim exists;
 - (ii) the amount of the claim then due and payable to the local unit;
 - (iii) the reason why there is an amount due to the local unit (i.e., tax liability, overpayment, etc.);
 - (iv) the time period to which the claim is attributable;
 - (v) the local entity to which the debt is owed;
 - (vi) a description of the type of notification has been given to the person against whom the claim exists and the type of opportunity to be heard afforded to such a person;

- (vii) a statement as to the outcome of any hearings or other proceedings held to establish the debt, or a statement that no hearing was requested; and,
 - (viii) the date of final determination of the debt.
- (b) IOC will not process a claim under the Agreement until notification has been received from the local unit that the debt has been established through notice and opportunity to be heard.
 - (c) The local unit is required to provide the debtor with information about a procedure to challenge the existence, amount, and current collectability of the debt prior to the submission of a claim to IOC for entry into the System. The decision resulting from the utilization of this procedure must be reviewable.

3. Certification

- (a) The chief officer of the local unit shall, at the time the debt is referred, certify that the debt is past due and legally enforceable in the amount stated, and that there is no legal bar to collection by State payment offset.
- (b) Only debts finally determined as currently due and payable to the local unit may be certified to IOC as a claim for offset.
- (c) The chief officer of the local unit may delegate to a responsible person or persons the authority to execute the statement of the claim required by the Agreement.
- (d) This delegation of authority shall be made on either electronic or paper based forms provided by the Comptroller.
- (e) For purposes of this Agreement, “chief officer of the local unit” means the Financial Consultant.
- (f) The chief officer hereby acknowledges and agrees that he/she will ensure that the login information into any electronic system provided by the Office of the Comptroller will remain confidential, that only active employees of the local unit may be granted the delegation of authority provided for in Part (c) of this Subsection, and that under no circumstances is a vendor, agent, consultant, collector or any other third-party representative of the local unit authorized to submit or certify debt to IOC on behalf of the local unit.

4. Notification of Change in Status

- (a) The chief officer must notify IOC as soon as possible, but in no case later than 30 days, after receiving notice of a change in the status of an offset claim.
- (b) A change in status may include, but is not limited to, payments received other than through a successful offset, the filing of a bankruptcy petition, the death of the debtor, or the expiration of the ability for the debt to remain on the System, as provided for in Article III(A)(1)(b) of this Agreement.

5. Notification of Change in the Chief Officer

- (a) The local unit shall be responsible for notifying IOC as soon as is practicable in the event the chief officer named in the Agreement is no longer an officer or employee of the local unit or is otherwise unable to perform the certification process provided for in Subsection 3 of this Section.
- (b) Upon obtaining knowledge that the chief officer is no longer an officer or employee of the local unit or is otherwise unable to perform the certification process provided for in Subsection 3 of this Section, whether through notification by the local unit or by any other means, IOC shall suspend the authority for the chief officer and any of his or her designees to certify debt to IOC.
- (c) The local unit shall be responsible for updating records with IOC in the event of a change in the chief officer in order to reestablish certification authority and resume collection by State payment offset.

B. Operational Requirements

- 1. Technical Requirements. IOC agrees to work with the local unit to facilitate information and data procedures as provided for in this Agreement. **The local unit agrees to adhere to the standards and practices of IOC when transmitting and receiving data.** The chief officer shall assume the responsibility of providing updates to the debtor records on file with IOC in order to ensure an equitable resolution of the debts owed to the local unit.
- 2. Fee. A fee may be charged to the debtor and shall be no more than \$20 per payment transaction. The fee will be deducted from the payment to be offset prior to issuance to the local unit.
- 3. Offset Notices. IOC will send offset notices to the debtor upon processing a claim under the Act and this Agreement. The notice will state that a request has been made to make an offset against a payment due to the debtor, identify the local unit as the entity submitting the request, provide the debtor with a phone number made available pursuant to Article III

(B)(6) of this Agreement, and inform the debtor that they may formally protest the offset within sixty (60) days of the written notice.

4. IOC Protest Process. If a protest is received, IOC will determine the amount due and payable to the local unit. This determination will be made by a Hearing Officer and will be made in light of all information relating to the transaction in the possession of IOC and any other information IOC may request and obtain from the local unit and the debtor subject to the offset. If IOC requests information from the local unit relating to the offset, the local unit will respond within sixty (60) days of IOC's request. IOC may grant the local unit an additional sixty (60) day extension for time to respond. The local unit shall complete an adjudication review with IOC in order to evaluate the local unit and the protest process prior to the offset of any State payments.
5. IOC Hearing Officer. The local unit hereby agrees to provide the Hearing Officer with any information requested in an efficient and timely manner in order to facilitate the prompt resolution to protests filed as a result of this Agreement. For purposes of this Agreement, any decision rendered by the Hearing Officer shall be binding on the local unit and shall be the final determination on the matter. The Hearing Officer may continue the review of a protest at his/her discretion in order to assure an equitable resolution.
6. Local Unit Call Center. The local unit hereby agrees to provide a working phone number which IOC will furnish to persons offset under this Agreement. The local unit shall ensure that the phone number is properly staffed in order to provide information about the debt the local unit is offsetting under this Agreement. The phone number for purposes of this Section and the Agreement is: (630) 654-8181.
7. Debt Priorities. If a debtor has more than one local unit debt, the debt with the oldest date of entry on the System shall be offset first.
8. Transfer of Payment. Transfer of payment by IOC to the local unit shall be made in the form of electronic funds transfer (EFT). Nothing in this section or this Agreement shall limit the ability of either party to modify this Agreement at a later date in order to provide for an alternative method(s) of payment transfer.
9. IOC Refunds. If IOC determines that a payment is erroneous or otherwise not due to the local unit, IOC will process a refund of the offset, and refund the amount offset to the debtor. In the event the refund results in only a partial refund to the debtor, IOC will retain the fee referenced in Article III, Paragraph B, Section 2 above. The fee will only be refunded to the debtor in the event of a full refund of the offset amount.
10. Local Unit Refunds. The local unit is responsible for refunding monies to the debtor, including any and all administrative fees collected by IOC, if an offset occurred due to inaccurate debt information or over collection, and

the local unit has already received payment from IOC. IOC will only refund monies in the event that a payment has not yet been made to the local unit.

11. Third-Party Matching Services. IOC may utilize the services of a third-party vendor to assist in the identification of individual debtors. The local unit shall review and add any valid matches which result from the assistance of the third-party vendor within 30 days of receipt of the updated records. If the local unit is unable to add the valid matches within 30 days of receipt of the updated records, the chief officer must notify IOC as to the reason the local unit is not able to add the records in addition to a time frame for adding the records in the future.

Article IV – Permissible Use of Information

IOC acknowledges that the local unit is providing sensitive information about local debts for the purpose of conducting offsets under the Agreement. As such, IOC will use the information solely in connection with the Local Debt Recovery Program. IOC shall safeguard the local information in the same manner as it protects State debt information.

The local unit acknowledges that IOC is providing sensitive information about State payments for the purpose of conducting offsets under the Agreement. As such, the local unit will use the information solely in connection with the Local Debt Recovery Program. The local unit shall safeguard State information in the same manner as it protects local debt information.

The parties may use information in any litigation involving the parties, when such information is relevant to the litigation.

Article V – Term of the Agreement and Modifications

The Agreement becomes effective as of the Effective Date and shall remain in effect until it is terminated by one of the parties. Either party may terminate this Agreement by giving the other party written notice at least thirty (30) days prior to the effective date of the termination. Any modifications to the Agreement shall be in writing and signed by both parties.

Article VI – No Liability to Other Parties

Except for the fees described in Article III, paragraph B, Section 2 above, each party shall be responsible for its own costs incurred in connection with the Agreement. Each party shall be responsible for resolving and reconciling its own errors, but shall not be liable to any other parties for damages of any kind as a result of errors. Each party shall be liable for the acts and omissions of its own employees and agents. The Agreement does not confer any rights or benefits on any third party.

Article VII – Issue Resolution

The parties acknowledge that IOC is ultimately responsible for the development, design and operation of the System. Subject to that understanding, the parties agree to work

cooperatively to resolve any matters that arise during the development, design and implementation of the program. If an issue cannot be resolved informally by mutual agreement of staff personnel, then the parties agree to elevate the issue to a senior level manager for resolution of the issue. For purposes of the Agreement, the “senior level managers” are:

1. IOC: George Alonistiotis, Director – Department of Government and Community Affairs
2. Local Unit: Evan Walter, Village Administrator

Article VIII – Contacts

The points of contacts for this Agreement are:

IOC: Debjani Desai, General Counsel
Illinois Office of the Comptroller
100 West Randolph St., Suite 15-500
Chicago, Illinois 60601
Phone: 312-814-1400
Fax: 312-814-0957
E-mail: Debjani.Desai@illinoiscomptroller.gov

Local Unit: Annmarie Mampe, Financial Consultant
Village of Burr Ridge
7660 County Line Road
Burr Ridge, Illinois 60527
Phone: (630) 654-8181, x4000
Email: amampe@burr-ridge.gov

Article IX – Acceptance of Terms and Commitment

The signing of this document by authorized officials forms a binding commitment between IOC and the Village of Burr Ridge. The parties are obligated to perform in accordance with the terms and conditions of this document, any properly executed modification, addition, or amendment thereto, any attachment, appendix, addendum, or supplemental thereto, and any documents and requirements incorporated by reference.

By their signing, the signatories represent and certify that they possess the authority to bind their respective organizations to the terms of this document, and hereby do so.

[Signature Page Follows]

IN WITNESS WHEREOF, the Illinois Office of the Comptroller and the Village of Burr Ridge by the following officials sign their names to enter into this agreement.

ILLINOIS OFFICE OF THE COMPTROLLER

By: _____

Date: _____

Name: Susana A. Mendoza

Title: Comptroller

ENTITY NAME

By: _____

Date: _____

Name: Gary Grasso

Title: Mayor

RESOLUTION NO. R- -22

**A RESOLUTION APPOINTING PAMELA FOY AS ALTERNATE DELEGATE
TO THE INTERGOVERNMENTAL RISK MANAGEMENT AGENCY (IRMA)**

WHEREAS, the Village of Burr Ridge is a member of the Intergovernmental Risk Management Agency (IRMA); and

WHEREAS, the Contract and Bylaws of IRMA provides that member units of local government shall by majority vote of its corporate authorities select a Delegate and an Alternate to represent the Village of Burr Ridge on the Board of Directors of said Intergovernmental Risk Management Agency;

WHEREAS, Evan Walter, Village Administrator of the Village of Burr Ridge, is currently the Delegate to represent the Village of Burr Ridge on the Board of Directors of said Intergovernmental Risk Management Agency.

BE IT RESOLVED by the CORPORATE AUTHORITIES, of the Village of Burr Ridge, DuPage and Cook Counties, Illinois, as follows:

Section 1. Pamela Foy, Executive Assistant of the Village of Burr Ridge, is hereby appointed as the Alternate Delegate to serve if Evan Walter is unable to carry out his aforesaid duties as the representative of the Village of Burr Ridge to said Intergovernmental Risk Management Agency.

PASSED by the Mayor and Board of Trustees of the Village of Burr Ridge, Illinois, this 9th day of May, 2022.

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 9th day of May, 2022.

Mayor

ATTEST:

Village Clerk

**RESOLUTION APPOINTING AN AUTHORIZED DELEGATE AND
ALTERNATE DELEGATE TO THE SOUTH CENTRAL DUPAGE
COUNTY BENEFIT POOL (SCDCBP)**

WHEREAS, the VILLAGE OF BURR RIDGE participates in the South Central DuPage County Benefit Pool (SCDCBP); and

WHEREAS, it is necessary for each member of the SCDCBP to appoint a Delegate and Alternate Delegate to serve on the agency's Board of Directors; and

WHEREAS, the Delegates should have a close working knowledge and access to matters regarding the operation of the agency.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: The Preambles hereto are hereby made a part of, and operative provisions of, this Resolution as fully as if completely repeated at length herein.

SECTION 2: Pamela Foy, Executive Assistant of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, be appointed authorized Delegate to the SCDCBP and that she be delegated the powers and duties as specified in the Intergovernmental Agreement creating the SCDCBP.

SECTION 3: Amy Sullivan, Accounting Analyst of the Village of Burr Ridge, be appointed Alternate Delegate to the SCDCBP and that she be delegated the powers and duties as specified in the Intergovernmental Agreement creating the SCDCBP.

Section 4: This Resolution shall take effect from and after its adoption and approval.

ADOPTED this 9th day of May, 2022, by the Corporate Authorities
of the Village of Burr Ridge on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this 9th day of May, 2022, by the Mayor of the Village
of Burr Ridge.

Mayor

ATTEST:

Village Clerk



May 9, 2022

Mayor Gary Grasso and Board of Trustees
7660 County Line Road
Burr Ridge, Illinois 60527

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

Dear Mayor and Board of Trustees:

The Plan Commission transmits its recommendation to not change the existing hours of operation for restaurant uses in the Business Districts. After due notice as required by law, the Plan Commission held a public hearing on April 18, 2022. The Village Attorney had provided guidance that altering the Zoning Ordinance regarding extended hours of operation for restaurant uses in the Business districts would not impact those establishments within Planned Unit Developments (PUDs), specifically the Village Center and County Line Square PUDs, nor those establishments previously granted special uses for extended hours. Those establishments would still be governed by the PUD or the special use. With that information, the Plan Commission determined that it would not be useful to alter the hours of operation in the Zoning Ordinance since the majority of restaurants would not benefit from that change. There was one member of the public who spoke in support of not changing the existing hours of operation at the public hearing. There was one email objection received which was included in the staff report packet.

After the April 18, 2022 Plan Commission meeting, the Village Attorney re-reviewed regulations and drafted language (see attachment) which would amend the hours of operation and apply to those establishments with special uses or within PUDs.

Key Points of the Text Amendment, Zoning Ordinance Section VIII.A.11:

- The extended hours would only apply to restaurants with liquor licenses in the Business Districts (B-1 and B-2).
- Restaurants with liquor licenses would be permitted by right (no special use required) to close at midnight on Sundays, Mondays, Tuesdays, and Wednesdays. Previously a special use would have been required.
- Restaurants would be permitted by right (no special use required) to close at 1:00 a.m. on Thursdays, Fridays, and Saturdays. Previously a special use would have been required and the restaurant would have been permitted to be open until 2:00 a.m.
- For those restaurants which were previously approved for a 2:00 a.m. closing time, Johnny Cab's and County Wine Merchant, they are still permitted to be open until that time.

Sincerely,

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals

11. Hours of Operation for Business Uses

a. The hours of operation for all uses within the B-1 and B-2 Districts, except for restaurants with liquor licenses, shall not exceed 7 A.M. to 10 P.M., except as otherwise allowed herein.

~~b. Any business use in the B-1 or B-2 District may request special use approval in accordance with the procedures and requirements outlined in Section XIII of this Ordinance.~~

eb. The hours of operation for restaurants with liquor licenses shall be as follows and shall be subject to the terms and conditions as follows:

1) The permitted closing time for restaurants with liquor licenses shall be no later than 12:00 Midnight on Sundays, Mondays, Tuesdays, and Wednesdays, and no later than 1:00 A.M. on Thursdays, ~~(i.e. Friday at 1:00 A.M.) and 2:00 A.M. on~~ Fridays and Saturdays ~~(i.e., Friday, Saturday and Sunday at 21:00 A.M.)~~; ~~Except however, that~~ on December 31 of each year, the permitted closing time shall be extended to 2:00 A.M., regardless of the day of the week ~~(i.e., 2:00 A.M. on January 1)~~.

2) Restaurants with liquor licenses shall be required to provide service of food prepared on-site up to a minimum of one hour before closing.

3) Nothing herein shall supersede the requirements for such uses to obtain special use approval as required by Sections VIII.B.2 and VIII.C.2, herein.

~~4) The closing times specified in subparagraph 1) for restaurants with liquor licenses shall be permitted for all existing restaurants with liquor licenses located within a B-1 or B-2 District, regardless whether the ordinance approving any such special use specified an earlier closing time. However, the closing time for any restaurant with a liquor license located within a B-1 or B-2 District that has previously obtained a special use for a later closing time shall be that as provided in such special use ordinance.~~

~~c. Any business use in the B-1 or B-2 District may request special use approval in accordance with the procedures and requirements outlined in Section XIII of this Ordinance.~~



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

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

Petitioner: Village of Burr Ridge

Prepared by: Janine Farrell, Community Development Director

Date of Hearing: April 18, 2022

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

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

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

Opening prior to 7:00a.m.:

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

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

Closing after 10:00p.m.:

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

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

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

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

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

Findings of Fact

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

Attachments

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

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



EXHIBIT A

VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)

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

STATUS OF PETITIONER: Village of Burr Ridge/municipality

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

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630)654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

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

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

DESCRIPTION OF REQUEST:

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

PROPERTY INFORMATION (to be completed by Village staff)

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

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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

Janine Farrell
Petitioner's Signature

3/22/2022
Date of Filing



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

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

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

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

(Please transcribe or attach additional pages as necessary)

EXHIBIT B

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

Restaurant Hours of Operation and Live Entertainment

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

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

Restaurant Hours of Operation and Live Entertainment

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

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

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

***With an approved special use.

EXHIBIT C



BURR RIDGE ZONING ORDINANCE

SECTION VIII BUSINESS DISTRICTS

A. GENERAL PROVISIONS

1. Permitted Uses

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

2. Bulk Requirements

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

3. Yard Requirements

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

4. Operation Within Enclosed Buildings

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

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



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

5. Outdoor Dining

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

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

6. Nuisances

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

7. Parking and Loading

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



establishment.

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

8. Signs

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

9. Building and Site Plan Review

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



for notice of Plan Commission public hearings.

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

10. Landscaping and Buffering

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



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

11. Hours of Operation for Business Uses

- a. The hours of operation for all uses **except for restaurants** within the B-1 and B-2 Districts shall not exceed 7 A.M. to 10 P.M. except as otherwise allowed herein. **Restaurant hours of operation shall not exceed 6:00 A.M. to 11:00 P.M. Restaurants with liquor licenses are subject to the hours of operation as set forth in VIII.A.11.c, below.**
- b. Any business use in the B-1 or B-2 District may request special use approval in accordance with the procedures and requirements outlined in Section XIII of this Ordinance.
- c. The hours of operation for restaurants with liquor licenses shall be as follows and subject to the terms and conditions as follows. **A special use is not required for a restaurant with a liquor license to operate the following hours. :**
 - 1) The closing time for restaurants with liquor licenses shall be 12:00 Midnight on Sundays, Mondays, Tuesdays, and Wednesdays; 1:00 AM on Thursdays, **Fridays, and Saturdays** (i.e. Friday, **Saturday, and Sunday** at 1:00 AM); ~~and 2:00 AM on Fridays and Saturdays (i.e. Saturday and Sunday at 2:00 AM).~~ Except however, on December 31 of each year the permitted closing time shall be extended to 2:00 AM regardless of the day of the week (i.e. 2:00 AM on January 1).
 - 2) Restaurants with liquor licenses shall provide service of food prepared on-site up to a minimum of one hour before closing.
 - 3) Nothing herein shall supersede the requirements for such uses to obtain special use approval as required by Sections VIII.B.2 and VIII.C.2, herein.
(Amended by Ordinance A-834-03-12).

EXHIBIT D



BURR RIDGE ZONING ORDINANCE

SECTION VIII.B B-1 BUSINESS DISTRICT

B. B-1 RETAIL BUSINESS DISTRICT

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

1. Permitted Uses

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

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



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



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

2. Special Uses

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

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



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

3. **Lot Size Requirements:**

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



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

4. Floor Area Ratio:

Not to exceed 0.40.

