CITY OF DARIEN PLANNING AND ZONING COMMISSION

Wednesday, November 16, 2022 7:00 PM City Hall Council Chambers 1702 Plainfield Road

AGENDA

- 1) Call to Order
- 2) Roll Call
- 3) Regular Meeting New Business

a. <u>Public Hearing – PZC2022-03</u> (REVISED FROM 09/07/2022) – PAGE 10 8431 Wilmette Avenue – Special Use Amendment & Variation

Petitioner Art Cano seeks approval for an amendment to a Special Use and Variation request from Section 5A-7-3-5(D) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of two (2) studio apartments inside an existing apartment building. Property is located within the R-3 Multi-Family Residence District and the Variation request is from the following standard in the City of Darien Zoning Ordinance:

Section 5A-7-3-5(D): R-3 District Land Area per Dwelling Unit Standards.

b. <u>Public Hearing – PZC2022-06</u> – PAGE 36 2019 75TH Street – Special Use Amendment & Variation

Petitioner Joe Fontana (Fry the Coop) seeks approval for an amendment to a Special Use and Variation request from Section 4-3-10(B)(2) of the Sign Code. The petition specifically requests to allow for outdoor seating/dining and wall signage on a second building front for a new eating establishment.

c. Public Hearing – PZC2022-07 – PAGE 53 3480 Drover Lane – Variation

Petitioner Jon Prepelica seeks approval of a Variation from City Code Section 5A-7-2-6(A) of the Zoning Ordinance. The petition specifically requests to allow for an addition to an existing single-family residence, with the addition being a sunroom. Property is located within the R-2 Single-Family Residence Zoning

District and the Variation request is to the following standard in the R-2 District of the City of Darien Zoning Ordinance:

Section 5A-7-2-6(A): Variation request to reduce the required rear yard setback.

4) Staff Updates & Correspondence

5) Approval of Minutes September 21, 2022

6) Next Meeting December 7, 2022

7) Public Comments [On Any Topic Related to Planning and Zoning]

8) Adjournment

MINUTES CITY OF DARIEN PLANNING & ZONING COMMISSION MEETING September 21, 2022

PRESENT: Lou Mallers – Chairperson, Robert Erickson, Bryan Gay, Shari Gillespie,

Hilda Gonzalez, Chris Jackson, Julie Kasprowicz, Ralph Stompanato

ABSENT: Brian Liedtke, Ralph Stompanato

OTHERS: Jordan Yanke - City Planner

Chairperson Lou Mallers called the meeting to order at 7:00 p.m. at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present and swore in the audience members wishing to present public testimony.

REGULAR MEETING/NEW BUSINESS:

a. Public Hearing – PZC2022-05 100575TH Street – Tabriz Khanlodhi Special Use request pursuant to Section 5A-8-3-4 of the Zoning Ordinance. The petition specifically requests to allow conversion of an existing drivethrough to one that offers a drive-through lane for an automated teller machine and a drive-through lane for an establishment whose primary use is the sale of tobacco and related productions as well as food items (Tobacco Shop/Food Store). The petitioner relies on variations granted in Ordinance No. O-15-84 and seeks additional variations, as deemed necessary.

Mr. Jordan Yanke, City Planner reported that the petitioner seeks approval of a Special Use request pursuant to Section 5A-8-3-4 of the Zoning Ordinance. He reported that the petition specifically requests to allow conversion of an existing drive-through to one that offers a drive-through lane for an automated teller machine and a drive-through lane for an establishment whose primary use is the sale of tobacco and related products as well as food items.

Mr. Yanke reported that the petitioner has proposed a conversion of the existing drivethrough (2 lanes) to one that offers a drive-through lane for an automated teller machine and a drive-through lane for an establishment whose primary use is the sale of tobacco and related productions as well as food items

He reported that while the primary use is permitted within the B-2 District, the Special Use is required for the drive-through conversion due to the change in use and reimplementation of a service window. He reported that the project involves minimal site work and that there will be no change to the building footprint, parking lot, or ingress/egress drives and the required amount of parking spaces exist to serve the proposed use at a ratio of 4 spaces/1,000 square feet gross floor area.

Mr. Yanke reported that the petitioner has included a traffic and parking study that is included as an attachment in the Agenda Memo.

The petitioner's attorney Mr. Mark Daniel, Daniel Law Office, P.C., Oakbrook Terrace, IL reported that that he has been practicing law for 25 years and on his own for the past 12 years.

Mr. Daniel provided a very detailed overview of the request and reported that the transition in the tobacco business is much more policed and that every transaction registered is through a Point of Service where the purchasers ID is scanned into the system. He further reported that a sale cannot be made without a scan and that both the store and the drive through will have a register.

Mr. Daniel reported that the Supplemental Use Statement was provided in the packet and that the operation proposed is primarily tobacco sales. He reported that the Villa Park location has a drive through which drives three times the revenue and its purpose for those who cannot get out of a car and convenience.

Mr. Daniel reported that a traffic study was provided and that the traffic will be less than the bank. He reported that the drive through was a teleservice window and that the bank abandoned it to make it a double drive through. He further reported that the second lane has no user for the existing ATM machine and that the petitioner will most likely keep it as an ATM since it is already there.

Mr. Daniel reported that the exit is to 75th Street or access onto Plainfield Road and that there is plenty of stacking. He reported that the petitioner would like to continue to as the bank did collecting waste inside and rolling it out but that if required, the petitioner will provide a compliant six-foot tall board on board or other solid fence waste enclosure in the south westernmost parking which will screen the north, south and west sides of the enclosure from existing pervious areas south and west of the enclosure and provide a new curb with a five foot landscape strip on the north side of the enclosure. He further reported that the area is fully developed and that it makes sense to keep open space and that the neighbors to the west do not suffer.

Mr. Daniel reported that there will be some demolition to the interior and that rendering was provided in the packet. He reported that there will be no lounge or smoking allowed inside the building.

Mr. Daniel reported that signage on the Subject Property relies on three business building frontages (north, east and south). He reported that the present signage is within the allowable envelope for signage and the nominal increases in wall sign area due to the shape of the proposed signs remains within the envelope. He further reported that the petitioner adopted a new name for the location, and it just designated a logo to replace the West Suburban Bank "W/S" logo above the entrance.

Mr. Daniel reported that the drive through facility allows for four vehicles stacked from the service/island area to the end of the curb radii for the drive through stacking. He

reported that the traffic and parking study provided from Lynn M. Means, BLA, Inc. addresses the ingress and egress.

Mr. Daniel reported that a table of zoning compliance issues was provided had the area been redeveloped. He reported that a signed and unsigned version of the CBD regulations by Mr. Tabriz Khanlodhi was stated in person and provided.

Chairperson Mallers opened the meeting to Commissioner discussion.

Commissioner Bob Erickson questioned how many employees would be present to handle the drive through and the store. He also questioned what the plan is should the power not work and the hours of operation.

The petitioner, Mr. Tabriz Khanlodhi reported that there will be two separate registers with one employee and two during busy time. He stated that there is not a lot of time involved for computer scanning and that the computers are attached to the cell phone. He further stated that they have one hour should the power go down and after that they would just shut down.

Commissioner Erickson questioned the hours of operation.

Mr. Daniel reported that the hours of operation at the Villa Park location are 7:00 a.m. – midnight and the Lombard location 10:00 a.m. – 11:00 p.m. but they have not decided. He stated that the hours will probably be similar to the Lombard location.

There was some discussion about the drive through stacking.

The petitioner reported that drive through time is approximately two minutes and room for six cars. He stated that if there is not enough room the car will pull into a parking spot. He reported that during peak the most in que is four cars at the Villa Park location.

Commissioner Chris Jackson questioned if the Lombard location is looking at a drive through and if this is a franchise.

Mr. Daniel reported that they have looked into a drive through but that the County is not interested in annexing the parcel. He reported that the petitioner has 13 years of experience with the drive through.

Mr. Khanlodhi reported that they are not a franchise.

Commissioner Jackson asked about the memo board.

Mr. Khanlodhi reported that the memo board has the goods for sale. He stated that there is not a lot.

Chairperson Mallers questioned the busy hours.

Mr. Khanlodhi reported that it varied by location but that it is tied to traffic but usually after the lunch hour and after 5:00 p.m.

Commissioner Bryan Gay questioned if phone orders were allowed. He also questioned if the signage was backlit or front lit or if there would be any obnoxious signs in the windows similar to the Vape Shop.

Mr. Khanlodhi reported that they have thought about phone orders but that the age restrictions prevent them from doing phone orders. He reported that there would be no signage other than what is proposed and that only the letters on the sign are backlit.

Mr. Daniel stated that no LED or strobe lights could be included as a condition.

Commissioner Julie Kasprowicz questioned if there would be any seating outside.

Mr. Khanlodhi reported that there will be no seating.

Commissioner Jackson questioned if there will be alcohol sold.

Mr. Khanlodhi reported that they will not sell alcohol only soft drink type beverages and packaged items.

Chairperson Mallers opened the meeting to anyone wishing to present public comment.

Mr. Vic Patton, Darien stated that he lived on Manning Road and that he had a huge concern about vaping. He stated that there are 22 vaping establishments within a five-mile radius which doesn't include convenient stores, gas stations, etc. Mr. Patton stated that there has been an increase in usage by adolescent and that he was concerned with the closeness to the high school. He provided evidence of a report to staff and stated that a tobacco shop is downscale to Darien and Clarendon Hills, Burr Ridge and Hinsdale do not have any tobacco stores.

Chairperson Mallers stated that there is a tobacco store within a short radius at Brookhaven.

Commissioner Kasprowicz stated that she was interested in more information about the percentages in adolescents.

There was some discussion about the sales of vape versus tobacco and sitting in a car and vaping.

Mr. Daniel reported that it varied by location and that it fluctuated between the two stores.

Mr. Khanlodhi reported that they do not allow vaping inside or in the parking lot.

Commissioner Jackson stated that the petitioner did a noble job of the presentation. He questioned if landscaping was required.

Mr. Yanke reported that the nothing triggers landscaping but that a condition could be made regarding the dumpster enclosure.

Mr. Daniel reported that they are proposing a six-foot fence with landscaping around the dumpster. He reported that he could not identify the exact commercial carrier.

Commissioner Gay stated that he did not like the enclosure but that he would like to see a condition for the signage with nothing flashing.

There was some discussion regarding the time the signage would be turned off.

Mr. Yanke reported that signs 100 feet from a residential zone must be off from 11:00 p.m. -7:00 a.m. unless in business during the hours of operation.

Mr. Daniel stated that a condition could be made to shut down the drive through at 11:00 p.m.

There was no one else wishing to present public comment and Chairperson Mallers closed the public hearing.

Commissioner Gay made a motion, and it was seconded by Commissioner Jackson to approve PZC2022-05 100575TH Street — Tabriz Khanlodhi Special Use request pursuant to Section 5A-8-3-4 of the Zoning Ordinance. The petition specifically requests to allow conversion of an existing drive-through to one that offers a drive-through lane for an automated teller machine and a drive-through lane for an establishment whose primary use is the sale of tobacco and related productions as well as food items (Tobacco Shop/Food Store). The petitioner relies on variations granted in Ordinance No. O-15-84 and seeks additional variations, as deemed necessary with the following conditions:

- 1. The business must cease operations and shut signage off no later than 11:00 p.m.
- 2. Signage shall comply with the City's Sign Code. There shall be no flashing, blinking, digital, or electronic messaging window, wall, freestanding or other signs on site. Internally or externally illuminated window signs, LED displays, and other forms of temporary signage that could distract drivers such as inflatables, flags, or costumed attention contractors are prohibited.
- 3. If/when the demand arises for an exterior waste disposal container, applicant or future owner shall implement and construct an enclosure with landscaping, all in accordance with the submitted site plan and in compliance with the City's Zoning Ordinance. The City can demand the enclosure at any time. Applicant may install the enclosure if required by reason of its operations or rule of the hauler.

4. The City's traffic consultant (KLOA, Inc.) provides written acceptance/approval of the traffic study (dated July 25, 2022) submitted by the applicant.

Upon roll call vote, THE MOTION UNANIMOUSLY PASSED 7-0.

Mr. Yanke reported that this would be forward to the Municipal Services Committee on Monday, September 26, 2022 at 6:30 p.m.

OLD BUSINESS

a. Public Hearing — PZC2022-04 Comprehensive Plan Amendment Amendment to the City of Darien Comprehensive Plan. The petition (city initiated) proposes revisions to the Key Development Areas and Non-Key Development Areas that are designated in the 2006 Comprehensive Plan. Sections within the 2006 Plan that are subject to proposed amendment are: - Chapter IV, Key Development Areas - Chapter V, Future Land Use (Non-Key Development Areas).

Mr. Jordan Yanke, Senior Planner reported that he appreciated the comments from the survey. He reported that he rearranged the document on priority.

STAFF UPDATES & CORRESPONDENCE

Chairperson Lou Mallers reported that Mr. Bryan Gay is now the President & CEO of the Downers Grove Economic Development Corporation.

APPROVAL OF MINUTES

Commissioner Gillespie made a motion, and it was seconded by Commissioner Erickson to approve the September 7, 2022, Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED 6-0. Commissioner Bryan Gay abstained.

NEXT MEETING

Mr. Jordan Yanke announced that the next meeting is scheduled for Wednesday, October 5, 2022.

PUBLIC COMMENTS (On any topic related to planning and zoning)

There was no one in the audience wishing to present public comment.