5. Building Height:

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

6. Yard Requirements:

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

EXHIBIT D



BURR RIDGE ZONING ORDINANCE

SECTION VIII.C B-2 BUSINESS DISTRICT

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

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

1. **Permitted Uses:**

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

- a. Antique shops with less than 7000 square feet of floor area
- b. Art Galleries
- c. Art and School Supply Stores
- d. Automobile parts and accessory stores
- e. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- f. Barber Shops
- g. Beauty and Health Services
- h. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- i. Book stores and stationery shops
- j. Camera and photographic supply stores
- k. Candy stores
- l. Card and gift shops
- m. Carpet and rug stores (retail only)
- n. Catalogue Sales
- o. Catering Establishments
- p. China, glassware and household goods stores
- q. Clothing, clothing rental, and clothing accessory stores
- r. Coin and philatelic stores



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



- rr. Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: live entertainment, dancing, or sales of alcoholic beverages
- ss. Studios for teaching of art, martial arts, music, dance, and gymnastics
- tt. Shoe sales and shoe repair stores
- uu. Sporting goods stores
- vv. Tailor and dressmaking shops
- ww. Toy stores
- xx. Video rental stores
- yy. Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. Special Uses:

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

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



- r. Dry cleaners with on-site equipment for dry cleaning
- s. Financial Services Offices (Amended by Ordinance A-834-06-09)
- t. Funeral parlors
- u. Golf Simulation Facility with Sales of Alcoholic and non-Alcoholic Beverages and pre-packaged food and snacks (Amended by Ordinance A-834-23-16)
- v. Greenhouses, retail sales only
- w. Health and athletic clubs and gymnasiums
- x. Hotels and motels (including dining and meeting rooms)
- y. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 herein (Amended by Ordinance A-834-03-12).
- z. Insurance Offices (Amended by Ordinance A-834-06-09)
- aa. Kennels
- bb. Laundromats
- cc. Liquor Stores (packaged goods sales only)
- dd. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- ee. Office supply and service stores including copying and package delivery services with more than 7000 square feet of floor area
- ff. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- gg. Outside sales display accessory to a permitted or special use
- hh. Parking lots and structures where such uses are the principal use on a lot
- ii. Pet shops and pet service stores
- jj. Planned unit developments
- kk. Plumbing, heating, air conditioning, and lighting stores (retail sales and service only)
- ll. Real Estate Offices (Amended by Ordinance A-834-06-09)
- mm. Restaurants in single tenant buildings or with any one of the following: live entertainment, dancing, or sales of alcoholic beverages (Amended by Ordinance A-834-6-99)
- nn. Running Store/Fitness Apparel Store with Sales of Craft Beer or Wine (Amended by Ordinance A-834-14-16)
- oo. Shopping centers (containing stores listed as permitted or special uses in this B-2 District)



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

3. **Lot Size Requirements:**

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



4. Floor Area Ratio:

Not to exceed 0.40.

5. Maximum Building Height:

Not to exceed 35 feet.

6. Yard Requirements:

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

EXHIBIT E

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

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

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

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

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

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

Thank you for your consideration.

Respectfully,
Patricia A. Davis
Burr Ridge resident



May 9, 2022

Mayor Gary Grasso and Board of Trustees
7660 County Line Road
Burr Ridge, Illinois 60527

Re: Z-04-2022: 308-312 Burr Ridge Parkway (Rovito); Special Use Amendment, Special Use, and Findings of Fact

Dear Mayor and Board of Trustees:

The Plan Commission transmits its recommendation to approve a special use amendment and special use request by Filippo Rovito, as petitioner, to expand Are We Live restaurant operations into an adjoining unit.

After due notice as required by law, the Plan Commission held a public hearing on March 21, 2022. The request was continued until the May 2, 2022 Plan Commission meeting since a representative for the case was unable to answer questions related to the petition and the Commission requested outdoor dining and parking plans. The petitioner currently operates Are We Live, a restaurant, from units 310 and 312 Burr Ridge Parkway. The petitioner received previous approval for the restaurant use which included outdoor dining, liquor service, and extended hours of operation (Ordinance #A-834-10-21). The petitioner is now requesting to expand the operations into neighboring unit #308. The rear portion of that unit will contain offices and storage, while the front portion will have additional tables, both indoors and outdoors. The extended hours of operation until midnight and liquor service will extend to this unit. The Plan Commission determined that the expansion would not negatively impact surrounding businesses, properties, or residents.

Several email objections were received and included in the staff report packet. One member of the public spoke in opposition and one member of the public spoke in support of the request at the public hearing on May 2.

The Plan Commission recommended approval of the request with the following conditions:

1. The special use shall be limited to Filippo Rovito and shall be null and void should Filippo Rovito no longer have ownership interest in the restaurant consisting of approximately 4,400 square feet commonly known as 308-312 Burr Ridge Parkway.
2. Activity in the indoor restaurant area shall cease and all patrons shall vacate the premises no later than midnight on any given day.
3. Activity in the outdoor dining area shall cease and all patrons shall vacate the premises no later than 11pm on any given day.
4. The outdoor dining area shall comply with the Burr Ridge Municipal Code and County Line Square PUD regulations in respect to ingress, egress, and ADA compliance, as well as liquor control and noise ordinance regulations. The outdoor dining plan and any remaining details shall be approved by staff and the Plan Commission Chairman through the building permit process and prior to building permit issuance.
5. Prior to building permit issuance, the petitioner shall submit a parking management plan, subject to staff and Plan Commission Chairman approval, that includes at a minimum:
 - a. A commitment to provide valet parking off-site, behind the building, or at the west end of the shopping center.
 - b. The reservation of four (4) parking spaces for valet parking that does not interfere with any drive aisles or fire lanes.
 - c. A commitment that employees be required to park offsite or behind the shopping center.

Sincerely,

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

Z-04-2022: 308-312 Burr Ridge Parkway (Rovito); Requests an amendment to Ordinance #A-834-10-21 to expand the subject use and a special use for a restaurant over 4,000 square feet with the sale of alcoholic beverages pursuant to section XIII.K of the Zoning Ordinance and the County Line Square Planned Unit Development (Ordinance #A-834-19-21).

HEARINGS:

March 21, 2022; May 2, 2022

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Janine Farrell, AICP
Community Development Director

PETITIONER:

Filipo Rovito

PETITIONER STATUS:

Tenant

PROPERTY OWNER:

Bob Garber

EXISTING ZONING:

B-1 Business District

LAND USE PLAN:

Recommends Commercial Uses

EXISTING LAND USE:

Shopping Center

SITE AREA:

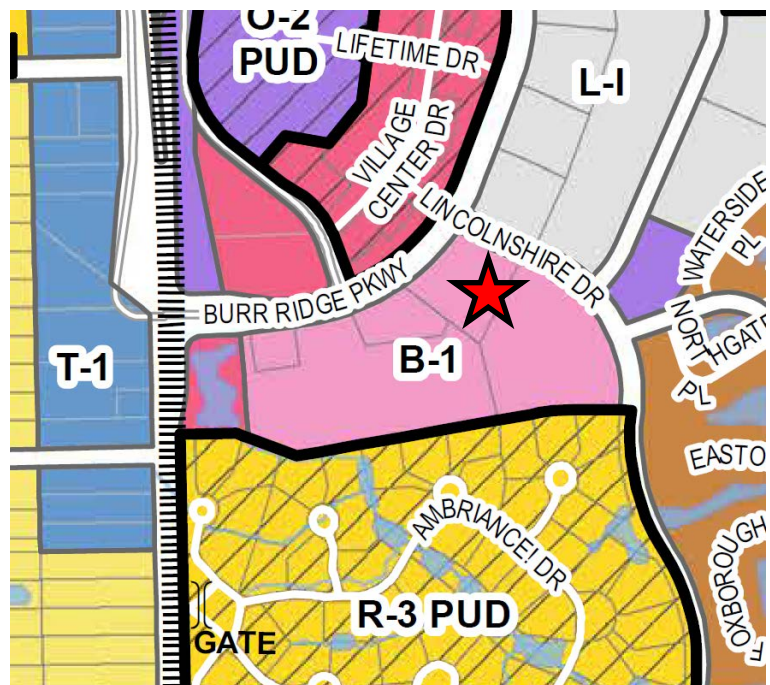
7.2 Acres

SUBDIVISION:

County Line Square

PARKING AVAILABLE:

499 Parking Spaces



On June 28, 2021, the petitioner received special use approval for a restaurant with sales of alcoholic beverages and outdoor dining (Ordinance #A-834-10-21). This special use approval was to operate Are We Live located at 310 and 312 Burr Ridge Parkway. At that time, the petitioner was also approved for a variation to permit the restaurant without the required number of parking spaces. The petitioner is now requesting to expand the existing operations into the neighboring unit addressed as 308 Burr Ridge Parkway. Should the Commission recommend approval of the requests, staff recommends including the previously approved conditions as part of this special use.

Since that special use approval, the County Line Square Planned Unit Development (PUD) was approved on November 8, 2021 (Ordinance #A-834-19-21). A restaurant over 4,000 square feet with or without the sale of alcoholic beverages requires a special use. The cumulative total of 308, 310, and 312 Burr Ridge Parkway, including the outdoor dining areas (previously approved and proposed), measures roughly 4,400 sq. ft. The interior space of 308 Burr Ridge Parkway measures 1,116 sq. ft. and the proposed outdoor dining measures roughly 300 sq. ft. The existing Are We Live operations occupies 2,400 sq. ft. of interior space and about 516 sq. ft. of outdoor dining space. The proposed expansion into 308 Burr Ridge Parkway includes additional seating for dining, two offices, a liquor room, and a storage room. The business plan and layouts are included as attachments.

The petitioner seeks to maintain the existing hours of operation, previously approved through Ordinance #A-834-10-021. Are We Live is permitted to be open until midnight every night for the interior dining and 11:00 p.m. for the outdoor dining (activity shall cease and all patrons shall vacate the premises by these times). Staff consulted with the Village Attorney to confirm that an additional special use is not required for the extended hours of operation past 10:00 p.m. The County Line Square PUD states that “any previously-approved special use shall be considered a use’s permitted hours of operation until and unless revisions are specifically made to this extent.”

Alcoholic beverages will be served, a use which is now included under the County Line Square PUD “restaurants over 4,000 square feet” special use. Outdoor dining areas accessory to any permitted or special use restaurant are now a permitted use under the County Line Square PUD. The outdoor dining area is proposed to match what was previously approved through Ordinance #A-834-10-021. The County Line Square PUD has specific guidelines for the outdoor dining area which the applicant will be required to comply with (included as an attachment).

The County Line Square PUD requires that all restaurant uses over 4,000 gross square feet must provide and continually operate a parking management plan, which shall include, at minimum, valet service to be present on Thursday-Saturday evenings after 5:00 p.m. The previously approved variation for parking also required a parking management plan that included: a commitment to provide valet parking off-site, behind the building, or at the west end of the shopping center; the reservation of four (4) parking spaces for valet parking that does not interfere with any drive aisles or fire lanes; and a commitment that employees be required to park offsite or behind the shopping center. Should the Commission recommend approval of the requests, staff recommends that this is added as a condition.

The County Line Square PUD requires one parking space be provided per 200 gross square feet of commercial space. In November of 2021, the total number of required parking at County Line Square was stated to be 462 spaces. With the addition of 308 Burr Ridge Parkway, eight parking spaces are required which brings the total to 470 parking spaces, under the 479 or 499 spaces provided on site (differing totals have been provided).

This petition was first heard on March 21, 2022. Since there was not a representative available to answer questions about the proposal, and the Plan Commission required additional information in order to evaluate the request, the petition was continued until May 2, 2022. The Commission requested an updated outdoor dining plan illustrating compliance with the PUD and Zoning Ordinance regulations and a parking plan. Staff requested those items of the Petitioner but as of the date of this report, they have not been received.

Public Hearing History

Z-01-2021 (Are We Live): Special use approval for a restaurant with sales of alcoholic beverages and outdoor dining. Variation approval to permit a restaurant without the required number of parking spaces.

Public Comment

Seven comments from six individuals have been received and are included as attachments to this report.

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 special use amendment and special use approval for the proposed restaurant expansion, staff recommends that said recommendation be subject to the following conditions:

1. The special use shall be limited to Filippo Rovito and shall be null and void should Filippo Rovito no longer have ownership interest in the restaurant consisting of approximately 4,400 square feet commonly known as 308-312 Burr Ridge Parkway.
2. Activity in the indoor restaurant area shall cease and all patrons shall vacate the premises no later than midnight on any given day.
3. Activity in the outdoor dining area shall cease and all patrons shall vacate the premises no later than 11pm on any given day.
4. The outdoor dining area shall comply with the Burr Ridge Municipal Code and County Line Square PUD regulations in respect to ingress and egress as well as liquor control. The outdoor dining plan and any remaining details shall be approved by staff through the building permit process and prior to building permit issuance.
5. Prior to building permit issuance, the petitioner shall submit a parking management plan, subject to staff approval, that includes at a minimum:
 - a. A commitment to provide valet parking off-site, behind the building, or at the west end of the shopping center.
 - b. The reservation of four (4) parking spaces for valet parking that does not interfere with any drive aisles or fire lanes.
 - c. A commitment that employees be required to park offsite or behind the shopping center.

Appendix

Exhibit A - Petitioner's Materials

Exhibit B - Ordinance #A-834-10-21

Exhibit C - Ordinance #A-834-19-21

Exhibit D - Public comments



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

RECEIVED

FEB 16 2022

VILLAGE OF BURR RIDGE

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Are We Live Inc. by Filippo Rovito, Jr.

STATUS OF PETITIONER: Tenant g7

PETITIONER'S ADDRESS: 308/310-312 Burr Ridge Parkway

ADDRESS OF SUBJECT PROPERTY: 308/310-312 Burr Ridge Parkway

PHONE: 630-885-2268

EMAIL: agrovito@comcast.net

PROPERTY OWNER: Bob Garber

PROPERTY OWNER'S ADDRESS: 115 Vine, Hinsdale, IL PHONE: 630-842-2506

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

DESCRIPTION OF REQUEST:

Expand 310-312 Burr Ridge Parkway to add 308 Burr Ridge Parkway for additional customer space, including indoor expansion and outdoor dining.

PROPERTY INFORMATION (to be completed by Village staff) g7

PROPERTY ACREAGE/SQ FOOTAGE: 7.2 acres EXISTING ZONING: B-1/Retail Business

EXISTING USE/IMPROVEMENTS: County Line Square/multi-tenant commercial

SUBDIVISION: _____

PIN(S) # 18-303010010000, 18-30-305-003-0000

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.

Filippo Rovito JR
Petitioner's Signature

2/16/2022
Date of Filing



Findings of Fact – Special Use
Burr Ridge Zoning Ordinance

Address:

308/310-312 Burr Ridge Parkway

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.
The small expansion will allow more room for customers and for guests to continue enjoyment of their evening.
- 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 establishment will be operated in a professional manner in accordance with all state and local codes.
- 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.
The small expansion will draw customers to the area and improve the value of the property and the businesses of other current tenants.
- 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.
The small expansion will enhance and compliment surrounding property and businesses.
- e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.
No additional utilities, roads, etc. will be needed for this special use.
- 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.
There are multiple points of ingress and egress in County Line Square and convenient access to existing parking.
- 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 proposal is consistent with the comprehensive plan of the Village as amended.
- h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.
The establishment will comply with all regulations.



**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:

308/310-312 Burr Ridge Parkway

Property Owner or Petitioner:

Are We Live Inc. by Filippo Rovito, Jr.

(Print Name)

Filippo Rovito

(Signature)

TO: Village of Burr Ridge, Illinois
FROM: Bob Garber, 15 Vine Street, Hinsdale, IL
RE: Petition of Are We Live Inc. to Expand and Add Unit 308 with Units 310-312 Burr Ridge Parkway

I am owner/landlord of the property commonly known as 308 Burr Ridge Parkway, Burr Ridge, IL. Please be advised that I have been requested to and have agreed to lease 308 Burr Ridge Parkway, Burr Ridge, IL to Are We Live Inc., and to allow expansion and access between Unit 308 and Units 310-312 Burr Ridge Parkway.



Bob Garber
630-842-2506

NARRATIVE OVERVIEW FOR ARE WE LIVE EXPANSION

Address: 308 Burr ridge Parkway

Existing space ARE WE LIVE 310-312 Burr Ridge Parkway would like to expand into the 308 space

Space is approximately 1116sf

Janine,

Per the rendering, the owner would like to open up the wall in the front of the space approximately

25'x18' to expand and relocate some of the high top tables and the booths from the existing space

The back of the space will be utilized for storage, a liquor room, and 2 offices

There is an existing restroom in the space as indicated on the rendering

An opening will be created from the existing space to the new space so employees have access into the back area

There will be no new employees hired

The new space would operate with the same hours as ARE WE LIVE is presently

Tuesday-Saturday 3pm-12 midnight

Attached also is a conceptual for outdoor dining. I have attached what ARE WE IVEL has for outdoor dining

Expansion for outside would flow into the new space. Outside hours of operation Tuesday 3pm-Saturday 11pm

Please let me know if there is anything else you need at this time for our discussion