ADJOURNMENT

With no further made a motion, voice vote, THE N	and it was seco	onded by Comm	nissioner Kasprov	wicz. Upon
at 8:37 p.m.	TOTION CARRIE	o unummousiy,	and the meeting	, aujourneu

APPROVED:	
	APPROVED: Lou Mallers Chairperson

AGENDA MEMO PLANNING AND ZONING COMMISSION NOVEMBER 16, 2022

CASE

PZC2022-03 Special Use Amendment & Variation Art Cano – 8431 Wilmette Avenue

ISSUE STATEMENT

Petitioner (Art Cano) seeks approval for an amendment to a special use and variation request from Section 5A-7-3-5(D) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of two (2) studio/efficiency apartments inside an existing apartment building. Property is located within the R-3 Multi-Family Residence District and the variation request is from the following standard in the City of Darien Zoning Ordinance:

- Section 5A-7-3-5(D): R-3 District Land Area per Dwelling Unit Standards.

Applicable Regulations: Ordinance No. O-3-12 – Special Use & Variation

Zoning Section 5A-7-3, R-3 District Standards

GENERAL INFORMATION

Petitioner/Owner: Art Cano

Property Location: 8431 Wilmette Avenue

PIN Number: 09-34-301-022

Existing Zoning: Multi-Family Residence District (R-3)
Existing Land Use: Multi-Family Dwelling (i.e. Apartments)

Comprehensive Plan: Office (Existing); Office (Future)

Surrounding Zoning & Uses

North: Multi-Family Residence District (R-3); Townhomes East: Multi-Family Residence District (R-3); Townhomes

Grove)

South: Multi-Family Residence District (R-3); Daycare Center West: Office Research and Light Industry (OR&I); Office and

Light Industry

History: The property was annexed into the City of Darien in 2012

per Ordinance No. O-03-12. This ordinance also approved

the property and structure as a 5-unit multi-family

dwelling.

Size of Property: 0.41 Acres

Floodplain: According to the DuPage County Parcel Viewer System,

the property is partially located within a regulated

floodplain area.

Natural Features: N/A

Transportation: The petition site gains access from Wilmette Avenue, just

north of the Wilmette Avenue and Frontage Road

intersection.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) APPLICATION (UPDATED)
- 2) JUSTIFICATION NARRATIVE (UPDATED)
- 3) SITE PLAN
- 4) FLOOR PLAN (UPDATED)
- 5) BUILDING ELEVATION
- 6) EGRESS/SLIDER WINDOW SUPPLEMENTALS

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

- 7) LOCATION MAP & AERIAL IMAGE
- 8) SITE PHOTO

PLANNING OVERVIEW/DISCUSSION

The subject property is located off Wilmette Avenue just north of the Wilmette Avenue and Frontage Road intersection. The City annexed the property in 2012 and granted special use approval for multi-family use within the site's lone structure. The approval authorized five (5) dwelling units.

At this time, the petitioner has proposed a remodel to the building's lower level storage area into two (2) additional studio/efficiency apartments. The two (2) additional units would result in seven (7) units total throughout the building's three floors, and the increase in dwelling units requires an amendment to the existing special use for the site. Please see proposed breakdown below:

Type of Unit	Number of Units
2-Bedroom	1
1-Bedroom	4
Studio/Efficiency	2
Total Units	7

In addition to the special use amendment, the proposal includes a variation request. Per the applicable R-3 District standards, the project does not meet the *Minimum Land Area per Dwelling Unit* provision. The zoning code requires a minimum of 27,500 square feet in land area for the site given the type and number of units proposed. The property is 17,706 square feet according to the plat of survey.

Exterior lot improvements are not proposed with this petition. Existing conditions, such as building setbacks, parking setbacks, and lot coverage will not be altered and are allowed to remain. Note that the site contains the required number of parking spaces for the proposed number of units. The code specifies a ratio of <u>2 spaces per dwelling unit</u> are required. The site contains 16 parking spaces. Finally, the petitioner will be required to submit a building permit if the case is approved, with architect stamped and signed plans. The plans must comply with the International Building Code.

Site Plan Review & Findings of Fact

City staff has reviewed the petitioner submitted documents and staff does not have any review comments. The project meets all applicable zoning standards outside of the requested variation.

The petitioner submitted *Findings of Fact* that would support the application request. Those findings are attached to this memo under the Justification Narrative. Included below is the criteria for approving a special use and the criteria for variations.

Special Use Criteria:

No special use shall be recommended to the City Council by the Plan Commission, nor approved by the City Council, unless findings of fact have been made on those of the following factors which relate to the special use being sought:

- 1. That the special use is deemed necessary for the public convenience at the location specified.
- 2. That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.
- 3. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- 4. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 5. That the exterior architectural design, landscape treatment, and functional plan of any proposed structure will not be at variation with either the exterior architectural design, landscape treatment, and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
- 6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
- 7. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 8. That the special use shall, in all 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 by the City Council pursuant to the recommendations of the Plan Commission and Planning and Development Committee.

Variation Criteria:

- 1. Whether the general character of the property will be adversely altered.
- 2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.
- 3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.
- 4. Whether the proposed variation will impair an adequate supply of light and air in

- adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.
- 5. Whether the proposed variation will adversely alter the essential character of the neighborhood.

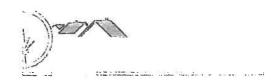
DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on November 16, 2022.

MEETING SCHEDULE

Planning and Zoning Commission Municipal Services Committee City Council November 16, 2022 November 28, 2022 December 5, 2022

ATTACHMENT 1: APPLICATION



ZONING APPLICATION

CITY OF DARIEN

1702 Plainfield Road, Darien, IL 60561 630-852-5000

CONTACT INFORMATION	1
ARTHUR A. CANO	ARTHUR A. CANO
Applicant's Name	Owner's Name
8431 WILMETTE, AVE, DARIEN, IL Address, City, State, Zip Code Gosal	SAME
Address, City, State, Zip Code Go Sa 1	Address, City, State, Zip Code
630-747-6070	SAME
Telephone	Telephone
ARTCANO & AMERITECHONET	SAME COMP 23
Email	Email Charles
	Of DONALO
Property information	Of Darielo Donent
8431 WILMETTE AVE	09-34-301-022
Property address	PIN Number(s)
R-3	RESIDENTELL (MUITI-FAMILY)
Zoning District	RESIDENTIAL (MULTI-FAMILY) Current Land Use(s)
•	
(Attach additional information per the Submittal Checklist.)	action ling
	Contract of
REQUEST	
Brief description of the zoning approval requested. (Contact ti	he City Planner for guidance.)
To convert from 5 apartment units to 7 apartment units. 2 lower level basement. No exterior structures to the building	
As Notary Public, in and for DuPage County in Illinois, I do hereby cer	tify For office use only
that ARTHUR A CANO is personally kno	The second secon
by me to be the same person whose name is subscribed above and h	case Number: PZC2022-03
appeared before me this day in person and acknowledged that they	have Fee Paid: \$820.00
signed this document as their own free and voluntary act, for the	Hearing Date: 07/06/2022 .
purposes therein set forth. Given under my hand and seal, this 20 day of MAY 20	<u> </u>
Purposes therein set forth. Given under my hand and seal, this 20 day of MAY 20 Raphi Rauchadan	
Notary Public F	"OFFICIAL SEAL"
{	Rajini Ramchandani
	My Commission Expires April 20, 2020
	Rajini Ramchandani Notary Public, State of Illinois

ATTACHMENT 2: JUSTIFICATION NARRATIVE

JUSTIFICATION NARRATIVE

Subject: Apartment Building

8431 Wilmette Ave

The main scope of my petition is to convert the lower level basement space of the subject building to TSDsq ft deluxe studio apartments, thereby increasing the number of units from 5 to 7 units.