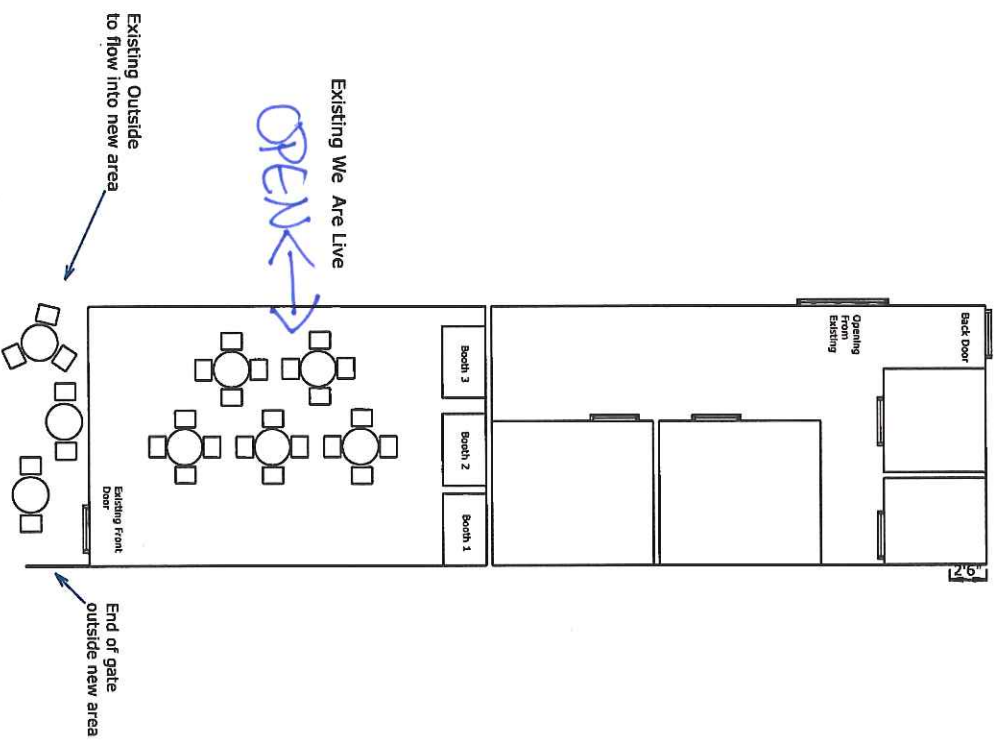
Regards,

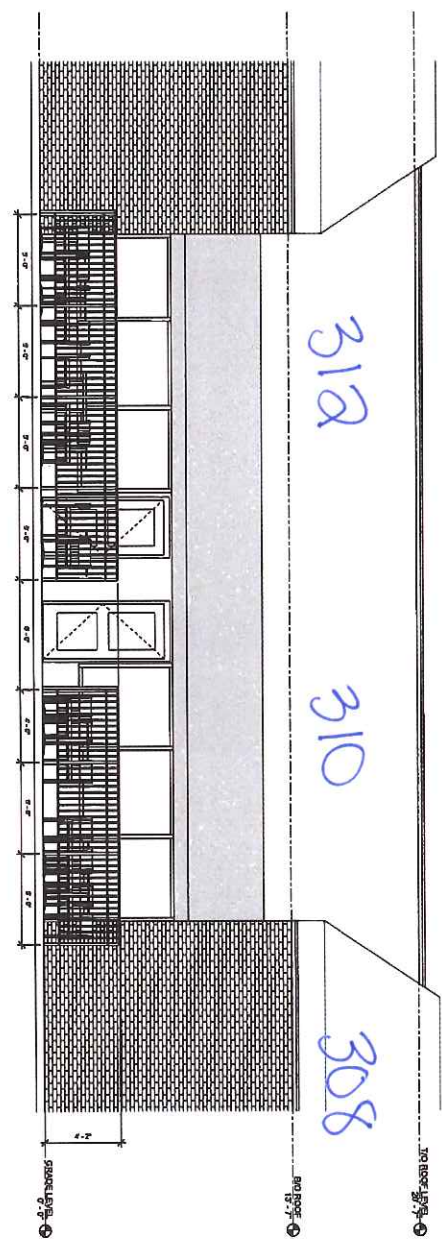
Sandy Andrews

Cell: 312-446-1857

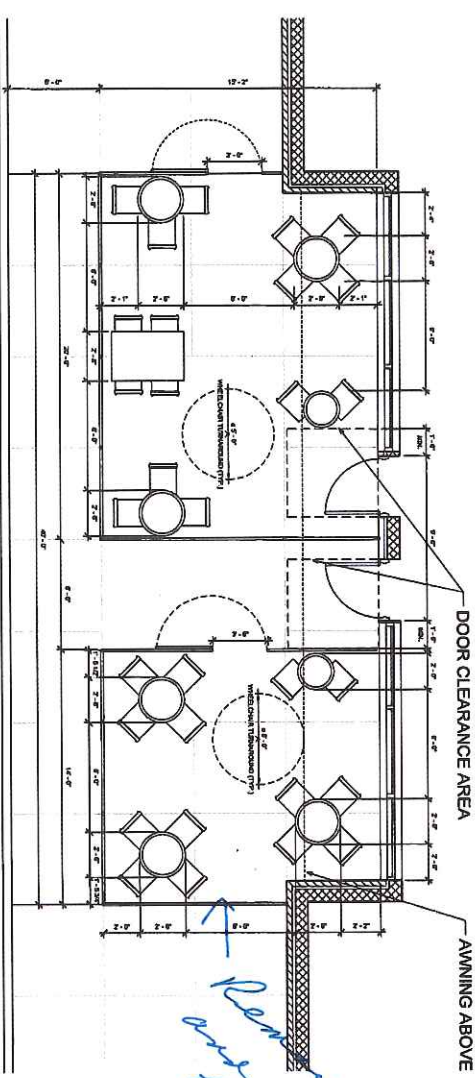
Office: 312-842-0320

Are We Live Expansion - Powered by Measure Square.





③ FRONT ELEVATION
1/8" = 1'-0"

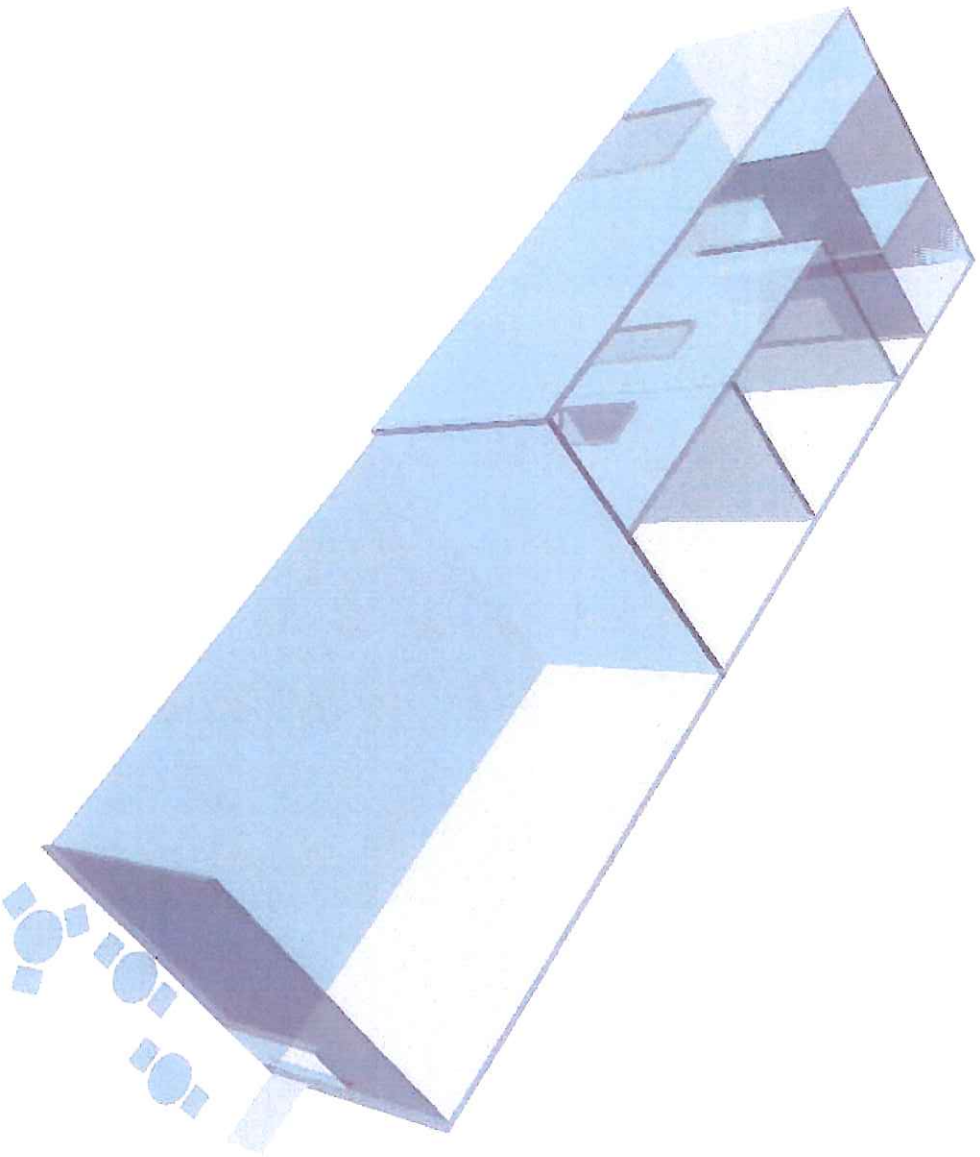


① GROUND FLOOR
1/8" = 1'-0"

312 310 308

Remove awning and to full space

<p>STUDIO ARQ</p> <p>ARE WE LIVE</p> <p>OUTDOOR SEATING LAYOUT BURR RIDGE, IL</p>		<p>NOT FOR CONSTRUCTION</p>
<p>PROJECT NO. Project Number</p> <p>TITLE</p> <p>EXISTING GRADE</p> <p>LEVEL</p> <p>Author</p> <p>Checker</p> <p>ASK001</p>		



Mar 3, 2022 at 3:48:04 PM
314 Burr Ridge Pkwy
Burr Ridge IL 60527
United States

NOTICE

There will be a public hearing on March 21, 2022 regarding this property.

At 7:30 p.m., or as soon thereafter as the matter may be heard at the Burr Ridge Village Department of 175 South Lincoln Road, the Planning Commission will consider a request for a Special Use District (SUD) for a proposed residential use at 314 Burr Ridge Parkway (Parcel No. 2.00-0003). The following property is being considered for a SUD: 314 Burr Ridge Parkway, Burr Ridge, Illinois 60527. The property is currently zoned R-1. The proposed SUD is a Special Use District (SUD) and a special use for a residential use (R-1) with the use of adaptive technology devices for people with disabilities. The SUD is subject to the County Use District Permit. The Development Commission will hold a public hearing on March 21, 2022.

For further information, please call Denise Farnell or call Burr Ridge Village Hall, 175 South Lincoln Road, Burr Ridge, Illinois 60527. Call (708) 471-1111, Extension 4000. Ask for extension 210 on 3/21/22.

Mar 3, 2022 at 3:48:14 PM
314 Burr Ridge Pkwy
Burr Ridge IL 60527
United States



NOTICE

There will be a public hearing on March 21, 2022
regarding this property.

At 7:00 p.m., or as soon thereafter as the matter may be heard, of the Burr Ridge Police Department at 7700 County Line Road, the Plan Commission will consider a request by Filipe Kofka regarding the property commonly known as 308-312 Burr Ridge Parkway (Parcel No. 2-64-2922). The subject use and a special use for a restaurant over 4,000 square feet with the sale of alcoholic beverages pursuant to section 103.9 of the Zoning Ordinance and the County Line Square Planned Unit Development Ordinance 8A-834-19-21.

For further information, please call Jacine Farrell to visit:

Burr Ridge Village Hall
7600 County Line Road
(630) 854-8181, Extension 8100

Ask for information Re: Z-68-2022

Mar 3, 2022 at 3:48:29 PM
310 Burr Ridge Pkwy
Burr Ridge IL 60527
United States

308



ORDINANCE NO. A-834-10-21

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

(Z-01-2021: 312 Burr Ridge Parkway - Rovito/Andrews)

WHEREAS, an application for special use approvals for certain real estate has been filed with the Village Planner 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 public hearings on the question of granting said special use approval on May 3, 2021 and June 7, 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 312 Burr Ridge Parkway, Burr Ridge, Illinois, is Filippo Rovito and Sandy Andrews (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section VIII.B.2.ff to permit the expansion of an existing restaurant with alcoholic beverage sales and outdoor dining.
- B. That the proposed restaurant expansion 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.

Section 3: That special use approvals for a restaurant with sales of alcoholic beverages and outdoor dining *is hereby granted* for the property commonly known as 312 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 Filippo Rovito and shall be null and void should Filippo Rovito no longer have ownership interest in the restaurant consisting of approximately 2,500 square feet commonly known as 312 Burr Ridge Parkway.
2. Activity in the indoor restaurant area shall cease and all patrons shall vacate the premises no later than midnight on any given day.
3. Activity in the outdoor dining area shall cease and all patrons shall vacate the premises no later than 11pm on any given day.
4. The outdoor dining area shall comply with the Burr Ridge Municipal Code and Burr Ridge Zoning Ordinance in respect to ingress and egress as well as liquor control.
5. The outdoor dining plan and any remaining details be approved by staff.

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.

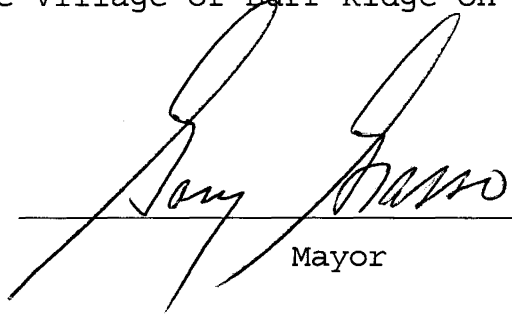
PASSED this 28th day of June, 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

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

NAYS: 0 - None

ABSENT: 0 - None

APPROVED by the Mayor of the Village of Burr Ridge on this
28th day of June, 2021.



Mayor

ATTEST:



Village Clerk

ORDINANCE NO. A-834-19-21

AN ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT AS PER SECTION
VIII.B.2.CC OF THE ZONING ORDINANCE FOR THE PURPOSE
OF CREATING PARKING AND LAND USE REGULATIONS
AT THE SUBJECT PROPERTY

(Z-08-2021: 50-124 and 200-324 Burr Ridge Parkway -
Village of Burr Ridge)

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 public hearings on the question of granting said special use approval on July 19, 2021, August 16, 2021, September 20, 2021, and October 4, 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 a PUD Amendment, 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 approval 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 50-124 and 200-324 Burr Ridge Parkway, Burr Ridge, Illinois, is the Village of Burr Ridge (hereinafter "Petitioner"). The Petitioner requests a Planned Unit Development as per Section VIII.B.2.cc of the Zoning Ordinance for the purpose of creating parking and land use regulations at the subject property.
- B. That the shopping center is unique in its overall development pattern.
- C. That the subject property requires a PUD to ensure proper land use regulations are put in place which deliver adequate municipal control but also permit the healthy development of the subject property.

Section 3: That special use approval for a PUD *is hereby granted* for the property commonly known as 50-124 and 200-324 Burr Ridge Parkway and identified by the Permanent Real Estate Index Numbers of 18-30-305-003-0000; 18-30-301-001-0000; and 18-30-305-005-0000.

Section 4: That the PUD is subject to the following terms and conditions set forth in Exhibit A.

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 8th day of November, 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

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

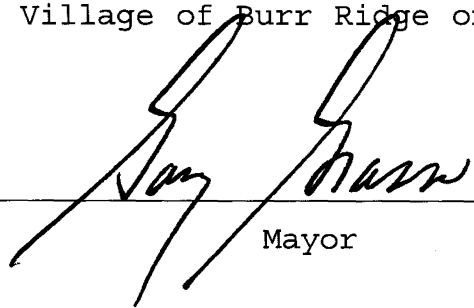
NAYS: 0 - None

ABSENT: 0 - None

APPROVED by the Mayor of the Village of Burr Ridge on this 8th day of November, 2021.

ATTEST:


Village Clerk


Mayor

**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:

- a. Signs are limited to trade names and logo (as identified in the lease). Listing of merchandise or descriptions of categories are not permitted. Signs may not include payment options or the terms "We Accept" in any form or variant.
- b. Iridescent and flashing signs, flashing lights, animated elements, formed plastic, injection molded plastic, and internally illuminated box signs are prohibited.
- c. Exposed raceways, exposed transformers, and visible sign company labels are not allowed. Transformers should not be visible and installed within a tenant's frontage. Animated components, formed plastic, or non-durable signs are not allowed. All signage materials shall be UL-Rated.
- d. No sign maker's labels or identifications may be visible on the exterior of the sign.
- e. No signs with a visible back are permitted and fasteners should be concealed. All supports and fasteners must be of a non-ferrous metal of a quality material and finish.
- f. Exposed neon is not permitted.
- g. All signs must include a seven-day, 24-hour clock to control illumination of storefronts.
- h. All signs must not be more than 12 inches in depth.

Non-Internally Illuminated Individual Letter Signs

- a. Dimensional letter or graphics, pin-set or otherwise applied directly to the face of storefront area with external illumination. Signage types include metal, acrylic, or wood letters.
- b. Signs shall not be placed on background material.
- c. All signs must be lit with either a concealed fixture or as a design element i.e. decorative gooseneck fixture.

Silhouette (Halo) Reverse Channel Lettering

- a. Background surfaces of the sign shall be opaque and not reflect the illumination of image of the neon lamps within the letters.
- b. All neon tubing must be fully concealed within the letter to not be visible to the public.
- c. The rear edge of the letter shall be approximately one inch from the background surface.
- d. Standoff brackets shall be mounted in the least visible location to support the letters.
- e. Standoff brackets and fasteners visible within the one-inch dimension between the background surface and the back of the letter shall be painted to match the background surface.
- f. P-K transformer housings shall be provided to feed the neon to each letter of the sign.
- g. Halo-type signs must have clear Lexan backing on the rear of the letters.

In all instances, signs must not exceed three total colors, including white.

Shopping Center Ground Sign

Shopping center signs are subject to the approval of the Board of Trustees upon review by the Plan Commission. One shopping center ground sign may be allowed subject to the following:

- a. Shopping center ground signs shall be consistent in design and materials with wall signs.
- b. Shopping center ground signs shall be a maximum area of 100 square feet in area.
- c. Shopping center ground signs shall not exceed a maximum height of 8 feet except as allowed by paragraph e below.

- d. Shopping center ground signs shall be setback a minimum of 10 feet from all property lines except as required by paragraph e below;
- e. The height of shopping center ground signs may be increased up to 12 feet provided that the sign is setback an additional 3 feet for each 1 foot increase in height. For example, a 9 foot high sign would require a 13 foot setback from all property lines, a 10 foot high sign would require a 16 foot setback.

Landscaping and Buffering

Any element of the subject property which adjoins or is across the street from a Residential District, a fence or wall of architectural design approved by the Village and not less than five nor more than six feet in height, or a densely planted tree or shrub hedge, initially not less than five feet in height, shall be provided along the entire length of the property line which adjoins or is across the street from the Residential District. The proposed method of buffering shall be considered as part of the site plan review process herein set forth. The decision whether to require a wall, fence, trees, or shrub hedge shall be made by the Village based on site considerations.

Hours of Operation for Business Uses

- a. The hours of operation for all uses within this Ordinance shall not exceed 7 A.M. to 10 P.M. on a permitted basis.
- b. Any use may request special use approval in accordance with the procedures and requirements outlined in the Zoning Ordinance to exceed these permitted hours.
- c. Any previously-approved special use shall be considered a use's permitted hours of operation until and unless revisions are specifically made to this extent.

Permitted and Special Uses

Permitted Uses

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

- a. Antique shops
- b. Art stores, including galleries, custom art studios, art supplies, and related functions
- c. Bicycle sales, including rental and repair and service functions
- d. Book, stationery, card, and related gift shops
- e. Camera and photographic supply stores
- f. Carpet and rug stores with retail component
- g. China, glassware, and household goods stores
- h. Computer, business machine, and office equipment and supply stores
- i. Dry cleaning or laundry receiving establishment (with majority of cleaning done off-site)
- j. General apparel stores, including furriers, leather shops, jewelry stores with repair services, shoe stores with repair services, tailor and dressmaking shops, and clothing rental stores
- k. Financial services offices, including financial planning, real estate, or insurance offices
- l. Florists

- m. Food stores, including grocery stores, supermarkets, bakeries, health food stores, fruit and vegetable stores, delicatessens, butchers, bulk food stores, candy stores, and other similar establishments
- n. Furniture stores
- o. Home improvement stores, including hardware stores, interior decorating stores, locksmiths, and paint and wallpaper stores
- p. Hobby shops, including toy stores, coin/philatelic stores, and craft/fabric/sewing stores
- q. Home contracting sales and services, including homebuilders
- r. Household appliance and electronics stores including repair and service functions where incidental to retail sales
- s. Medical, dental, and optical offices and clinics without ambulance or emergency services
- t. Movie and video game stores, excluding movie theaters
- u. Music stores, including the sale of music-related items and the teaching of music skills
- v. Offices for use by government agencies, except those related to the services provided by the Secretary of State's Vehicle Services Division
- w. Orthopedic and medical appliance stores
- x. Outdoor dining areas accessory to any permitted or special restaurant use subject to compliance with the regulations herein
- y. Personal improvement services, including health and fitness, barber shops and beauty and health services studio or instructional, and physical therapy offices, excluding fortune-telling or psychic and tattoo or body piercing establishments
- z. Pharmacies and drug stores
- aa. Photography and picture framing studios
- bb. Post offices or business service stores without outdoor parking or storage
- cc. Restaurants under 4,000 square feet (including specialty restaurants such as donut shops and ice cream shops), with or without sales of alcoholic beverages
- dd. Studios for teaching of art, martial arts, music, dance, gymnastics, etc.
- ee. Sporting goods stores, excluding uses whose primary functions are related to gun and ammo sales and/or shooting ranges
- ff. Temporary outside sales display accessory to a permitted or special use
- gg. Travel agencies
- hh. Tutoring centers for pre-school, primary, and secondary education
- ii. Wine shops and services without any on-site consumption except for sampling

Special Uses

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

- a. Banks and financial institutions
- b. Banquet halls and catering establishments
- c. Child care centers and nursery schools
- d. Clubs or lodges, private, fraternal, or religious
- e. Drive through facilities accessory to a permitted or special use

- 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 48" 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

be designated near the traffic intersection (as shown in Exhibit C in red). It shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, groceries, or freight in any place along the curblane. It is prohibited to park a vehicle, whether occupied or not, along the curblane at the subject property. Parking or excessive standing/loading shall be defined as five (5) consecutive minutes. Signs shall be erected every 100 feet along the curblane to this effect. Additionally, restaurants may exclusively operate valet services in areas shown in Exhibit C in blue between 5:00pm-10:00pm from Thursday-Sunday if they provide written notice to the Village and the property owner. Blue-designated areas shall serve as yellow-designated standing and loading zones outside of these hours. All employees of and agents or parties directly affiliated with a business must provide or receive deliveries in the rear of the property; third party agents may provide or receive deliveries in the front of the property.