Presently, this 8 ft high ceiling basement consists of 5 storage rooms. This space was improved several years ago inasmuch as it served as training and class rooms facilities for several commercial tenants.

The proposed improvements for this conversion project will be confined to within the perimeter of the interior walls and definitely <u>NO</u> exterior structures whatsoever will be constructed.

The subject building was built in 1974 and annexed to Darien in 2012, consists of a 2 story brick apartment building made up of 5 units, (2 apartments on the 1^{st} floor and 3 apartments on the 2^{nd} floor). In total: 1-2 bedroom apartment and 4-1 bedroom apartments.

The conversion of the basement level to better economical choice for this type of space. The purposed rental income of \$950/mo will basically increase the value of the subject property and likewise improve the net operating income. The added revenue will help defray the continuing increases of property taxes, utilities and operating expenses. Otherwise, a negative income return if used as only storage or left vacant.

For the past 47 years, the subject 2 story apartment building and use has not imposed a negative impact, diminished property values, been detrimental to public welfare, increase traffic hazards or otherwise injurious to the surrounding neighborhood. Likewise, the 3-studio apartments located out of sight in the lower level will not cause substantial difficulty, undue hardship, unreasonable burden or loss of value to the neighboring properties. The community will not be declared undesirable because of the studio apartments situated in the remote part of the city.

Darien is considered a high rent area with a limited amount of affordable studio apartments. These studio apartments will not be catered to section 8 tenants but more so to young professionals like the seasonal student-employees at nearby Argonne Libratory. I continue to receive rental inquires from incoming interns employed at Argonne. Very likely, these affordable studios will help the young worker to move out of the parent's house and seek independent living.

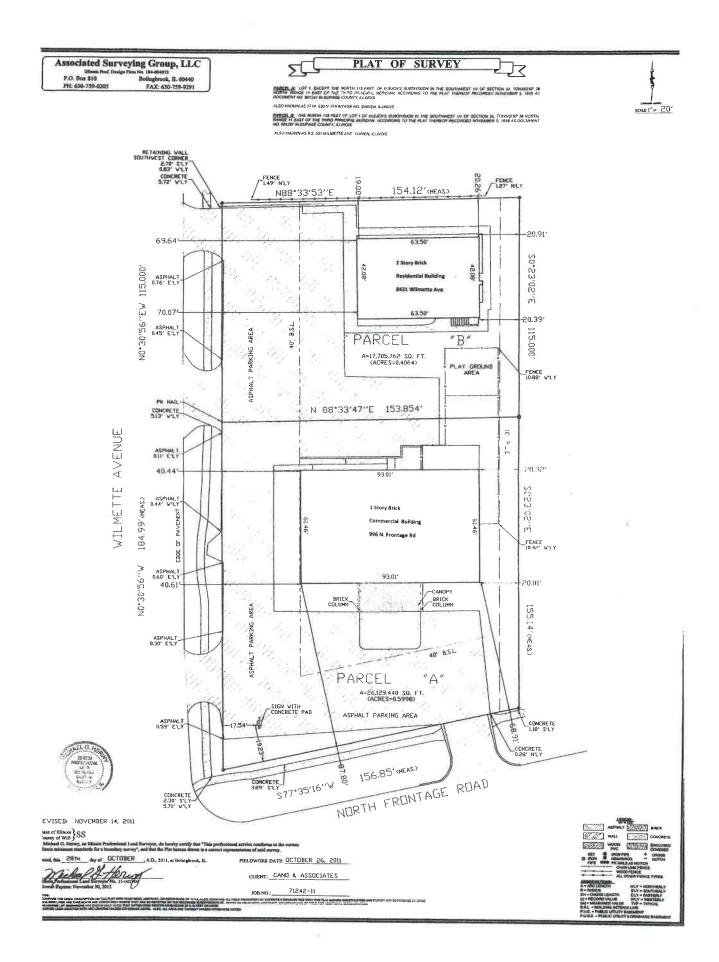
Accordingly, this conversion, of granting the variation—as requested together with the approval of \supset units from 5 to \supset units, will substantially maintain the same compatibility and remain in harmony with the general purpose and intent of the City of Darien Zoning and Land Use objectives.

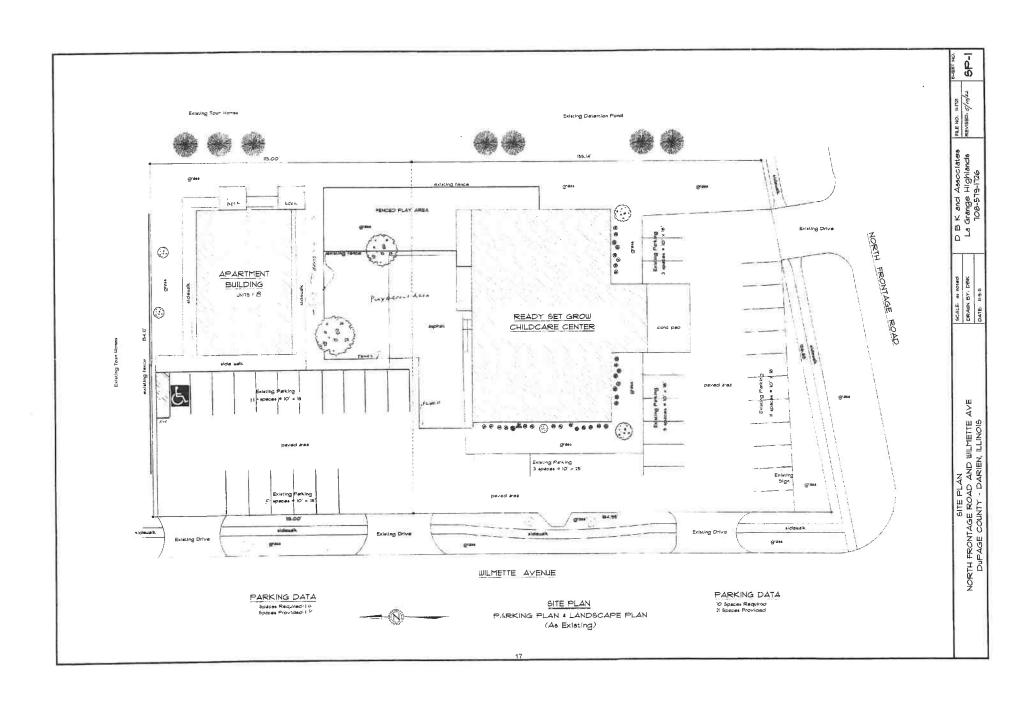
Your approval will be appreciated.

Arthur A. Cano, petitioner

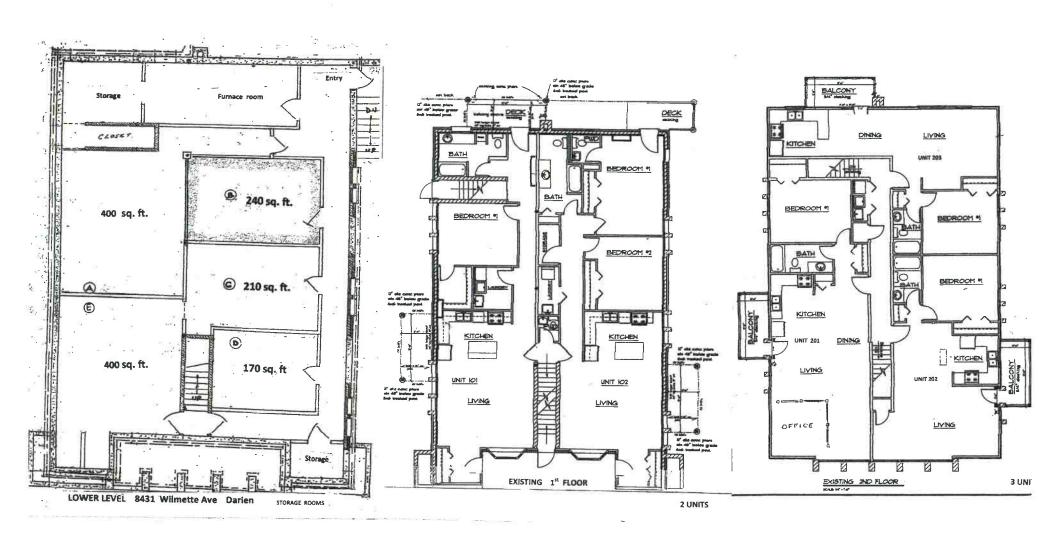
(Achtel). (1/20)