All restaurant uses over 4,000 gross square feet must provide and continually operate a parking management plan, which shall include, at minimum, valet service to be present on Thursday-Saturday evenings after 5:00pm.

Employees at all businesses shall park behind the primary building (articulated in Exhibit B), except when cases when all legally permitted spaces behind the building are occupied.

Parking of trucks in the open shall be prohibited. Trucks making deliveries to the business premises shall make deliveries only at loading docks where provided and, if there is no loading dock, such trucks may park only for such time as is necessary to complete the delivery.

Janine Farrell

From: Patricia Davis <patti@davismedpr.com>
Sent: Monday, March 14, 2022 1:34 PM
To: Janine Farrell
Cc: gtrzupek@esadesign.com
Subject: Plan Commission meeting March 21, 2022

Follow Up Flag: Follow up
Flag Status: Completed

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

I am writing in strong opposition to Mr. Rovito's petition for nearly doubling the size of his Are We Live? (AWL) lounge from approx.. 2,500 sq. ft. to "over 4,000 sq. ft.". I respectfully request that this letter and attached photos (four) be included in the agenda packet for the March 21, 2022 Plan Commission meeting.

As Yogi Berra once said, "It's like déjà vu all over again!" Do you recall...

- In 2020 this Plan Commission and the Board approved the soon-to-be-open sports bar, Jonny Cab's, in County Line Square, approx.. 4,000 sq. ft. Many residents are upset because they feel they were not adequately notified during the approval process;
- Last Spring nearly 100 residents emailed, sent letters, and appeared at meetings opposing AWL, yet this Commission and the Village Board approved its special uses over the wishes of those residents;
- During the approval process for AWL last year, this Plan Commission struggled with the parking situation in County Line Square. When Jonny Cab's opens soon, that will make seven dining/drinking establishments open in the evening at the east end of the mall.

Plan Commissioner Stratis touted petitioner Rovito as "a good citizen" (6/1/21 Plan Commission meeting minutes). Village Board trustees claimed Rovito "is an excellent restaurant operator," "a great neighbor," and "a great citizen" (6/28/21 Board meeting minutes). But this petitioner violated numerous ordinances when he erected this large, obscene LED sign ("Don't Give A F**k Just Smile") outside AWL and hosted outdoor dining and drinking on the public right-of-way (see attached photos) last September. Mr. Rovito was never fined for this egregious behavior.

Mr. Rovito and his lounge do not merit additional trust and expansion when petitioner has a documented history of violating Village ordinances:

- AWL erected its outdoor signage six months before receiving approval to operate;

- AWL was approved for 310-312 Burr Ridge Parkway, but has already expanded into #308 and is now just asking for permission after the fact;
- AWL has advertised and hosted “Happy Hours” in violation of current municipal code;
- AWL has featured “live entertainment” (DJ, live music, etc.) despite not having an approved special use. In fact, its approved petition specifically stated, “There will be no live entertainment at Are We Live. The only music that there will be is what is piped in through the speakers.”

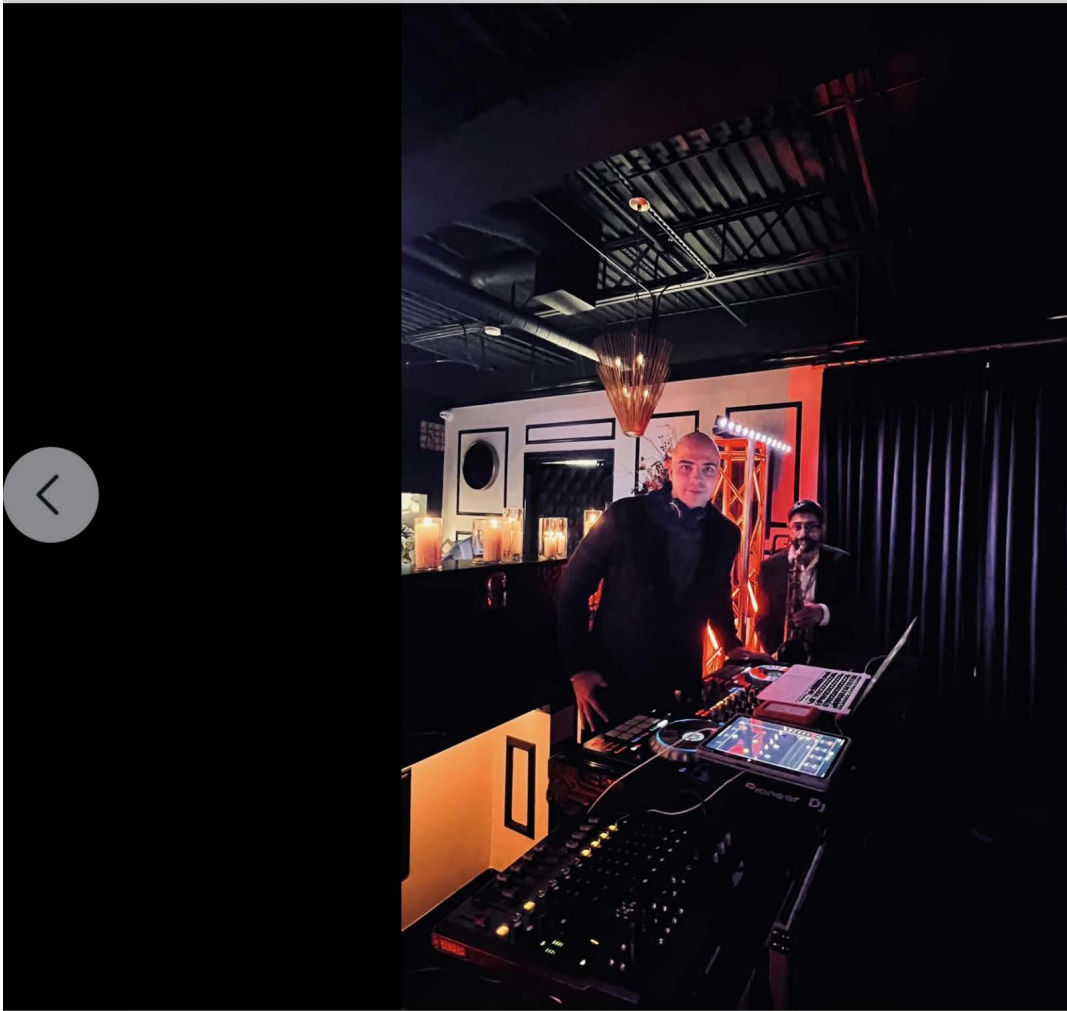
Ask yourselves: does Are We Live really need an expansion if it’s now closed on Sundays and Mondays (pared-back days since its initial approval)?

Let’s see how the parking situation plays out in a few weeks when Jonny Cab’s opens. And demand Mr. Rovito prove to residents he can follow the rules for AWL’s permitted outdoor dining BEFORE granting any indoor expansion. Thank you.

Respectfully submitted,
Patricia A. Davis
Burr Ridge resident







i Donatas DJ

November 21 at 3:20 PM · Burr Ridge, IL · 🌐

— at Are We Live?



Are We Live

3h · 🌐



NEW [#HappyHour](#) Wednesday-Friday from 4-6pm at [#AreWeLive!](#)
Stop by after work or shopping for \$4 [#Beers](#), \$6 Glasses of [#Wine](#)
& [#7](#) [#Martinis](#)! (ask your server or bartender for today's selections)
[#CapriByGigi](#)



1

Janine Farrell

From: Patricia Davis <patti@davismedpr.com>
Sent: Tuesday, April 26, 2022 12:55 PM
To: Janine Farrell; gtrzupek@esadesign.com
Subject: Comments for May 2 Plan Commission meeting

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

I am writing in strong opposition to Mr. Rovito's petition for nearly doubling the size of his Are We Live? (AWL) lounge from approx.. 2,500 sq. ft. to "over 4,000 sq. ft.". I respectfully request that this letter and attached photos (six) be included in the agenda packet for the May 2, 2022 Plan Commission meeting. My comments are slightly different than what I presented to the Commission for its March 21 meeting on this subject.

- In 2020 the Plan Commission and the Board approved the soon-to-be-open sports bar, Jonny Cab's, in County Line Square, approx.. 4,000 sq. ft. Many residents are upset because they feel they were not adequately notified during the approval process;
- Last Spring nearly 100 residents emailed, sent letters, and appeared at meetings opposing AWL, yet this Commission and the Village Board approved its special uses over the wishes of those residents;
- During the approval process for AWL last Spring, this Plan Commission struggled with the parking situation in County Line Square. When Jonny Cab's opens soon, that will make **seven dining/drinking establishments open in the evening at the east end of the mall;**
- During that AWL approval process last Spring, this Plan Commission heard repeated assurances from the Mr. Rovito and his contractor, Sandy Andrews, that "there will be no live entertainment at AWL. The only music that there will be is what is piped in through the speakers." (See photo.) Now Rovito/Andrews are asking for "live entertainment" and AWL will therefore be a "night club," contrary to what this Commission approved and contrary to Mr. Rovito's/Ms. Andrews' and Mayor Grasso's many assurances to the Village that AWL "is not a nightclub." (See for ex.: <https://patch.com/illinois/burridge/facts-are-we-live-have-been-distorted-nodx>)

Plan Commissioner Stratis touted petitioner Rovito as "a good citizen" (6/1/21 Plan Commission meeting minutes). Village Board trustees claimed Rovito "is an excellent restaurant operator," "a great neighbor," and "a great citizen" (6/28/21 Board meeting minutes). But this petitioner violated numerous ordinances when he erected this large, obscene LED sign ("Don't Give A F**k Just Smile") outside AWL and hosted outdoor dining and drinking on the public right-of-way last September. (See photos.) Mr. Rovito was never fined for this egregious behavior.

Why would you permit AWL expansion when Mr. Rovito a documented history of violating Village ordinances:

- AWL erected its outdoor signage six months before receiving approval to operate (<https://patch.com/illinois/burrridge/burr-ridge-wants-nightclub-sign-down>);
- AWL has advertised and hosted “Happy Hours” in violation of current municipal code; and
- AWL has featured “live entertainment” (DJ, live music, singers, etc.) on multiple occasions despite not having an approved special use. (See photos.)

AWL was approved to operate at 310-312 Burr Ridge Parkway, but since last August Mr. Rovito has been renting not only #308 (ostensibly for “storage”) but also spaces #302, # 304 and #306 Burr Ridge Parkway. (See Garber rent rolls attached, some are marked “Are We Live Expansion.”) Seems he has had thoughts of expansion for some time.

Since its approval, AWL has reduced the number of operating days to just five. Why does it seek expansion other than to compete with the larger Jonny Cab’s?

I urge the Commission to see how the parking situation plays out in a few weeks when Jonny Cab’s opens. And demand Mr. Rovito prove to residents he can follow the rules for AWL’s permitted outdoor dining BEFORE granting any indoor or outdoor expansion. Thank you.

Respectfully submitted,
Patricia A. Davis
Burr Ridge resident

From: [Patricia Davis](#)
To: [Sandy Andrews](#), [dapollock@burr-ridge.gov](#)
Subject: Comments for May 2 Plan Commission meeting
Date: Tuesday, April 26, 2022 12:55:08 PM

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

I am writing in strong opposition to Mr. Rovito's petition for nearly doubling the size of his Are We Live? (AWL) lounge from approx. 2,500 sq. ft. to "over 4,000 sq. ft.". I respectfully request that this letter and attached photos (six) be included in the agenda packet for the May 2, 2022 Plan Commission meeting. My comments are slightly different than what I presented to the Commission for its March 21 meeting on this subject.

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- AWL has featured "live entertainment" (DJ, live music, singers, etc.) on multiple occasions despite not having an approved special use. (See photos.)

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I urge the Commission to see how the parking situation plays out in a few weeks when Jonny Cab's opens. And demand Mr. Rovito prove to residents he can follow the rules for AWL's permitted outdoor dining BEFORE granting any indoor or outdoor expansion. Thank you.

Respectfully submitted,
Patricia A. Davis
Burr Ridge resident

From: [Sandy Andrews](#)
To: [Douglas Pollock](#)
Subject: Re: 312 Burr Ridge Parkway Public Hearing
Date: Sunday, April 25, 2021 2:23:15 PM

Doug,

There will be no live entertainment at Are We Live. The only music that there will be is what is piped in through the speakers.

Let me know if there is anything else that you need.

Regards,

Sandy Andrews

Sent from my iPhone

On Apr 25, 2021, at 2:11 PM, Douglas Pollock <DPOLLOCK@burr-ridge.gov> wrote:

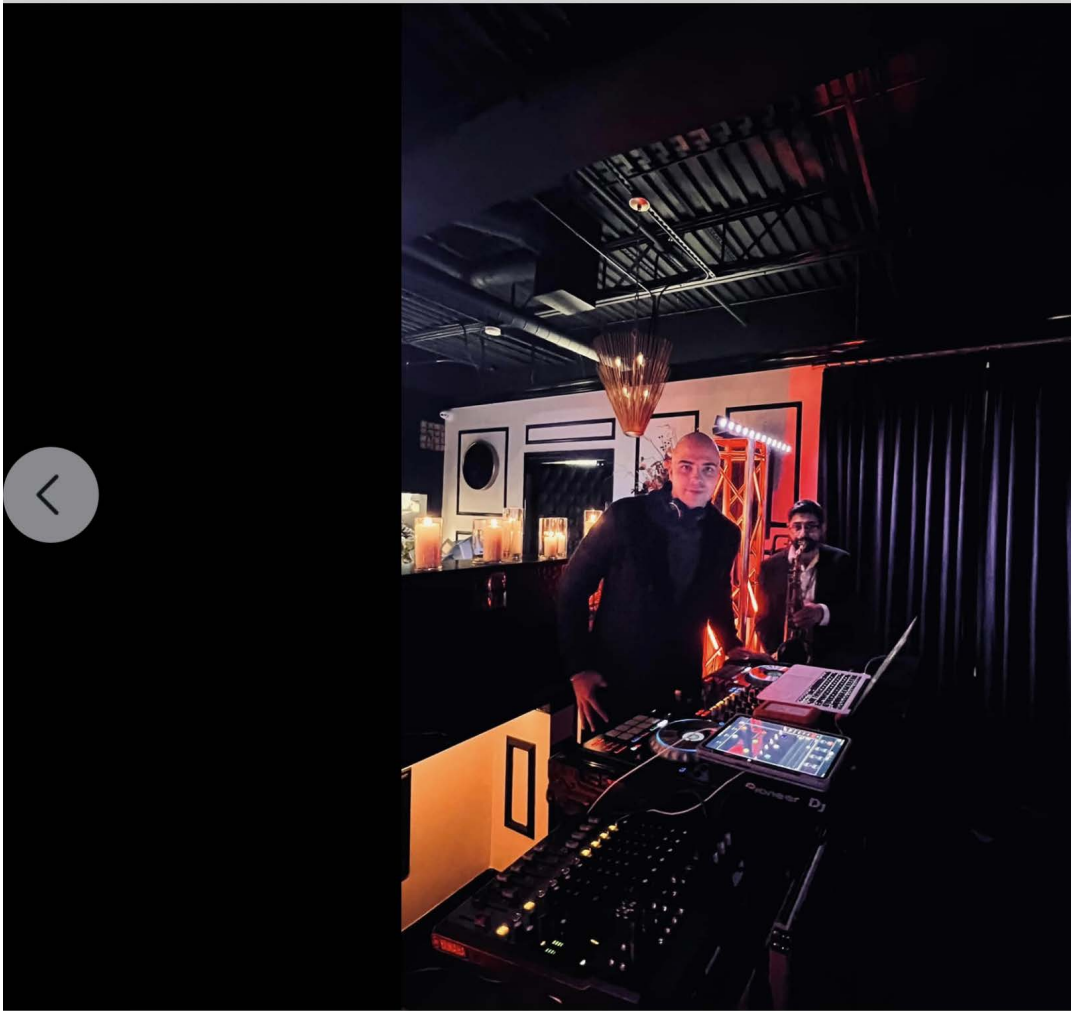
Sandy,

I apologize as I should have thought to ask this before; please provide a description of the live entertainment. For example, are there performances by musical groups of 3 or more people? Or is limited to karaoke only? Single performers, piano bar, etc...

Doug Pollock, AICP
Planner
Village of Burr Ridge
(630) 654-8181, extension 3000







i Donatas DJ

November 21 at 3:20 PM · Burr Ridge, IL · 🌐

— at Are We Live?

302	Gig's Kitchen/Banquet	2,470	2.8%	Aug-2021	Sep-2022
304	Are We Live Expansion	1,309	1.5%	Aug-2021	Sep-2022
308	Are We Live Expansion	1,309	1.5%	Aug-2021	Sep-2022
310-12	Are We Live	2,420	2.7%	Oct-2021	Sep-2022

Source: Sean Mason, Chicago Real Estate Resources, Chicago, IL, "Garber Portfolio Rent Roll"

From: [Elena Galinski](#)
To: [Janine Farrell](#)
Subject: Against Petition Z-04-2022:308-312 Burr Ridge Parkway
Date: Tuesday, March 15, 2022 8:02:24 AM

Dear Plan Commission:

As a citizen of Burr Ridge who has been disturbed to hear of several egregious violations of our ordinances by this petitioner Filippo Rovino, and specifically with regards to the subject property "Are We Live?" I request that you not amend the ordinance to allow the expansion of the special use. The petitioner has made improvements in spite of not having the appropriate permits and not waiting for them, violated signage ordinances, had live outdoor music at this location when it was specifically not allowed in the prior special use, and shown a general disregard for the ordinances and legal processes of Burr Ridge. These are not the actions of a good neighbor; these are not actions that should be rewarded by allowing expansion of a business, hours, and usage. Please consider this and do not amend the ordinance to allow this expansion.

Best regards,

Elena Galinski
Burr Ridge Taxpayer and Citizen

From: [Judy Raica](#)
To: [Janine Farrell](#)
Subject: Expansion of Are We Live
Date: Sunday, March 13, 2022 1:49:40 PM

I am strongly opposed to any expansion of the Are We Live venue in Burr Ridge. I am out of town and unable to attend the meeting concerning this. I am most concerned about the Village's apparent change from a restaurant focused area to a "bar" scene. Does the Village Board truly understand what that will do to the environment and "flavor" of our neighborhood? Is the plan for Burr Ridge to be a destination for "nightclubbers?" That's not compatible to a family friendly community. Isn't that what Burr Ridge has been for years?

I feel the Board was not transparent from the beginning with the changes made to the Fred Astaire location to a bar. This was done without adequate input from the community. Now it is made worse by the continual addition to locations that are not restaurant focused but "bar" focused.

I live in Chasemoor directly on Chasemoor Drive and I am most concerned my property values will be negatively impacted because of the increased traffic and issues related to having so many location to what you are proposing.