7/21/22

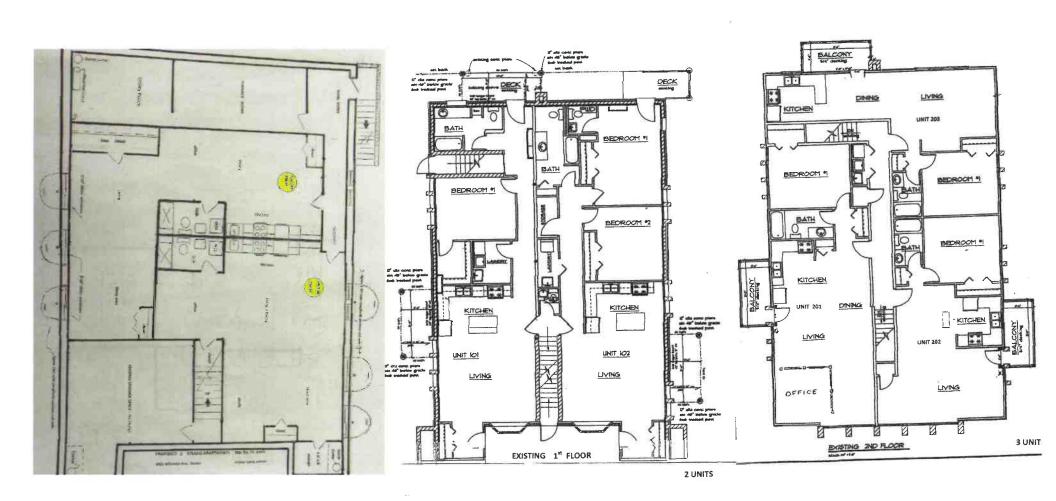


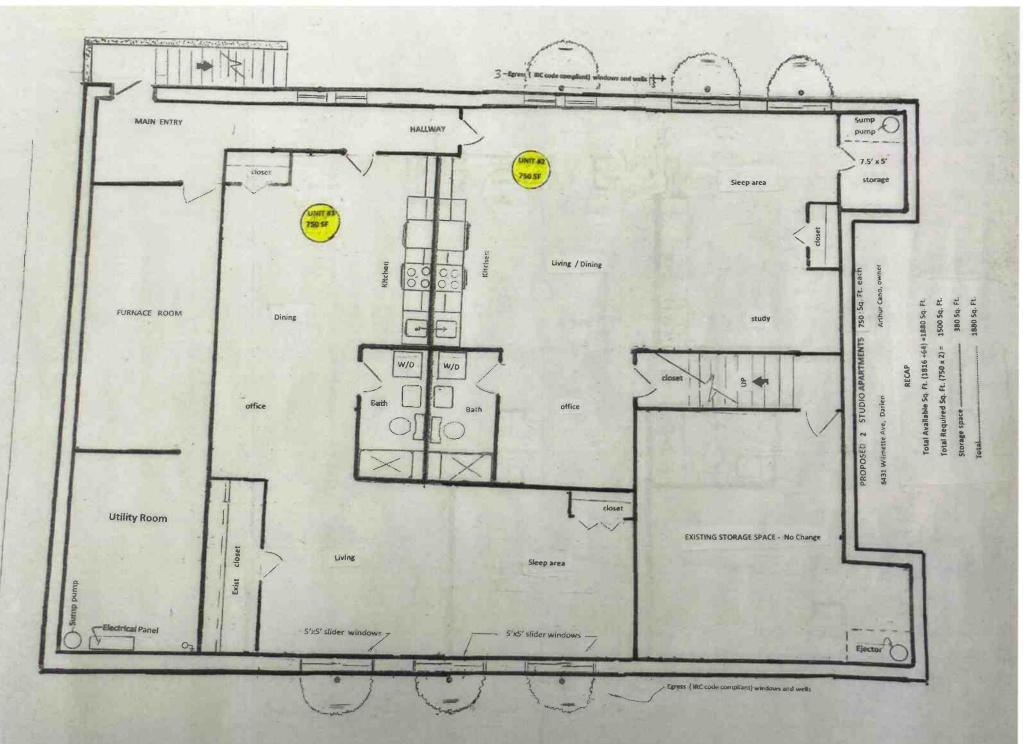


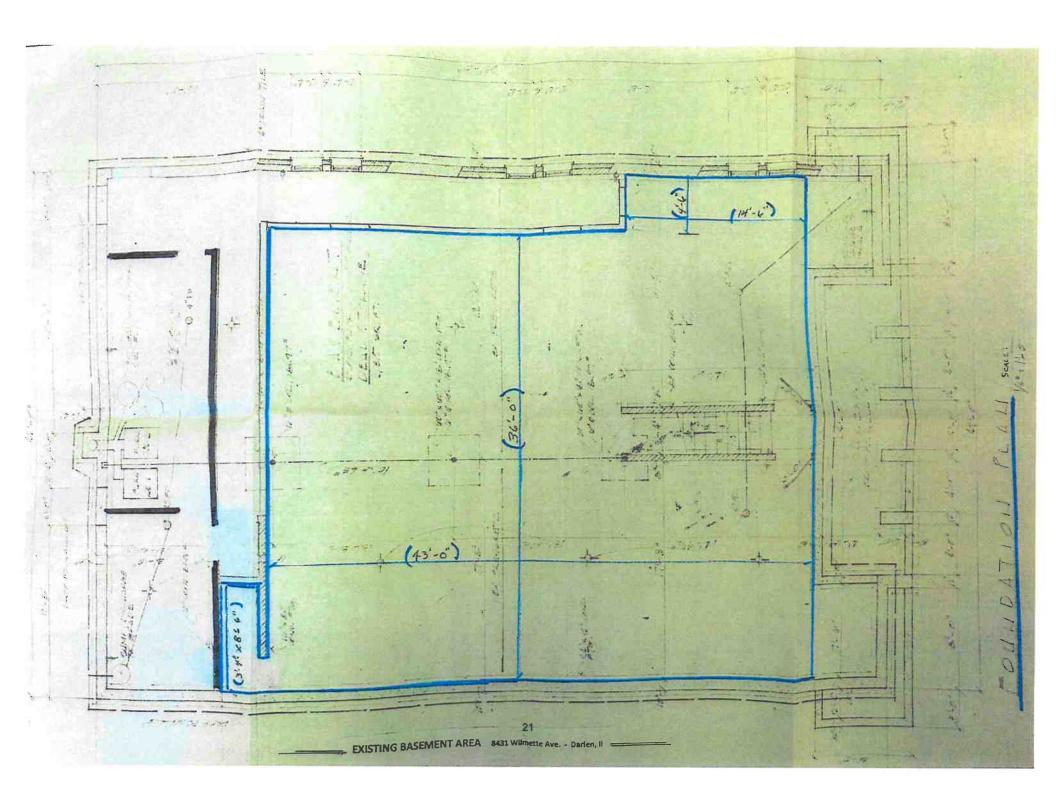
ATTACHMENT 4: FLOOR PLAN



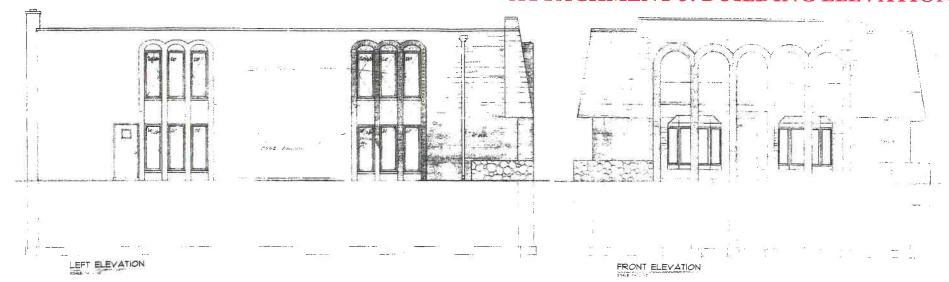
AS EXISTING



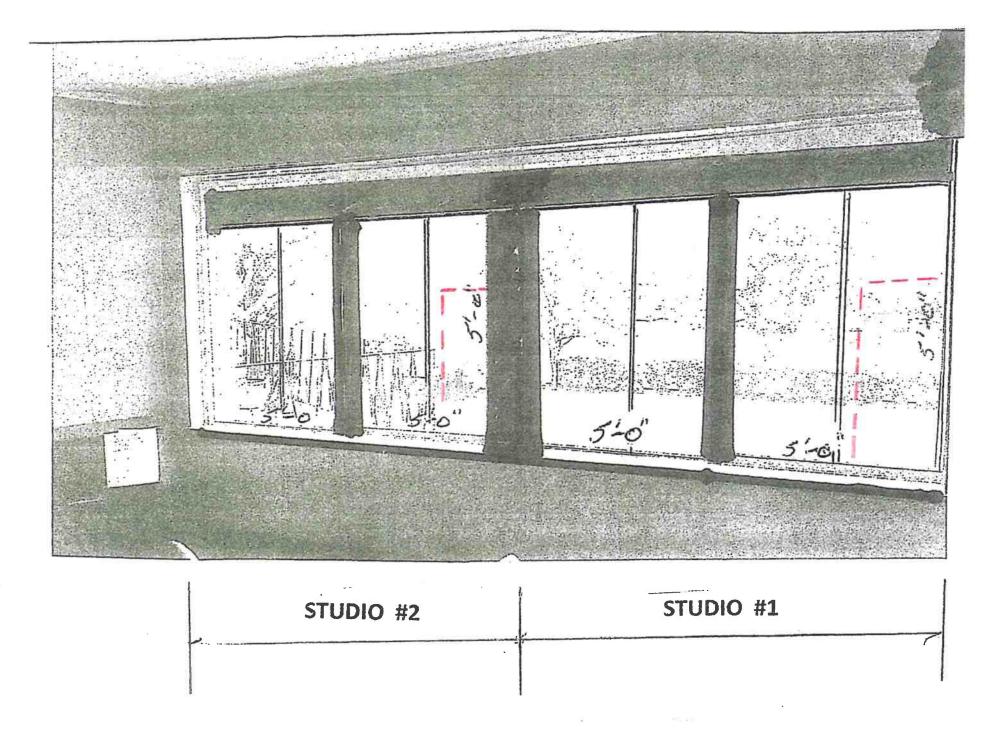




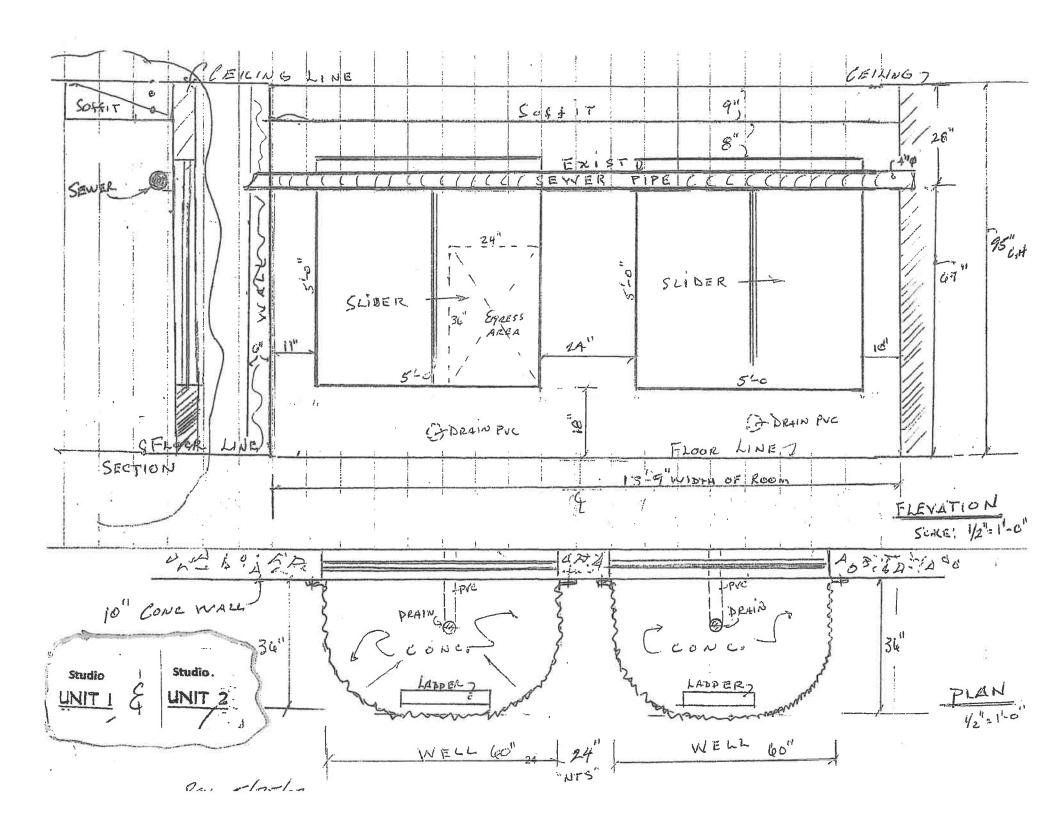
ATTACHMENT 5: BUILDING ELEVATION







TYPICAL PHOTO IMÂGE SLIDER WINDOWS



ATTACHMENT 6: EGRESS SLIDER WINDOW SUPPLEMENTALS

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It's the Law - Egress Window Requirements

The IRC 2021 or International Residential Code pertains to all single and two family homes.

The intent of the code is to keep you and your loved one safe by requiring a means of egress in basement level living spaces. The reason for needing a means of egress are twofold; to allow for an exit in case of an emergency, and to provide access for a firefighler to gain entrance. You will find that each product on this site clearly states whether it complies with the egress window requirements.

The code gets updated every three years. Check with your local building department to determine what version of this code is being enforced in your area at this time.

Here is an overview of section R310 of the code that are applicable to Egress Windows:

Egress windows (or doors) are required in every habitable space. Especially in any room used for sleeping purposes, it will require its own egress window. Remodeler: if you have an existing home and you add a sleeping room, or finish a separate living space in the basement, the code requires that you install an egress window to serve these spaces. Without a means of egress, these rooms can represent a dangerous fire trap if you do not have a quick and easy to operate emergency egress escape window. If you have a basement that has a bedroom, recreation room, den, family room, media room, office, or home gym. All of these rooms are required to have a means of egress.

Basement Egress Window Requirements

The bottom of the egress window opening can't exceed 44" from the finished floor.

The minimum opening area of the egress window is 5.7 square feet.

The minimum egress window opening height is 24" high.

The minimum earess window opening is 20" wide

The egress window must have a glass area of not less than 8% of the total floor area of room(s) for which it is servicing, to allow the minimum amount of sufficient natural light.

The egress window must have a opening area of not less than 4% of the total floor area of room(s) for which it is servicing, to allow the minimum amount of natural ventilation.

Multiple windows can be used to service a single area where one window does not meet these percentages of total floor area. As long as the totaled amounts from this combination of windows meet or exceed the 8% for natural light and 4% for natural ventilation.

Egress window wells are required where the bottom of the egress window is below ground level. The egress well must not interfere with the egress window fully opening.

The distance from the egress window to the back of the Egress well must be at least 36"

The minimum area of the egress well must be 9 square feet. (width x projection)

Egress Ladders and/or Steps

Egress ladders and or steps are required on window wells deeper than 44" and must be permanently attached.

An egress ladder or step may encroach into well up to 6".

Steps and/or distance between rungs of the ladder can't exceed 18".

The rungs of an egress ladder must be 12" wide or greater and must project a minimum of 3" away from the back wall, but can't exceed 6" from the back of the wall.

Egress Well Cover and/or Well Grates

Shall be easily opened or removed from the inside of the egress well without special tools.

These requirements are intended to make sure an average, able bodied person, would be able to both fit through and lift themselves up, and out the window. Please keep in mind whom may be using the living space in your basement and adjust these requirements as you feel necessary. The law only dictates the minimum required by law and may not be what best suits your needs. Use your common sense when picking the egress window size and egress window well size that you feel is right for you and your family. Keep safety in mind.

See your local building inspector with questions regarding code requirements in your area. You are responsible for abiding by all applicable building codes in your area.

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Well & Cover Combo

Window Wells

Egress Windows

Well Covers & Grates

Basement Windows

Accessories

Non-Egress Window Wells

Home » Egress Windows

Basement Egress Windows

Basement Egress Windows are large enough for the average person to use as an exit in case of an emergency, providing your family with peace of mind while satisfying home fire safety regulations and building codes. The most common basement egress window are slider windows which come in sizes of 48" - 72" wide x 48" high. With the 48" wide x 48" high being the most popular and which come in most of the windows which come in sizes of 46° 1/2′ wide x 46° high. With the 46° wide x 46° high being the most popular and window come in sizes of 46° 1/2′ wide x 46° high. With the 46° wide x 46° high being the most popular and window come in the come and the c larger height of the new egress window.

Window Benefits:

- Provide an easy exit
- · Meet or exceed the code requirements
- Have screens for bug protection
 Are double paned for a better insulation
- · Allow natural light into your dark basement

Newsletter Signup

Enter email address

* Type image characters:

In-Swing Casement Windows are large enough to meet the code for egress, yet swing out of the way for an unobstructed exit. Acrylic Glass Black In-Swing Windows are the perfect choice if privacy is a concern. The Slider window version is best when you want the most light and larger view area.

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12 24 36 48 Per Page

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Easy Egress Vinyl Window

Price: \$615.00-\$1,180.00

me Goldelle



Single Hung In-Swing **Escape Window**

Price: \$905.00-\$960.00

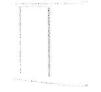
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European Tilt & Turn Window

Price: \$905.00-\$960.00

more samilis...