Judy Raica
160 Easton Place
Burr Ridge, IL 60527

From: [Lynn Sellers](#)
To: [Janine Farrell](#)
Subject: Burr Ridge Bars
Date: Saturday, March 5, 2022 6:45:31 AM

Ms. Farrell,

As a 16 year resident of Chasemoor in Burr Ridge, I am disappointed to see the change in the culture of the community with bars and entertainment venues. Before "Are We Live" even opened, the loud music from County Wine Merchant could be heard in my home, even with the windows closed! It is disappointing that the beautiful, quiet community I moved into is changing so drastically.

Please count me as one who is strongly opposed to the turn in the nature of my community.

Lynn Sellers

From: [PJ Rojakovick](#)
To: [Janine Farrell](#)
Subject: Are We Live
Date: Monday, March 21, 2022 2:29:53 PM

As a long time resident of Burr Ridge and Chasemoor I would like to declare my opposition to the Are We Live expansion and the changes to it's original permits and licensing.

The Burr Ridge Board must be mindful of the residents of Chasemoor and very careful of what these changes can mean for their property values.

Patricia Rojakovick

From: [Ellen Raymond](#)
To: [Janine Farrell](#)
Subject: Z-04-2022; 308-312 Burr Ridge Parkway (Rovito); please confirm receipt
Date: Tuesday, April 26, 2022 1:10:14 PM

To: Burr Ridge Land Planner Ms. Janine Farrell, BR Plan/Zoning
Commission Chairman Greg Trzupek, and BR Plan/Zoning Commissioners:

Re: Z-04-2022; 308-312 Burr Ridge Parkway (Rovito)

Hearing Date: 5/2/22

For submission to the BR P & Z for inclusion in the packet for the May 2, 2022
continued hearing for the above referenced matter and to be read into the record.

I was told by staff that today, 4/26/22, was the deadline for residents' comments to be included in the packet provided by staff to the BR Plan Commission. As of 1:00 pm, today, 4/26/22, neither the BR Village Manager nor the BR Land Planner have provided the proposed parking plan and outdoor seating plan in response to my emailed requests. Such plans were requested by the Commissioners at the 3/21/22 hearing. Accordingly, since such plans are not available for the residents to review in a timely fashion to submit comments for the packet, I request that the hearing be again continued or the request be denied for lack of the petitioner's preparedness.

Further, as the Commission recognized on 3/21/22, this hearing is not the first time the AWL venue has been presented. As the request for the special use and variances for AWL was met with opposition by the residents during the 6/7/21 hearing, any request for expansion should be denied.

I direct the Commissioners' attention to the over "70 letters" written by residents as referenced in the 6/7/21 Plan Commission/Zoning Board Minutes, the petitions opposing the special use, the statements by residents at the 6/7/21 hearing, the legal testimony of Neal Smith, an attorney hired by a residents' group, and the expert testimony of Mike Mallon of Mallon & Associates, Wheaton, all presented at the 6/7/21 hearing. I request such testimony and minutes be incorporated by reference as a part of this hearing.

Can the residents afford the legal help, the planning experts, the time and attention to this matter over and over again--absolutely not. And, therein, lies the unfairness of this hearing being held if the record made on 6/7/21 is ignored and not a matter of record for the 5/2/22 hearing.

Thank you for your attention to the residents' concerns regarding the creation and now expansion of this "high-end lounge" as characterized by its owner in the 6/7/21 meeting minutes.

Ellen K. Raymond

11538 Ridgewood



May 9, 2022

Mayor Gary Grasso and Board of Trustees
7660 County Line Road
Burr Ridge, Illinois 60527

Re: V-02-2022: 8311 Fars Cove (Panico); Variation and Findings of Fact

Dear Mayor and Board of Trustees:

The Plan Commission transmits its recommendation to approve a variation by Richard Panico, as petitioner, to permit a detached garage into the side buildable area.

After due notice as required by law, the Plan Commission held a public hearing on May 2, 2022. The petitioner stated that the purpose of the request is to construct a second detached garage on the property in the side buildable area. Zoning Ordinance regulations permit detached accessory buildings in the rear yard only. In 2004, when the petitioner submitted preliminary plans of his proposed residence and garages to the Village for review, he was informed that the garage in the side buildable area was permitted. When the petitioner submitted for permit, he was informed it was not permitted. The petitioner is now revisiting this request in order to construct the garage. The Plan Commission determined that this request was a unique situation only applicable to the subject property itself due to the history of the petitioner's interaction with the Village, the architectural quality of the structure, and the proposed configuration of the structures on the parcel. The Commission had not reviewed a similar request within the past 15 years and would not be open to entertaining this request for all residential properties.

There were no public comments made at the public hearing.

The Plan Commission recommended approval of the request with the following conditions:

1. The Village Attorney shall review the Findings of the Fact made by the Plan Commission.
2. The garage shall substantially comply with the rendering submitted by the petitioner depicting the red brick structure and included as Exhibit A.

Sincerely,

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

V-02-2022: 8311 Fars Cove (Panico); Variation and Findings of Fact; Request for a variation to permit a detached accessory building (garage) within the side buildable area pursuant to Zoning Ordinance section IV.I.1.

HEARING:

May 2, 2022

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Janine Farrell, AICP
Community Development Director

PETITIONER:

Richard Panico

PETITIONER STATUS:

Property Owner

PROPERTY OWNER:

Richard and Kristy Panico

EXISTING ZONING:

R-2B Single-Family Residential

LAND USE PLAN:

Recommends single-family
residential

EXISTING LAND USE:

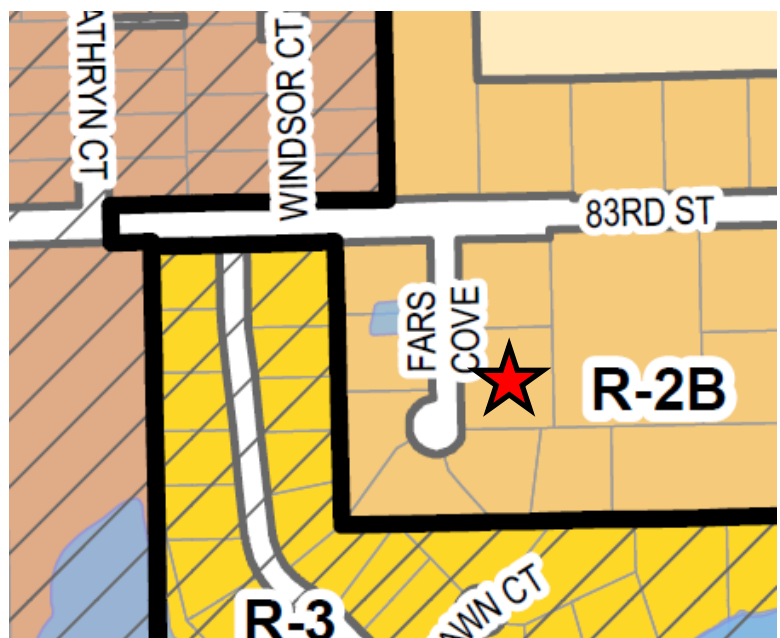
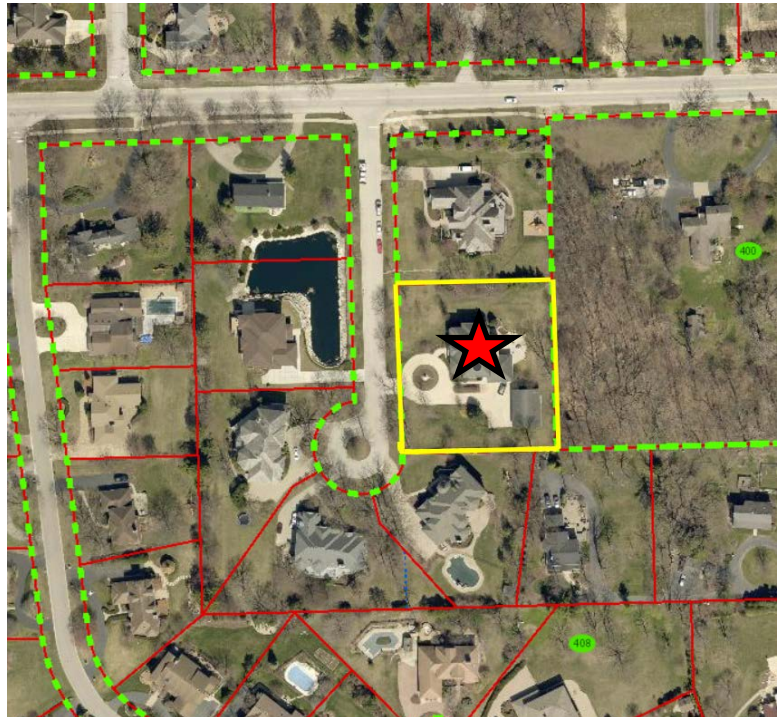
Residence and detached garage

SITE AREA:

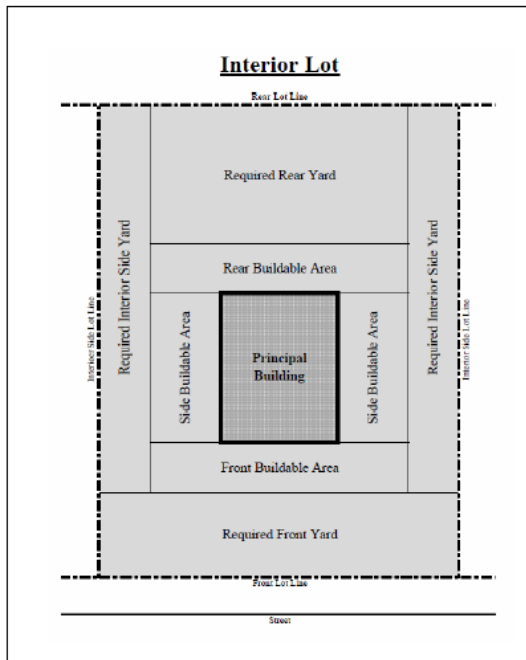
± 1 Acre/43,600 sq. ft.

SUBDIVISION:

Panico's 83rd St. Assessment Plat



The petitioner is Richard Panico, owner of the subject property. The petitioner is requesting a variation from section IV.I.1 of the Zoning Ordinance in order to construct a detached garage within the side buildable area. Section IV.I.1 stipulates that “detached buildings accessory to permitted residential uses are permitted in the rear buildable area and may also be located in a required rear yard but not closer than 10 feet to the rear lot line.” The petitioner currently has an attached garage and detached garage on the property. The existing detached garage is within the rear buildable area. The petitioner seeks to build a second detached garage within the side buildable area. The petitioner is permitted to have a second detached garage and in all other respects (location aside), the proposed garage meets Zoning Ordinance regulations.



Left: Diagram illustrating buildable areas from the Zoning Ordinance.

Right: Aerial image of the site with a dashed orange box illustrating roughly the area where the second detached garage can be located. The star indicates the petitioner's proposed location.

The petitioner provided a detailed history pertaining to this request, included as Exhibit A. In summary, the petitioner provided plans to the Village in 2004 when the home was initially proposed. The original plans showed the residence with a side yard garage attached by a masonry wall and a detached garage. When these plans were then submitted for permit, they were rejected. While the Zoning Ordinance does not contain a definition for an attached garage (currently scheduled for public hearing on May 16, 2022 at the Plan Commission), policy dictates that an attached garage is one that shares an internal or party wall with the residence or one that is connected by above-ground, horizontal structural elements (i.e. a roof). An attached garage has been interpreted to not include a detached structure connected by a wall or fence. In 2005, the petitioner abandoned the side yard garage and continued with the residence and detached garage in the rear. The petitioner is now seeking to build this secondary garage in the side buildable area.

Public Hearing History

Z-27-2003: Rezoning of the property from R-1 to R-2B.

Z-07-2021: The petitioner requested a text amendment to the Zoning Ordinance in order to permit detached garages in the side buildable area. This request was unanimously denied by the Plan Commission with one abstention on July 19, 2021. The petitioner withdrew the request prior to the Board voting on the matter.

Public Comment

No public comment has been 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.

Appendix

Exhibit A - Petitioner's Materials

- Application
- Findings of Fact
- Timeline, summary of events, and summary of communications pertaining to the proposed side yard garage
- 2005 letter of apology from Village
- Original Site Plan
- Current proposed Site Plan
- Elevations/Renderings

EXHIBIT A



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

RECEIVED

APR 08 2022

VILLAGE OF BURR RIDGE

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): RICHARD PANICO

STATUS OF PETITIONER: RESIDENT / HOME OWNER

PETITIONER'S ADDRESS: 8311 FARNS COVE

ADDRESS OF SUBJECT PROPERTY: 8311 FARNS COVE

PHONE: 708-214-6924

EMAIL: CRPANICO@IPMCINC.COM

PROPERTY OWNER: RICH & KRISTY PANICO

PROPERTY OWNER'S ADDRESS: 8311 FARNS COVE PHONE: 708-214-6924

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

DESCRIPTION OF REQUEST:

I AM SEEKING APPROVAL TO BUILD A SIDE YARD
GARAGE

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: 1.11 / 43,600 ft² EXISTING ZONING: R-2B

EXISTING USE/IMPROVEMENTS: Single-Family residential w/ detached garage

SUBDIVISION: Panico's 83rd St. Assessment Plat

PIN(S) # 09-36-408-027-0000 87

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.

Richard Panico

Petitioner's Signature

Date of Filing



**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:

8311 FARS COVE

Property Owner or Petitioner:

RICHARD PANICO
(Print Name)

Richard Panico
(Signature)



Findings of Fact - Zoning Variation
Burr Ridge Zoning Ordinance

Address:

8311 FAR S COVE

As per Section XIII.H.3 of the Village of Burr Ridge Zoning Ordinance, for a variation to be approved, the petitioner must confirm all of the following findings by providing facts supporting such findings.

- a. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out
WHILE THE CURRENT ORDINANCE ALLOWS FOR THE ADDITION OF ANOTHER GARAGE IN THE REAR YARD, EXISTING STRUCTURES (HOUSE, ATTACHED GARAGE, & DETACHED GARAGE LIMIT REASONABLE ACCESS TO REAR YARD. CURRENT PLAN WAS IMPOSED BY THE VILLAGE DURING ORIGINAL PERMIT REVIEW (REFERENCE ATTACHED EXHIBITS))
- b. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located.

NA

- c. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.

CORRECT

- d. The purpose of the variation is not based primarily upon a desire to increase financial gain.

NO

- e. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property.

HARDSHIP IS CAUSED BY MISDIRECTION PROVIDED BY VILLAGE WHEN ORIGINAL HOUSE PLANS WERE SUBMITTED

- f. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

THE PROPOSED ARCHITECTURAL DESIGN WILL BE AN ENHANCEMENT AS IT COMPLEMENTS HOUSE DESIGN AND SERVES AS "SCREEN" TO REAR GARAGE.

- g. The granting of the variation will not alter the essential character of the neighborhood or locality.

CORRECT

- h. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

CORRECT

- i. The proposed variation is consistent with the official Comprehensive Plan of the Village of Burr Ridge and other development codes of the Village.

*TO THE BEST OF MY UNDERSTANDING, THIS IS
CORRECT*

Apr 15, 2022 at 12:53:17 PM
8311 Fars Cove
Burr Ridge IL 60527
United States



NOTICE
Village of Burr Ridge

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

For further information, please call or visit:

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

Ask for Information Re V-02-2022

Further details are available at:
www.burr-ridge.gov
(see Public Hearing/Plan Commission Agenda)

Panico Residence

8311 Fars Cove

Side Yard Garage Variance Application

Additional Information Related to Request

- Original plan view and elevation submitted for preliminary review (2004)
 - This included side yard garage integrally attached to house by masonry wall and a detached rear yard garage
 - Plan reviewed and preliminarily approved by Village Planner, Aaron Cook
- Final plan with side yard garage was submitted for permit review (2005)
 - Plan rejected for side yard garage even though preliminary approval had been obtained
 - Upon final submittal, plan was also rejected (by Aaron Cook) for front balcony, which I was told was in violation, even though it was well beyond setback requirements
 - This was challenged and immediately dismissed/approved when presented to the Trustees
 - Drawings were changed to eliminate side yard garage even though Village had preliminarily approved the design; further definitive reference to the definition of what constitutes a connected structure could not be provided; this ambiguity remains 17 years later as validated by a recent Village Planning Board decision to address this definition in April 2022 (as communicated by Community Development Director, Janine Farrell during meeting on February 11, 2022).
- Village sends letter of apology for “providing inaccurate and incomplete information” (June 30, 2005)
- The last-minute changes forced decision to either potentially delay construction for several months or move forward without the side yard garage. I opted to move forward because of other personal considerations.
 - The approved plan greatly restricted the option to construct an additional rear yard garage, even though setback and other requirements can be met. There would be no way to access the additional rear yard garage without creating a second driveway on the north side of the property. Therefore, we would have two large driveways, one on the south and the other on the north side of the house.
 - Based upon guidance provided by the Village, I have been placed in a position where I cannot build the additional garage, because of the aforementioned reason.
 - The inability to build a third garage imposes a hardship I tried to avoid from the very beginning, that is, having inadequate storage for my classic automobiles. Further, my original purchase was predicated by the fact that the land was unincorporated; this changed prior to my construction start when my property was annexed.
- Reintroduced the proposed additional garage to the Village (Evan Walter) on March 25, 2021
 - Based upon this discussion, Evan recommended I pursue a Text Amendment
 - Case presented to the Planning Board on July 19, 2021, and rejected

- The recommendation to seek a text amendment was misguided, as a variation would have been more appropriate.
- Met with Janine on February 11, 2022, to review entire history
 - Janine indicated that the definition of what constitutes an attached structure remains ambiguous. She further indicated that this issue would be addressed by the Planning Commission in April.
 - I further evaluated the option of connecting the proposed side yard garage with a structural masonry wall, connected to the house foundation and footings and the of the proposed side yard garage. Based upon this assessment, the cost and disruption to existing large trees, drain tile, and footing do not justify the wall. Further, the wall would still be subject to various interpretations of “connected” by the Planning Commission, as this was a subject of debate by Commission members during the July 19 Text Amendment hearing. During that discussion, some members said that they would approve the design with the wall, others disagreed.
 - On March 28, 2022, I communicated to Janine that I would apply for the variance for the detached side yard garage. She asked that I also provide a colored rendering of the proposed structure, which I agreed to do.

Panico, Rich

Subject: Meeting with Doug Pollock to discuss rejection of the house plan by his department

Start: Wed 6/22/2005 4:00 PM
End: Wed 6/22/2005 4:30 PM
Show Time As: Out of Office

Recurrence: (none)

The meeting began at 4:45 p.m. due to my delay in getting back to Burr Ridge from meetings downtown. I called Doug Pollock at about 3:50 p.m. and left a message indicating that I was caught up in traffic on I-55 and would be arriving late for the meeting.

The meeting started at approximately 4:45 p.m. with Doug and Aaron Cook. I started the meeting by stating that I wanted clarification on Aaron's note to me as part of the permit review process indicating that my house plans could not be approved because the method of "attaching" the two car garage does not substantially attach the garage in a manner consistent with previously approved similar features". Therefore, the garage is considered detached and thus the plan does not conform to requirements. I asked Aaron if he recalled the preliminary plan review and discussions that caused me to revise a significant portion of the plan to conform to his recommendations. He stated that he vaguely remembered. I turned to Doug and stated that I have a real issue with the lack of accountability and responsibility. After a very lengthy discussion, neither Doug nor Aaron could provide any direct reference to codes/ordinances being violated by the plan. The only argument offered is what had been approved in the past and that this was not being viewed as similar. I pointed out that what had been approved in the past was also discretionary (which they agreed) and for me to have to apply the same architectural approach was neither objective nor based upon clear requirements. The fact remains that I made significant changes to my design to satisfy the direction received from the Planning Department, specifically Aaron Cook. After 45 minutes, Doug Pollock stated that this is a very difficult situation and "I cannot make the decision tonight, I have to sleep on it". I expressed deep disappointment in the lack of responsibility and accountability. Doug promised to get back to me the next day.

Panico, Rich

Subject: Called Doug Pollock

Start: Thu 6/23/2005 11:30 AM
End: Thu 6/23/2005 12:00 PM

Recurrence: (none)

I hadn't heard from Doug so I called him. Doug started by telling me what a difficult decision and situation this is and in his words, we "really screwed up". He then proceeded to tell me how much he was trying to help me resolve the issue but followed with a litany of reasons why he couldn't approve what they had already approved. I told Doug that although he started the conversation by saying I haven't been able to reach a decision, it was clear from the list of excuses and reasons that he had decided not to approve the plan. He again stated that he they really screwed up and I argued that those were his words not mine. I argued that it was less an issue of making a mistake than it is changing their minds on a what appears to be a discretionary call. He stated that he couldn't do anything more and I responded that my only option is to escalate the issue.

Panico, Rich

Subject: Called Bob Grela
Start: Thu 6/23/2005 12:00 PM
End: Thu 6/23/2005 12:30 PM
Recurrence: (none)

I called Bob Grela and explained the permit issue. Bob responded that he felt personally accountable since he had recommended a preliminary plan review to me. He said that he recalled that I made significant revisions based upon the planning department's direction. Bob said that he would talk to Doug and get back to me.

Panico, Rich

Subject: Received call from Doug Pollock

Start: Thu 6/23/2005 1:30 PM

End: Thu 6/23/2005 2:00 PM

Recurrence: (none)

Doug stated that he received a call fro Bob Grela and that Bob suggested some alternatives for him (Doug) to consider in order to assess my situation. Doug's voice was upbeat so I assumed that the voice of reason had prevailed.

Panico, Rich

Subject: Call from Doug Pollock (10:15 a.m.)

Start: Fri 6/24/2005 10:00 AM

End: Fri 6/24/2005 10:30 AM

Recurrence: (none)

Doug left a message that he had researched other alternatives and spoke with the Village Administrator and attorney and could not come up with a decision in my favor, "none came to fruition". He offered further assistance.

Panico, Rich

Subject: Called Bob Grela to discuss permit issue

Start: Mon 6/27/2005 11:00 AM

End: Mon 6/27/2005 11:30 AM

Recurrence: (none)

Spoke to Bob and informed him that the Village was not going to approve the plan that they had already approved. Bob said that he'd call Doug and get back to me.

Panico, Rich

Subject: Received call from Doug Pollock

Start: Mon 6/27/2005 3:30 PM

End: Mon 6/27/2005 4:00 PM

Recurrence: (none)

Doug left message that he wanted to make sure that I had received Friday's message. He offered his sincere apologies and regrets for the situation they caused and offered assistance in moving forward. Voice mail message retained.

Panico, Rich

Subject: Returned Doug Pollock's call

Start: Mon 6/27/2005 4:00 PM

End: Mon 6/27/2005 4:30 PM

Recurrence: (none)

We rehashed the situation and, other than Doug's apologies and regrets, I got no resolution. Doug offered to expedite the permit review process after I make the design changes and even offered to approve the house portion of the plans which I quickly pointed out would have to change dramatically. I tried once again to argue my case but to no avail. I told him that I have to consider all of my options. He said that I could appeal to the Planning Board but this would probably not happen until August, then I have no guarantees of the outcome. I did point out to Doug that I could prove that Aaron reviewed the plan because when he reviewed the plan, he told me that I could not have a balcony in front. I ended up taking this to the Planning Commission; it was readily resolved.

Panico, Rich

From: Panico, Rich
Sent: Wednesday, June 29, 2005 11:05 AM
To: 'Douglas Pollock'; 'sstricker@burr-ridge.gov'
Cc: Heiting, Karen
Subject: Appeal process

Dear Doug and Steve,

Assuming that I take the issue to appeal, will you be recommending/supporting my position, opposing it, or be neutral? Putting aside history and the fact that I acted based upon the direction of the Planning Department, what can I expect in terms of your cooperation?

Rich

C. Richard Panico
President and CEO
Integrated Project Management Company, Inc.
200 S. Frontage Road, Suite 220
Burr Ridge, IL 60527
Phone: 630-789-8600 Fax: 630-789-7945
www.ipmcinc.com
Assistant: Karen Heiting x239

6/29/2005



VILLAGE OF BURR RIDGE

7660 S. COUNTY LINE ROAD • BURR RIDGE, IL 60527-4721 • (630) 654-8181
FAX: (630) 654-4542
<http://www.burr-ridge.gov>

Gary A. Grasso
President

Karen J. Thomas
Village Clerk

Steven S. Stricker
Administrator

June 30, 2005

Mr. Rich Panico
4613 Grove
Brookfield, IL 60513

Dear Rich:

Thank you for meeting with Steve Stricker and me to discuss the status of your building permit application (No. 05-118; 15W115 83rd Street) and my Department's review of the plans relative to compliance with the Burr Ridge Zoning Ordinance, and thank you for your ongoing dialogue with the Village regarding this issue. The purpose of this memorandum is to acknowledge the circumstances that have led to the current situation and to provide a written statement as to the Community Development Department's application of the Zoning Ordinance to your permit application.

First, I want to apologize for any problems that have resulted due to our failure to provide accurate and complete information at the time of your initial meetings with our Planner, Aaron Cook. It is my understanding you had several discussions with Aaron before applying for a building permit. During that time, you were given inaccurate or incomplete information that led you to prepare final architectural drawings that do not comply with the Village of Burr Ridge Zoning Ordinance. The Village of Burr Ridge and its Community Development Department endeavors to provide thorough and accurate information in response to all inquiries. I can assure you that we have learned from this experience and will take positive actions to ensure that this does not occur again.

The attached memorandum provides a written description of the Community Development Department's application of the Zoning Ordinance relative to the garages for your home. We have prepared this report after extensive review including a review of the Zoning Ordinance text, review of your plans, review of three other homes that you have brought to our attention, and discussions with the Village Attorney. Our conclusion is that the proposed plans do not comply with Section IV.H.8. of the Zoning Ordinance which limits the number of detached garages to one. Furthermore, the plans indicate a freestanding wall (a.k.a. a solid fence) that does not comply with Sections IV.I or IV.J of the Zoning Ordinance.

You have provided three examples of homes that you believe are similar to your proposed home and garages and that are contrary to our stated application of the Zoning Ordinance. We do not believe that the three other homes are similar. None of the three include a freestanding wall that is defined by the Zoning Ordinance as an accessory structure. All three have roof structures that may be considered "porte-cocheres"; i.e. driveways that pass under a

Mr. Rich Panico
Page 2

portion of the roof. Our application of the Zoning Ordinance considers porte-cocheres to be a portion of the main building. Thus, a garage or other floor space attached to a porte-cochere is considered a portion of the main building. It should also be noted that none of the three examples have freestanding walls that are classified by the Zoning Ordinance as accessory structures. I have attached excerpts from the plans for all three examples for your review.

If you wish to appeal to the Zoning Board of Appeals (a.k.a. the Plan Commission), you may refer to Section XIII.I of the Zoning Ordinance for information about the appeal process. Please know that we are confident in our application of the Zoning Ordinance to this situation and that we will make that known to the Zoning Board of Appeals if an appeal is filed. Nonetheless, we stand ready to provide our full assistance to you if you should decide to appeal our decision.

If you have any questions, you may contact me at (630) 654-8181, Extension 120 or via email at dpollock@burr-ridge.gov.

Sincerely,

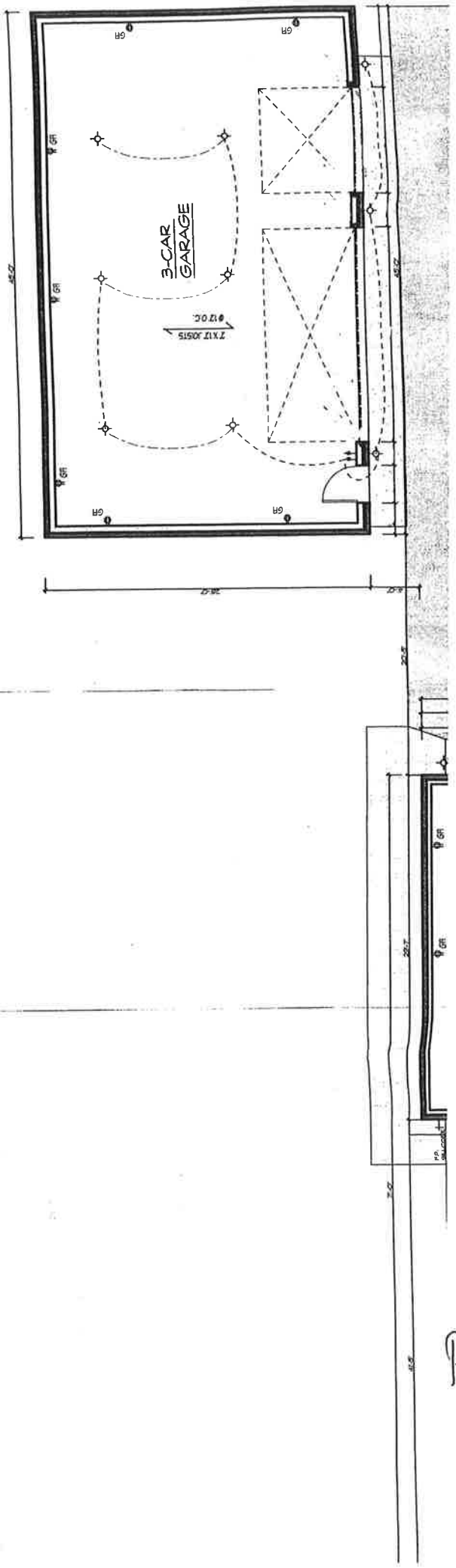
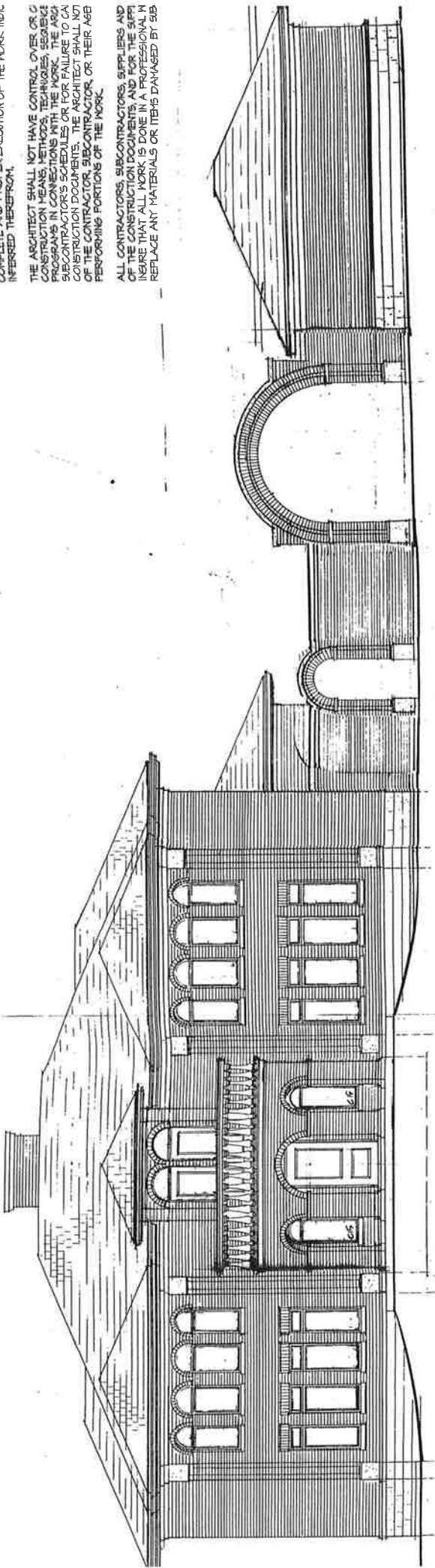
A handwritten signature in black ink, appearing to read "J. Douglas Pollock".

J. Douglas Pollock, AICP
Community Development Director

JDP:jat
Attachment

cc: Steve Stricker, Village Administrator

PRIOR TO THE COMMENCEMENT OR CONTINUATION OF WORK,
 RESPONSIBLE FOR SAME.
 ANY DEVIATION FROM THESE PLANS AND SPECIFICATIONS
 ARCHITECT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 ARCHITECTURAL CERTIFICATION PERTAINING TO THIS PROJECT.
 THE INTENTION OF THESE DOCUMENTS IS TO INCLUDE ALL
 COMPLETE AND PROPER EXECUTION OF THE WORK INDICATED
 THEREON.
 THE ARCHITECT SHALL NOT HAVE CONTROL OVER OR
 CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCE
 PROGRAMS IN CONNECTIONS WITH THE WORK. THE ARCHITECT
 SUBCONTRACTOR'S SCHEDULES OR FOR FAILURE TO COMPLY
 CONSTRUCTION DOCUMENTS. THE ARCHITECT SHALL NOT
 OF THE CONTRACTOR, SUBCONTRACTOR, OR THEIR AGENT
 PERFORMING PORTIONS OF THE WORK.
 ALL CONTRACTORS, SUBCONTRACTORS, SUPPLIERS AND
 OTHERS SHALL BE RESPONSIBLE FOR THE PROTECTION AND
 INSURE THAT ALL WORK IS DONE IN ACCORDANCE WITH THE
 REPLACE ANY MATERIALS OR ITEMS DAMAGED BY SUB

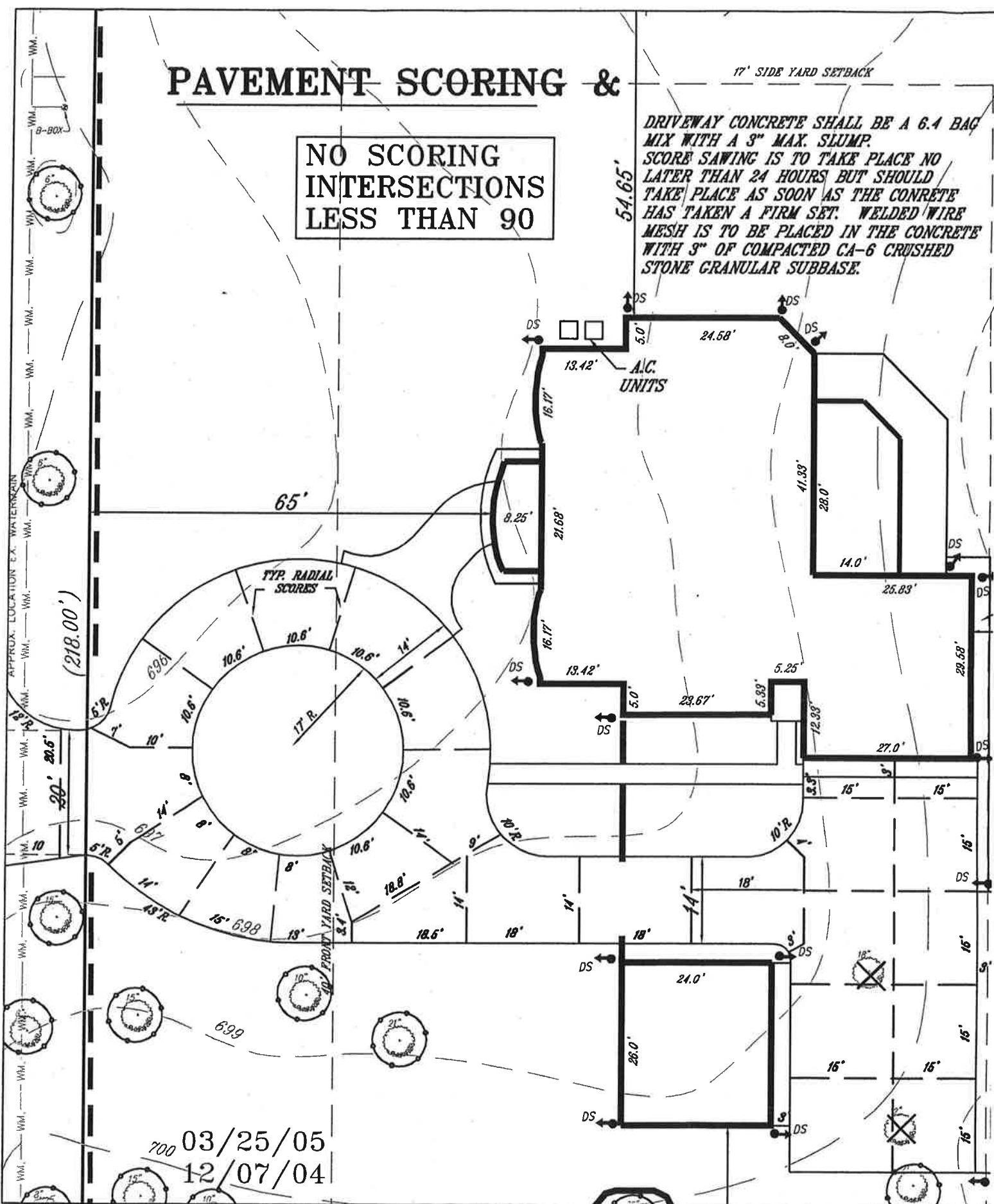


Panico
 Property

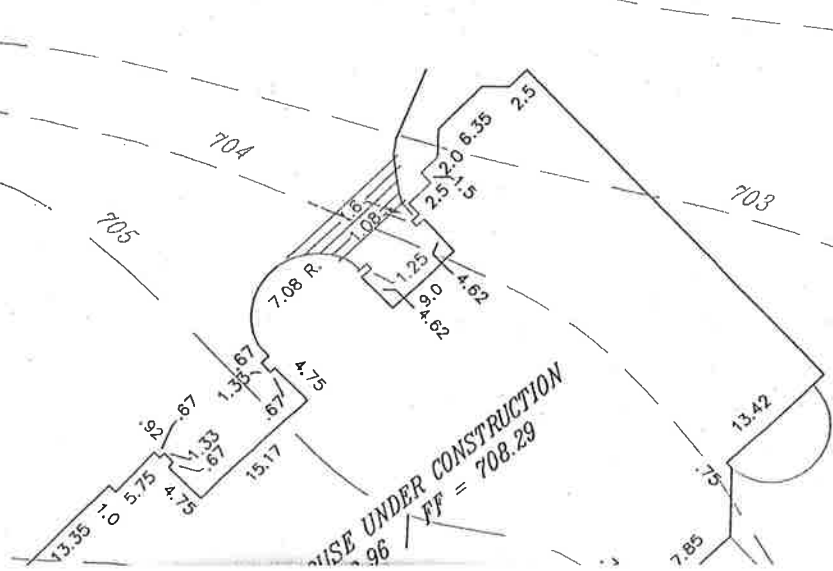
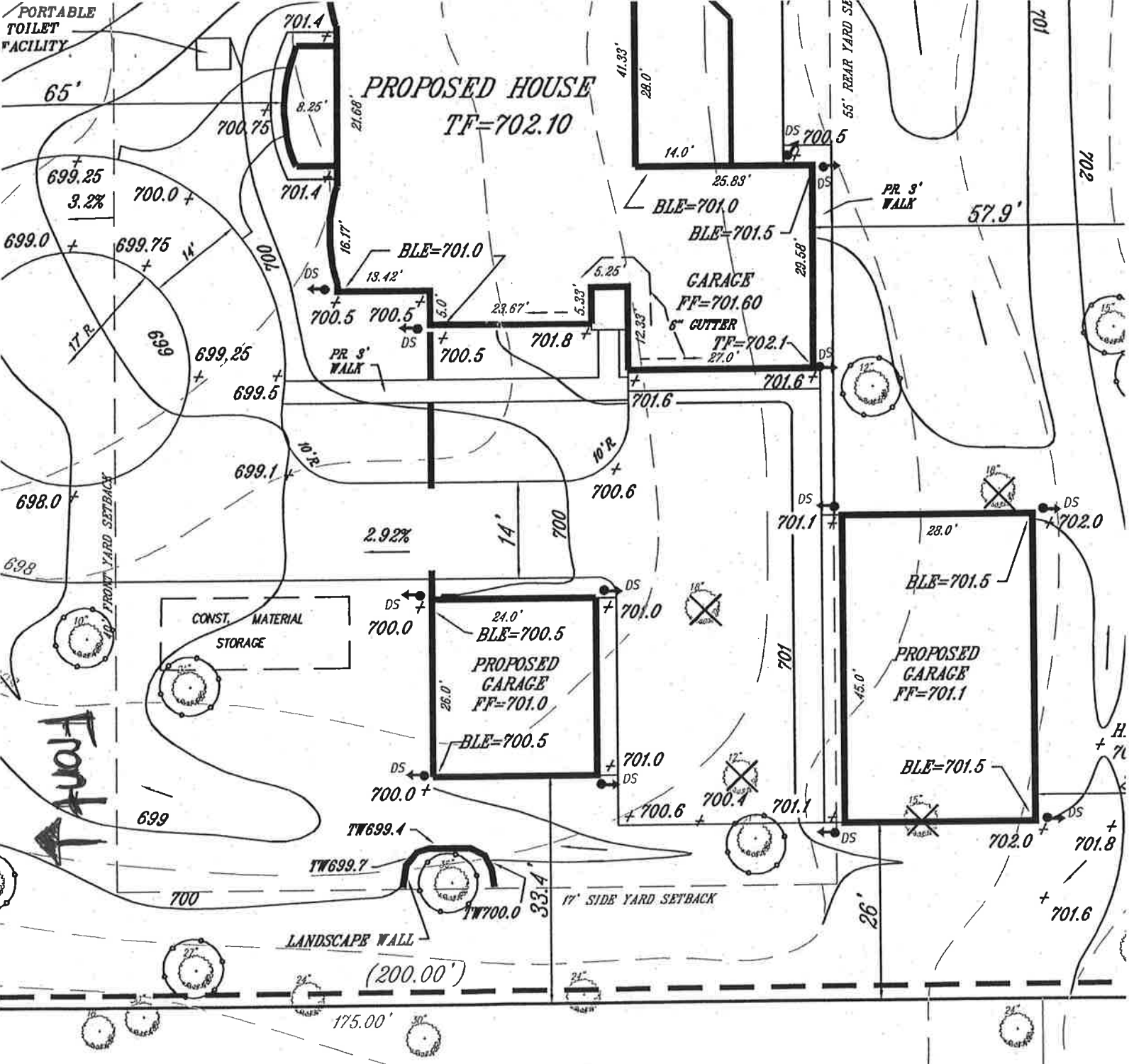
17' SIDE YARD SETBACK

54.65'

↑



PORTABLE
TOILET
FACILITY



Panico Property

EX. GARAGE

EX. HOUSE

EDGE OF DOORS ALIGN NEW EXISTING

POWER AND GAS

...SITE PLAN...

SCALE: 1"=10'-0"

side yard setback 17'







M E M O

To: Evan Walter, Village Administrator
From: David Preissig, P.E., Director of Public Works & Village Engineer
Date: May 4, 2022
Subject: Lakeside Pointe: Follow-up Inspection Prior to Maintenance Period

The Public Works Department **recommends acceptance** of the subject subdivision improvements as per Section V.C of the Subdivision Ordinance, and this memorandum shall serve as written concurrence to the developer and Board of Trustees that the improvements are substantially completed with a de minimis amount of work remaining as documented herein. Upon Board acceptance, the maintenance of these improvements would remain the developer's obligation for a minimum of two (2) years (i.e. May 9, 2024).

Construction

1. Water valve vaults have evidence of ground water infiltration, which can be evaluated again after pumping to empty each vault, then corrected with low-viscosity hydrophilic polyurethane grout.
2. The approved native wetland plantings for the stormwater detention ponds have not been fully established. At this early date of the growing season, it is not yet determined what percentage of the previously installed native plants and plugs are thriving.
3. The emergency access drive to the Marriott parking lot is not secured. Decorative planter boxes are blocking through access; however, a gate and lock are required.
4. Shoreline along the adjacent lake is eroding from the subdivision stormwater runoff. This shoreline stabilization was not anticipated in the design nor included in the approved plans; however, mitigating the erosion with engineered solutions will be required in the two-year maintenance period.
5. Bridewell Drive Sidewalk to Burr Ridge Parkway: Construction has not yet started for the required sidewalk connection on Bridewell Drive from the western boundary of the subdivision to existing sidewalk at Burr Ridge Parkway. However, the developer is proposing to incur a fee-in-lieu for this sidewalk.
6. Off-site Pedestrian Path and Bridge: Construction has not yet started, but the preliminary plans and proper permit submittals are in the review process for approval. Long lead times for steel and construction materials will likely effect a delay, and construction would be anticipated in Fall 2022 or Spring 2023.

Record Drawings of Subdivision Improvements

Prior to an inspection for acceptance of the subdivision improvements by the Board of Trustees, the subdivider shall submit a full set of Adobe PDF record drawings (a.k.a. as-builts) of all subdivision improvements for review and approval by the Village Engineer, and subsequently transmit an electronic file in ArcView or AutoCAD format.

Letters of Credit

The Letters of Credit guaranteeing completion of the subdivision improvements shall be extended for a length of time equal to the extension of the subdivision improvement period; however, they should be reduced at this time to the amounts as tabulated below:

	<u>Value Remaining</u>
	Estimate for total value of work adjusted to 125%
L.O.C. #1: On-Site Improvements in Lakeside Pointe	\$ 252,961.20 (reduce to \$235,461.20 if accepting sidewalk fee-in-lieu below)
L.O.C. #2: Off-Site Pedestrian Bridge, Pathway, and Impact Fees	\$ 397,918.75

It should be noted that the proposed reduction to LOC #2 still retains \$250,000 for construction of the pre-fabricated pedestrian bridge. Current estimates from suppliers and structural engineering consultants are in the range of \$150,000 to \$190,000 for the total construction cost of the approved, pre-fabricated steel pedestrian bridge.

Fee-in-Lieu of Sidewalk Construction

The developer is proposing a cash payment in-in-lieu for the sidewalk connection required by the subdivision completion agreement to be constructed from the western boundary of the Lakeside Pointe subdivision to an existing asphalt pathway at Burr Ridge Parkway. The LOC estimate approved in 2018 for this sidewalk is \$17,500. Using current unit prices, the engineer's estimate to construct 355 linear feet of sidewalk at this location would be \$27,930, as detailed below:

Item	Unit	Unit Price	Quantity	Cost
TREE TRIMMING & BRUSH CLEARING	LSUM			\$1,000
EXCAVATION	CU YD	\$60.00	73	\$4,380
TOPSOIL & SODDING	SY	\$20.00	240	\$4,800
PCC SIDEWALK, 5"	SQ FT	\$10.00	1,775	\$17,750
TOTAL ESTIMATED FEE-IN-LIEU OF PROJECT COST				\$27,930.00



PROCLAMATION
ECONOMIC DEVELOPMENT WEEK
May 9 - May 13, 2022

Whereas, economic development in the Village of Burr Ridge promotes fiscal health, quality of life, and a vibrant community by supporting growth, and providing a stable tax base for services; and

Whereas, economic development in the Village of Burr Ridge stimulates and incubates entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

Whereas, economic development in the Village of Burr Ridge engages in a wide variety of partners including residents, business owners, the Willowbrook - Burr Ridge Chamber of Commerce, Cook and DuPage Counties, and the State of Illinois; and

Whereas, the hard work and dedication of economic developers in the Village of Burr Ridge including the Community Development Division, Economic Development Committee, and the Mayor and Board of Trustees help keep the community "A Very Special Place."

NOW THEREFORE BE IT RESOLVED, that the Village of Burr Ridge recognizes the week of May 9 through May 13, 2022, as Economic Development Week, to highlight the importance of this work within the community.

Mayor

ATTEST:

Village Clerk

PROCLAMATION

8F

NATIONAL PUBLIC WORKS WEEK

May 15-21, 2022

***WHEREAS**, public works services focusing on infrastructure, facilities, and emergency management, are of vital importance to sustainable and resilient communities and especially to the public health, high quality of life, and well-being of the residents and businesses of the Village of Burr Ridge; and*

***WHEREAS**, the support of an informed and attentive citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets, public buildings, and urban forestry; and*

***WHEREAS**, the quality and effectiveness of our infrastructure and facilities, as well as their planning, design, construction, operation, and maintenance, is vitally dependent upon the efforts and skill of public works officials;*

***NOW, THEREFORE, BE IT PROCLAIMED**, the Village of Burr Ridge does hereby proclaim the week of May 15-May 21, 2022, as "Public Works Week" in the Village of Burr Ridge and calls upon its citizens, civic leaders, and children to gain knowledge and maintain ongoing interest and understanding of the public works professionals and public works programs in our community and their the importance to our everyday health, safety, comfort and quality of life.*

***PASSED AND APPROVED** by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, this 9th day of May 2022*

Mayor

Attest:

Village Clerk

April 19, 2022

Gary Grasso
Mayor, Village of Burr Ridge
7660 County Line Road
Burr Ridge, IL 60527

8G
Chief
4/25

Dear Gary,

I have reviewed the newly-revised DuPage County 2022 Statement of Economic Interest Questionnaire. Given the financially-intrusive nature of the requested information, I have decided to withdraw as a Trustee of the Burr Ridge Police Pension Board with immediate effect.

I regret that the Illinois legislature has deemed it necessary to collect financially-sensitive personal information from non-elected Trustees; information which, ultimately, will become readily accessible to the general public.

Thank you for allowing me to serve the Village of Burr Ridge for the last 18 years. It has been a rewarding and enjoyable experience.

Sincerely,

Joe Patyk

VILLAGE OF BURR RIDGE

8H

ACCOUNTS PAYABLE APPROVAL REPORT

BOARD DATE: 5/9/2022

PAYMENT DATE: 5/10/2022

FISCAL 21-22

FUND	FUND NAME	PAYABLE	TOTAL AMOUNT
10	General Fund	\$ 122,442.00	\$ 122,442.00
23	Hotel/Motel Tax Fund	8,714.55	8,714.55
33	Equipment Replacement Fund	14,635.59	14,635.59
51	Water Fund	28,377.05	28,377.05
52	Sewer Fund	1,508.52	1,508.52
61	Information Technology	30,739.92	30,739.92
	TOTAL ALL FUNDS	<u>\$ 206,417.63</u>	<u>\$ 206,417.63</u>

PAYROLL

PAY PERIOD ENDING April 16, 2022

	TOTAL PAYROLL
Board	\$ 2,450.00
Administration	15,822.86
Finance	1,725.00
Police	111,927.96
Public Works	24,804.13
Water	26,194.63
Sewer	9,633.40
TOTAL	<u>\$ 192,557.98</u>
GRAND TOTAL	<u><u>\$ 398,975.61</u></u>

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GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 10 General Fund					
Dept 0000 Assets, Liabilities, Fund Bal					
10-0000-16-1625	Travel Insurance - AFD Speaker	Allianz Travel Insurance	04/06/22	AMR17107035593	42.89
10-0000-16-1625	Travel AFD Speaker	American Airlines	04/01/22	UWAWBD	598.20
10-0000-22-2203	4 Engraved Pavers	Impressions in Stone	04/28/22	11954	111.83
Total For Dept 0000 Assets, Liabilities, Fund Ba					752.92
Dept 1010 Boards & Commissions					
10-1010-40-4040	Chicago Tribune 4 weeks	Chicago Tribune	04/13/22	04/13/22	27.72
10-1010-50-5010	Sterigenices Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	282.00
10-1010-50-5010	FOIA General Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	2,716.00
10-1010-50-5010	Devon Woods Easement Litigation	Storino, Ramello, & Durkir	04/28/22	04/28/22	250.00
10-1010-50-5010	FOIA Mottl Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	550.00
10-1010-50-5010	8079 Creekwood Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	799.00
10-1010-50-5010	IDHR Sample Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	66.00
10-1010-50-5010	Edgewood Annexation Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	322.00
10-1010-50-5010	General Legal Matters Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	5,669.70
10-1010-50-5015	Prosecution Services Mar22	Storino, Ramello, & Durkir	04/28/22	04/28/22	2,196.52
10-1010-50-5095	Press Conference MERIT	Boxless Media	03/14/22	523	600.00
10-1010-80-8010	Ukraine Flag	Amazon.com Credit	03/23/22	114-74296330300235	12.86
10-1010-80-8010	Water for Board meetings	Brookhaven Marketplace	04/11/22	552549	10.23
10-1010-80-8010	20th Anniversary Tejkowski	Scribes, Inc	04/21/22	60449	138.40
10-1010-80-8010	Employee Relations - Flowers	Vince's Flowers & Landscap	04/04/22	12029-F	85.95
10-1010-80-8025	BOFPC Meeting	Gold Shield Detective Ager	02/21/22	1899	180.00
Total For Dept 1010 Boards & Commissions					13,906.38
Dept 2010 Administration					
10-2010-40-4040	Crain's Chicago Business Subscri	Crains Chicago Business	04/18/22	D3706222	15.00
10-2010-40-4040	Crain's Chicago Business Subscri	Crains Chicago Business	03/21/22	D3329747	15.00
10-2010-40-4041	March 2022 Sponsored Jobs	Indeed	03/31/22	59604539	70.45
10-2010-40-4042	Metro Golf Outing 2022	Illinois City/County Mgmt	04/06/22	86896	85.00
10-2010-40-4042	2022 ILCMA Conference	Marriott	03/31/22	26205	318.08
10-2010-40-4042	ACBI Lunch & Learn	Michelle Mahlan	04/20/22	04/20/22	62.98
10-2010-40-4042	Lunch Meeting 03/28/22	Panera	03/28/22	706856451	20.89
10-2010-50-5025	Postage Admin	FedEx	04/20/22	7-730-64043	33.46
10-2010-50-5025	Shipping	FedEx	04/27/22	7-737-14951	40.21
10-2010-50-5040	Plat of Annexation	Webster, McGrath & Ahlberg	04/25/22	32034	50.00
10-2010-50-5075	Plan Review Permit 22-086	B&F Construction Code Serv	04/20/22	58860	300.00
10-2010-50-5075	Building Review Apr22	Don Morris Architects P.C.	04/30/22	04/30/22	3,300.00
10-2010-50-5075	Inspections Apr22	Don Morris Architects P.C.	04/30/22	04/30/22	3,940.00
10-2010-60-6010	30"x24" Metal Frame for Zoning	Build A Sign, LLC	04/01/22	600058664	542.15
Total For Dept 2010 Administration					8,793.22
Dept 4010 Finance					
10-4010-50-5020	Consulting WE 04/10 & 04/17/22	GovTemps USA, LLC	04/21/22	3946372	5,838.00
10-4010-50-5035	Publish Public Hearing on Budget	Chicago Sun-Times, Inc.	03/28/22	0001141638	131.00
Total For Dept 4010 Finance					5,969.00
Dept 4020 Central Services					
10-4020-50-5030	Telephone Land Line	Peerless Network, Inc.	03/15/22	03/15/22	1,561.72
10-4020-50-5040	Printing	Grasso Graphics, Inc.	04/28/22	31886	745.13
10-4020-50-5040	2,400 #10 BR Printed Envelopes	Grasso Graphics, Inc.	04/19/22	31872	974.41
10-4020-50-5050	Copier Maintenance	Image Systems & Business	04/19/22	357401	672.72
10-4020-60-6000	Pinney Bowes Postage Tape Strips	Postagemeterinkcartridges	03/21/22	31079	36.99
10-4020-60-6000	Office Supplies PW	Runco Office Supply	04/28/22	865726-0	74.94

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GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 10 General Fund					
Dept 4020 Central Services					
10-4020-60-6010	Kitchen Supplies PD	Amazon.com Credit	03/22/22	11182782171597055	39.36
10-4020-60-6010	Kitchen Coffee Supplies PD	Commercial Coffee Service,	04/29/22	401187	71.60
Total For Dept 4020 Central Services					4,176.87
Dept 5010 Police					
10-5010-40-4032	FY 21-22 Madden Uniform Allowanc	JG Uniforms, Inc.	04/28/22	97760	793.00
10-5010-40-4032	Uniform Allowance Nicole Copp	JG Uniforms, Inc.	04/25/22	97524	20.35
10-5010-40-4032	112012-729 S/S V2 Pro-performanc	Ray O'Herron	04/18/22	2188794	148.50
10-5010-40-4032	V2 Pro Duty Navy Pants	Ray O'Herron	04/18/22	2188794	9.00
10-5010-40-4032	112012-729 s/s v2 Pro performanc	Ray O'Herron	04/19/22	2189092	99.00
10-5010-40-4032	114041-729 First Tactical Trous	Ray O'Herron	04/19/22	2189092	135.98
10-5010-40-4032	123 Blauer Hood (for raincoat)	Ray O'Herron	04/19/22	2189092	16.99
10-5010-40-4032	112012-729 1st Tactical V2 S/S S	Ray O'Herron	04/28/22	2191121	138.36
10-5010-40-4032	112012-729 Balance of V2 Pro Shi	Ray O'Herron	04/28/22	2191121	10.14
10-5010-40-4032	112012-729 S/S V2 Pro-Performanc	Ray O'Herron	04/21/22	2189658	148.50
10-5010-40-4032	EP1089SC Earphone Connection, Fo	Ray O'Herron	04/21/22	2189658	31.49
10-5010-40-4032	EP-EM Earphone Connection Ghost	Ray O'Herron	04/21/22	2189658	12.58
10-5010-40-4042	Task Force Dinner	Falco's Pizza & Pasta	03/22/22	03/22/22	82.50
10-5010-40-4042	ILACP Annual Conference Madden	Illinois Assn of Chiefs of	03/24/22	10580	399.00
10-5010-40-4042	ILACP Annual Conference Loftus	Illinois Assn of Chiefs of	03/24/22	10582	299.00
10-5010-40-4042	35 Users Renewal Training	SafeResponse, LLC	04/02/22	04/02/22	594.99
10-5010-50-5025	Postage PD	Stamps.com	04/11/22	9495381-26611949	17.99
10-5010-50-5030	Cell Phones PD	Verizon Wireless	03/21/22	9902398025	397.60
10-5010-50-5040	Door Hangers	VistaPrint	04/15/22	04/15/22	118.56
10-5010-50-5051	Squad 1703 Maintenance	B & E Auto Repair Service	04/19/22	141627	51.95
10-5010-50-5051	Maintenance-Vehicles	Burr Ridge Car Care, Inc.	04/29/22	58777	98.65
10-5010-50-5051	Maintenance-Vehicles PD	Burr Ridge Car Care, Inc.	04/18/22	58682	534.30
10-5010-50-5051	Car Washes PD	Fuller's Car Wash	04/30/22	8639	91.00
10-5010-50-5051	Squad 2016 Maintenance	Willowbrook Ford	04/25/22	6371038	72.30
10-5010-60-6000	Office Supplies PD	Amazon.com Credit	03/22/22	1135178531-9001018	53.39
10-5010-60-6000	Pencil Sharpener	Amazon.com Credit	04/07/22	113-99747303917046	14.98
10-5010-60-6010	Flash Drives	Amazon.com Credit	04/07/22	113-99747303917046	57.22
10-5010-60-6010	Operating Supplies	Liveview GPS Inc.	04/01/22	14550 Apr22	41.90
10-5010-60-6010	Pro Rate PT 10	Liveview GPS Inc.	03/21/22	5078584	14.90
10-5010-60-6020	Gasoline PD	Wex Bank	04/23/22	80356065	111.02
Total For Dept 5010 Police					4,615.14
Dept 6010 Public Works					
10-6010-40-4032	Uniform rentals/cleaning	Breens Inc.	04/19/22	10609	89.51
10-6010-40-4032	Uniform rentals/cleaning	Breens Inc.	04/26/22	10762	86.82
10-6010-40-4032	(4) Rainwear Thermal Lined	Carhartt, Inc. & Subsidiar	03/22/22	160456457614	299.96
10-6010-40-4032	Red Head Brand Rubber Mud Boots	James Miedema	04/05/22	04/05/22	44.97
10-6010-40-4032	Timberland Work boots	James Miedema	04/18/22	04/18/22	150.00
10-6010-40-4032	Boot Allowance Reimbursement	John D. Wernimont	04/05/22	1161830	150.00
10-6010-40-4032	Reimburse for Work Boots	Richard M. Scherer	04/28/22	04/28/22	150.00
10-6010-40-4032	PW Uniform Sweatshirts Logo Embr	Specialty Stitches	04/01/22	14199	40.00
10-6010-50-5050	Cat 926M Loader; DEF System Mani	Altorfer Industries, Inc.	03/29/22	TM500472594	1,042.67
10-6010-50-5050	2- Equipment tires replaced [59	Tredoc Tire Services LLC	03/30/22	7430058228	841.95
10-6010-50-5052	Alarm & Fire Monitoring Rustic A	Alarm Detection Systems, I	04/18/22	SI-570441	315.00
10-6010-50-5052	Furnish & Install Items	Complete Elevator Service,	04/20/22	41522	550.00
10-6010-50-5052	Door Lock Assembly	Complete Elevator Service,	04/20/22	41522	294.20
10-6010-50-5052	Stop Switch Assembly	Complete Elevator Service,	04/20/22	41522	144.10
10-6010-50-5052	PD HVAC Repair to VAV-15	Dynamic Heating & Piping C	04/15/22	204312	1,087.20

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Fund 10 General Fund					
Dept 6010 Public Works					
10-6010-50-5052	BAS Adjustment for New RTU1 Driv Trane U.S. Inc.		03/22/22	312488845	1,455.00
10-6010-50-5055	1st Qtr Maintenance Traffic Sign Cook County Dept of Trans		04/03/22	2022-1	1,253.25
10-6010-50-5055	Maintenance-Signals Madison & 97 Meade Electric Company, Ir		04/20/22	700238	156.59
10-6010-50-5055	Maintenance - Traffic Signals Meade Electric Company, Ir		04/30/22	700077	175.00
10-6010-50-5056	ComEd Transmission Line Tree Tri COMED		03/21/22	1268-12	11,717.00
10-6010-50-5056	Tree Removal and Stump Grinding Smitty's Tree Service, Inc		01/06/22	226157	32,405.00
10-6010-50-5056	Emer Tree Rem; 6 Enclave, 11420 Smitty's Tree Service, Inc		01/06/22	226994	5,175.00
10-6010-50-5058	Mat rentals - VH & PW Breens Inc.		04/19/22	10610	26.50
10-6010-50-5058	Mat rentals - PD Breens Inc.		04/26/22	10763	26.50
10-6010-50-5058	Janitorial Services Holding Cell Service Master		04/16/22	215587	195.00
10-6010-50-5066	Garbage Hauling Tameling Grading		04/22/22	2190	400.00
10-6010-50-5066	Load and Haul Logs & Woodchips f The Davey Tree Expert Comp		04/25/22	916503170	6,825.00
10-6010-50-5080	PW Sewer Flagg Creek Water Reclamat		04/26/22	008917-000 Apr22	41.20
10-6010-50-5080	Rustic Acres NICOR Gas		04/18/22	81110732419 Apr22	162.70
10-6010-50-5080	Village Hall Garage NICOR Gas		04/18/22	57961400009 Apr22	49.39
10-6010-50-5080	Village Hall NICOR Gas		04/18/22	47025700007 Apr22	1,219.30
10-6010-50-5080	Police Station NICOR Gas		04/18/22	66468914693 Apr22	687.48
10-6010-50-5080	Pump Center NICOR Gas		04/11/22	47915700000 Apr22	379.87
10-6010-50-5080	Public Works NICOR Gas		04/11/22	22944400005 Apr22	720.13
10-6010-50-5085	Shop Towel Rentals Breens Inc.		04/19/22	10609	4.50
10-6010-50-5085	Shop Towel Rentals Breens Inc.		04/26/22	10762	4.50
10-6010-50-5097	2022 EAB Imidacloprid Soil Injec Kramer Tree Specialists,		10/12/22	107332	9,987.50
10-6010-60-6010	Military Set Flags Amazon.com Credit		03/15/22	113-80938995777834	138.80
10-6010-60-6010	Laundry Tub Grainger, Inc.		04/21/22	9287247655	98.14
10-6010-60-6010	Disposable Gloves Grainger, Inc.		04/27/22	929353320	139.15
10-6010-60-6010	Supplies for Display signs for E Hobby Lobby		03/24/22	03/24/22	69.90
10-6010-60-6010	Misc Op Supplies: Gloves,Bulbs,P Industrial Electric Suppl		04/26/22	S100012348.001	320.31
10-6010-60-6010	Light Bulbs for Police Sta. Industrial Electric Suppl		04/01/22	S100011715.001	142.50
10-6010-60-6010	Refrig Ice Dispenser Door Kit & Sears Commercial One		04/01/22	C634312	167.96
10-6010-60-6041	1-Spare Tire/Rim, Tredroc Tire Services LLC		03/30/22	7430058228	953.94
10-6010-60-6042	High Performance Cold Patch K-Five Hodgkins, LLC		04/07/22	37376	580.00
10-6010-60-6042	Miscellaneous Signs Traffic Control & Protecti		04/19/22	111309	173.30
10-6010-60-6043	Hose and Hose Reel Bumper Stop Grainger, Inc.		10/01/21	9072503783	97.42
10-6010-60-6043	Skin Pack 7.5" Wedge Russo's Power Equipment		04/27/22	SPI11049970	53.94
10-6010-60-6043	Tree Crew Supplies Russo's Power Equipment		04/27/22	SPI11049992	739.63
10-6010-60-6043	Tree Gator Russo's Power Equipment		04/28/22	SPI11051441	509.70
10-6010-60-6043	Blower, Tree Cleanup Russo's Power Equipment		04/28/22	SPI11051441	179.99
10-6010-60-6043	Topsoil Tameling Industries		04/21/22	0164380	351.00
10-6010-60-6050	Laser Level & Alum. Measuring Ro Kara Company, Inc.		04/08/22	366165	1,160.00
Total For Dept 6010 Public Works					84,228.47
Total For Fund 10 General Fund					122,442.00
Fund 23 Hotel/Motel Tax Fund					
Dept 7030 Special Revenue Hotel/Motel					
23-7030-80-8010	Annual Marketing & Communication Kaleidoscope Management Gr		04/30/22	1895	5,200.00
23-7030-80-8050	Annual Contribution I&M Canal Natl Heritage Cr		02/25/22	02/25/22	2,900.00
23-7030-80-8055	300 American Stick Flags Gettysburg Flag Works, Inc		03/28/22	S69825	614.55
Total For Dept 7030 Special Revenue Hotel/Motel					8,714.55
Total For Fund 23 Hotel/Motel Tax Fund					8,714.55
Fund 33 Equipment Replacement Fund					

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Fund 33 Equipment Replacement Fund					
Dept 8030 Equipment Replacement					
33-8030-50-5071	Lease Maintenance PD Apr22	Enterprise FM Trust	04/01/22	FBN4432810	161.10
33-8030-50-5071	Lease Maintenance Apr22	Enterprise FM Trust	04/01/22	FBN4447480	140.27
33-8030-80-8065	Lease Principal PD Apr22	Enterprise FM Trust	04/01/22	FBN4432810	5,441.40
33-8030-80-8065	Lease Principal PW Apr22	Enterprise FM Trust	04/01/22	FBN4447480	6,423.73
33-8030-80-8075	Lease Interest PD Apr22	Enterprise FM Trust	04/01/22	FBN4432810	810.79
33-8030-80-8075	Lease Interest PW Apr22	Enterprise FM Trust	04/01/22	FBN4447480	1,658.30
Total For Dept 8030 Equipment Replacement					14,635.59
Total For Fund 33 Equipment Replacement Fund					14,635.59
Fund 51 Water Fund					
Dept 6030 Water Operations					
51-6030-40-4032	Uniform rentals/cleaning	Breens Inc.	04/19/22	10609	78.14
51-6030-40-4032	Uniform rentals/cleaning	Breens Inc.	04/26/22	10762	80.83
51-6030-40-4032	Uniform Allowance	Red Wing Shoe Store	03/25/22	115181	150.00
51-6030-40-4040	2022 Membership	Mid Central Water Works As	04/14/22	04/14/22	175.00
51-6030-40-4042	Travel Guth	Crowne Plaza Springfield	03/21/22	44761533	215.46
51-6030-50-5020	Water Main Leak Detection	M.E. Simpson Co. Inc.	10/31/21	37560	1,975.00
51-6030-50-5020	Leak Detection 16W231 Frontage	M.E. Simpson Co. Inc.	12/31/21	37944	250.00
51-6030-50-5030	Pump Center Alarm	AT&T	03/22/22	630325420903 Mar22	291.17
51-6030-50-5030	Pump Center Alarm	AT&T	02/22/22	630325420902 Jn-Feb2	291.17
51-6030-50-5030	Telephone Land Line	Peerless Network, Inc.	03/15/22	03/15/22	143.15
51-6030-50-5050	Water Modems	Verizon Wireless	03/21/22	9902398025	182.76
51-6030-50-5052	Goose Nest Removal from Well Hou	Plunkett's Pest Control, I	04/29/22	7513702	375.00
51-6030-50-5067	Water Main Valve and Leak Assess	M.E. Simpson Co. Inc.	01/31/22	38187	4,580.00
51-6030-50-5067	Valve and Leak Assessment, Extra	M.E. Simpson Co. Inc.	01/31/22	38187	3,207.00
51-6030-50-5071	Lease Maintenance Water Apr22	Enterprise FM Trust	04/01/22	FBN4447480	123.88
51-6030-50-5080	Well #4	COMED	04/18/22	0029127044 Apr22	805.41
51-6030-50-5080	Bedford Park Sump Pump	COMED	04/08/22	9179647001 Apr22	139.22
51-6030-50-5080	Pump Center	Dynegy Energy Services, LI	04/11/22	310428722041	4,057.63
51-6030-60-6010	8x25 repair clamp	Core & Main LP	04/19/22	Q703354	841.96
51-6030-60-6010	6x25 repair clamp	Core & Main LP	04/19/22	Q703354	1,124.34
51-6030-60-6010	6x12 repair clamp	Core & Main LP	04/19/22	Q703354	376.48
51-6030-60-6010	6x15 repair clamp	Core & Main LP	04/19/22	Q703354	414.50
51-6030-60-6010	6x20 repair clamp	Core & Main LP	04/19/22	Q703354	1,302.28
51-6030-60-6010	10x20 repair clamp	Core & Main LP	04/19/22	Q703354	892.58
51-6030-60-6010	1 inch copper pipe	Core & Main LP	04/19/22	Q703354	841.00
51-6030-60-6010	1.5 inch copper pipe	Core & Main LP	04/19/22	Q703354	1,315.00
51-6030-60-6010	36 inch full face gasket and fas	Underground Pipe & Valve	03/01/22	053339	1,075.00
51-6030-80-8065	Lease Principal Water Apr22	Enterprise FM Trust	04/01/22	FBN4447480	2,541.13
51-6030-80-8075	Lease Interest Water Apr22	Enterprise FM Trust	04/01/22	FBN4447480	531.96
Total For Dept 6030 Water Operations					28,377.05
Total For Fund 51 Water Fund					28,377.05
Fund 52 Sewer Fund					
Dept 6040 Sewer Operations					
52-6040-40-4032	Uniform rentals/cleaning	Breens Inc.	04/19/22	10609	24.63
52-6040-40-4032	Uniform rentals/cleaning	Breens Inc.	04/26/22	10762	24.63
52-6040-50-5030	Telephone Land Line	Peerless Network, Inc.	03/15/22	03/15/22	15.91
52-6040-50-5030	Sewer Modems	Verizon Wireless	03/21/22	9902398025	30.46
52-6040-50-5080	Arrowhead Lift Station	COMED	04/08/22	7076690006 Apr22	262.95
52-6040-60-6010	Parts for Washers/Dryers Install	Menards - Hodgkins	04/22/22	95590	249.90

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Fund 52 Sewer Fund					
Dept 6040 Sewer Operations					
52-6040-60-6010	Vent Stack for Washers/Dryers In Menards - Hodgkins		04/21/22	95520	510.26
52-6040-60-6010	PW Washer/Dryer Installation Sup Menards - Hodgkins		04/11/22	94949	389.78
Total For Dept 6040 Sewer Operations					1,508.52
Total For Fund 52 Sewer Fund					1,508.52
Fund 61 Information Technology Fund					
Dept 4040 Information Technology					
61-4040-50-5020	IT Support FY22	Orbis Solutions	04/21/22	5572899	315.00
61-4040-50-5020	IT Support FY22	Orbis Solutions	04/21/22	5572899	1,110.00
61-4040-50-5020	IT Support FY22	Orbis Solutions	04/28/22	5572918	400.00
61-4040-50-5061	Pump Center	Comcast	03/21/22	8771201140533898 Mar	199.85
61-4040-50-5061	DuJIS PRMS Ops & System cost	Emergency Telephone System	03/15/22	JV 33	25,418.31
61-4040-50-5061	Contact Management	MAILCHIMP	03/25/22	MC12745849	28.90
61-4040-50-5061	Annual Software License Renewal	Municode LLC	02/21/22	00370188	2,995.00
61-4040-50-5061	Data Processing Service	Trello, Inc.	04/06/22	18195483	103.88
61-4040-50-5061	Video Conferencing Apr22	Zoom Video Communications	04/01/22	141059116	14.99
61-4040-60-6010	Monitor Stand	Amazon.com Credit	03/21/22	111-93561543296210	36.99
61-4040-60-6010	Printer Toner Cartridges	Next Day Toner Supplies, 104/28/22	04/28/22	5234093	92.00
61-4040-70-7000	Replacement Key for dropped Lapt	Orbis Solutions	04/14/22	5572875	25.00
Total For Dept 4040 Information Technology					30,739.92
Total For Fund 61 Information Technology Fund					30,739.92

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Fund Totals:					
			Fund 10 General Fund		122,442.00
			Fund 23 Hotel/Motel Tax Fund		8,714.55
			Fund 33 Equipment Replacement Fu		14,635.59
			Fund 51 Water Fund		28,377.05
			Fund 52 Sewer Fund		1,508.52
			Fund 61 Information Technology F		30,739.92
			Total For All Funds:		206,417.63

VILLAGE OF BURR RIDGE

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ACCOUNTS PAYABLE APPROVAL REPORT

BOARD DATE: 5/9/2022

PAYMENT DATE: 5/10/2022

FISCAL 22-23

FUND	FUND NAME	PAYABLE	TOTAL AMOUNT
10	General Fund	\$ 38,973.95	\$ 38,973.95
23	Hotel/Motel Tax Fund	6,685.13	6,685.13
	TOTAL ALL FUNDS	<u>\$ 45,659.08</u>	<u>\$ 45,659.08</u>

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GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 10 General Fund					
Dept 0000 Assets, Liabilities, Fund Bal					
10-0000-16-1625	Axon Training Conference	Husarik Axon Enterprise, Inc.	02/09/22	AA22-0220220250-0120	799.00
10-0000-16-1625	Axon Training Conference	Moravec Axon Enterprise, Inc.	02/09/22	AA22-022022-0251-012	799.00
10-0000-22-2203	Fountain Repair - Veterans Memor	Werschkul Masonry Inc	05/03/22	253	2,025.00
Total For Dept 0000 Assets, Liabilities, Fund Ba					3,623.00
Dept 4040 Information Technology					
10-4040-50-5061	Business License System	BS&A Software	05/01/22	139878	953.00
10-4040-50-5061	Work Order System	BS&A Software	05/01/22	139878	1,163.00
10-4040-50-5061	Citizens Request for Action CRA	BS&A Software	05/01/22	139878	656.00
10-4040-50-5061	General Ledger/Budget System	BS&A Software	05/01/22	139878	1,551.00
10-4040-50-5061	Accounts Payable	BS&A Software	05/01/22	139878	1,325.00
10-4040-50-5061	Cash Receipting	BS&A Software	05/01/22	139878	1,325.00
10-4040-50-5061	Payroll	BS&A Software	05/01/22	139878	1,705.00
10-4040-50-5061	Time Sheets	BS&A Software	05/01/22	139878	956.00
10-4040-50-5061	Miscellaneous Receivables	BS&A Software	05/01/22	139878	1,325.00
10-4040-50-5061	Purchase Orders	BS&A Software	05/01/22	139878	1,325.00
10-4040-50-5061	Utility Billing	BS&A Software	05/01/22	139878	2,111.00
10-4040-50-5061	Human Resources	BS&A Software	05/01/22	139878	1,551.00
10-4040-50-5061	Comm Dev / Bldg Dept	BS&A Software	05/01/22	139878	1,428.00
10-4040-50-5061	Employee Self Serve Portal	BS&A Software	05/01/22	139878	1,705.00
10-4040-50-5061	ArcGIS Desktop Basic Primary Mai	ESRI Inc.	04/29/22	94242589 (2)	400.00
10-4040-50-5061	ArcGIS Online Viewer	ESRI Inc.	04/29/22	94242589 (2)	490.00
10-4040-50-5061	ArcGIS Online Creator	ESRI Inc.	04/29/22	94242589 (2)	1,467.00
10-4040-50-5061	ArcGIS Community Analyst Web App	ESRI Inc.	04/29/22	94242589 (2)	98.00
10-4040-50-5061	LeadsOnline PowerPlus Investigat	LeadsOnline	03/15/22	325914 (2)	2,933.00
10-4040-50-5061	PowerPolicy Professional Subscri	PowerDMS, Inc.	05/01/22	Q-164812 (2)	2,435.53
10-4040-50-5061	Laserfiche Annual Licenses & Sup	TKB Associates, Inc.	03/15/22	14539 (2)	6,153.00
Total For Dept 4040 Information Technology					33,055.53
Dept 5010 Police					
10-5010-40-4042	IACP Conference Registration	International Association	04/07/22	5388	425.00
10-5010-40-4042	IACP Conference Travel	United Airlines	04/11/22	L5C4TY	438.20
10-5010-50-5020	Mobile Field Force Assessment FY	Northern Illinois Police	05/01/22	14130	400.00
10-5010-50-5020	Mobile Field Force Assessment FY	Northern Illinois Police	05/01/22	14131	875.00
10-5010-50-5020	Mobile Field Force Communication	Northern Illinois Police	05/01/22	14131	130.00
10-5010-50-5051	Maintenance-Vehicles PD	Burr Ridge Car Care, Inc.	05/02/22	58783	27.22
Total For Dept 5010 Police					2,295.42
Total For Fund 10 General Fund					38,973.95
Fund 23 Hotel/Motel Tax Fund					
Dept 7030 Special Revenue Hotel/Motel					
23-7030-80-8012	License Fees FY23	American Society of Compos	04/20/22	100005876282	397.67
23-7030-80-8012	Equipment Rental for AFD	Roseland Industries, Inc.	03/24/22	39367-3	6,287.46
Total For Dept 7030 Special Revenue Hotel/Motel					6,685.13
Total For Fund 23 Hotel/Motel Tax Fund					6,685.13

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GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund Totals:					
				Fund 10 General Fund	38,973.95
				Fund 23 Hotel/Motel Tax Fund	6,685.13
				Total For All Funds:	45,659.08