PVC V300 Low-E Slider Window

Price: \$746.00-\$1,125.00 more detalle





Acrylic Block In-**Swing Window** Price: \$1,060.00-\$1,265.00

more details



Easy Egress Window Frame Buck - Heavy

Price: \$260.00-\$345.00 more details



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Window Wells

Window wells are required by current building codes for finished basements to provide a safe means of egress, and they are an important part of turning a basement into a livable space. They turn an otherwise dark and drab basement into a welcoming place to enjoy with your family. There is a wide verity of sizes available for the Egress Window Wells. They start with widths from 42" wide all the way up to 80" wide. The projection, the distance from the foundation out to the furthest point of the well on the inside, start at 36" and go up to 49". 36" projection is the minimum required by code. The heights of the egress window wells range from 36" high to 96" high.

Window Wells:

- · Provide an additional exit in case of a fire or other emergency
- · Are a great source for natural light for basement renovations
- · Improve ventilation and air circulation

Basement window wells must comply with very specific requirements in Section R310 of the International Building Code. All of the wells offered here adhere to those requirements. You will have peace of mind knowing that your family can escape from your basement quickly and safely.

Many of the wells offered are one-piece units and require no assembly. The rest are designed for easy assembly. All resist UV light, water, frost, extreme temperatures and are maintenance free. Any are ideal for both new construction and remodeling projects.

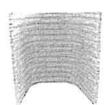
Beyond their practical function, the wells also add a little style. Both the Bilco ScapeWEL and Monarch Garden View Wells have terraced steps to provide garden planting beds for you to enjoy for years to come. With varying styles in several neutral colors, you'll be able to find a well that suits your home's décor.

Sort

\$-\$\$\$\$

Y

12 24 36 48 Per Page



Easy Egress Well -Stacked Stone Price: \$603.00-\$1,443.00

no calculation



Easy Egress Well - White

Price: \$516.00-\$1,254.00



StoneWall Egress

Price: \$412.00-\$912.00

more delalis...



Modular Egress Well 5600

Price: \$210.00

more equilibries



Elite Egress Well - Tan Price: \$1,070.00-\$2,088.00

me te de Valle.



Elite Egress Well -Gray Price: \$1,070.00-

Price: \$1,070.00-\$2,088.00



DuraWell Egress Well - Sandstone

Price: \$1,195.00-\$1,395.00

more eclebis...



DuraWell Egress Well - Slate

Price: \$1,195.00-\$1,395.00

mete fabilis

Opening Specifications

Signature Slider (8401)

Call Size	Sq. Ft. Clear	Clear		Sq. Ft. Daylight	Sq. Ft. Vent	Floor to Bottom of Clear	Sq. Ft. Overall Unit Area ^b	
3126	Opening	Width	Height	Opening		Opening ^a	Olini Adde	
020	1.847	14.006	18.985	3,156	1.847	61,221	5.793	
026	2.430	14.006	24.985	4.312	2,430	55.221	7,273	
030	3.014	14.006	30.985	5.468	3.014	49.221	8.752	
036	3.597	14.006	36.985	6.624	3,597	43.221	10.231	
040	4.181	14.006	42.985	7.781	4,181	37,221	11.710	
046	4.570	14.006	46.985	8.552	4.570	33.221	12.696	
050	5.348	14,006	54.985	10.093	5.348	25.221	14.668	
056	5.932	14.006	60.985	11.249	5.932	43.221	16.148	
060	6.515	14,006	66,985	12.406	6.515	37.221	17.627	
020	2.638	20,006	18.985	4.520	2.638	61.221	7.752	
026	3,471	20.006	24.985	6.177	3,471	55.221	9.731	
030	4.305	20.006	30.985	7.833	4.305	49.221	11.710	
036	5.138	20.006	36.985	9.489	5.138	43.221	13.689	
040	5.972	20.006	42.985	11.145	5.972	37.221	15.668	
046	6.528	20.006	46.985	12.249	6.528	33.221	16.988	
050	7.639	20.006	54.985	14.458	7.639	25,221	19.627	
056	8.473	20.006	60.985	16.114	8.473	43.221	21,606	
060	9.306	20.006	66.985	17.770	9.306	37.221	23.585	
020	3,429	26,006	18.985	5.885	3.429	61.221	9.710	
026	4.512	26.006	24.985	8.041	4.512	55.221	12.189	
030	5.596	26.006	30.985	10.197	5.596	49.221	14.668	
036	6.679	26.006	36,985	12.354	6.679	43.221	17,148	
040	7.763	26.006	42.985 ¢	14.510	7.763	37.221	19,627	
046	8,485	26.006	+46.985	15.947	8.485	33.221	21.280	
050	9.930	26,006	54.985	18.822 . >	9.930	25.221	24.585	
056	11.014	26,006	60.985	20.979	11.014	43,221	27.064	
050	12,097	26,006	68.985	23.135	12.097	37.221	29.543	
6020	4.220	32.006	18.985	7.250	4.220	61,221	11,668	
026	5.553	32.008	24.985	9.906	5.553	55.221	14.648	
030°	6.887	32.006	30.985	12.562	6.887	49.221	17.627	
036	8.220	32.006	36.985	15.218	8,220	43.221	20.606	
6040	9.554	32.006	42.985	17.875	9,554	37.221	23.585	
046	10.443	32,006	46.985	19.645	10.443	33.221	25.571	
5050	12.221	32.006	54.985	23.187	12,221	25.221	29.543	
3056	13.555	32.006	60.985	25.843	13.555	43,221	32.523	
3060	14.888	32.006	66,985	28.500	14.888	37.221	35.502	
036	5.472	21.307	36,985	12,346	5.472	43.221	24.064	
7040	6.360	21.307	42.985	12.346	6.360	37.221	27.543	
7046	6.952	21.307	46,985	12.346	6.952	33,221	29.863	
7050	8.136	21,307	54.985	12.346	8.136	25.221	34.502	
7056	9.023	21.307	60.985	12.346	9.023	19.221	37.981	
7060	9.911	21.307	66.985	12.346	9.911	13.221	41,460	
3036	6,500	25.307	36.985	16.737	6.500	43.221	27.523	
3040	7.554	25,307	42.985	16.737	7.554	37.221	31.502	
3046	8.257	25.307	46,985	16.737	8.257	33,221	34.155	
3050	9.663	25.307	54.985	16.737	9,663	25.221	39.460	
3056	10.717	25.307	60.985	16.737	10.717	43.221	43.439 •	
3060	11.772	25.307	66.985	16.737	11.772	37.221	47.418	
7036	4.983	19,401	36.985	9.129	4.983	43.221	24.064	
7040	5.791	19.401	42.985	9.129	5.791	37.221	27.543	
046	6.330	19.401	46.985	9.129	6.330	33.221	29,863	
7050	7.408	19.401	54.985	9.129	7.408	25.221	34.502	
7056	8.216	19.401	60.985	9,129	8.216	19.221	37.981	
7060	9.025	19.401	66,985	9.129	9,025	13.221	41.460	
3036	5.753	22.401	36.985	12.401	5.753	43.221	27.523	
3040	6.687	22.401	42.985	12.401	6.687	37.221	31.502	
8046	7.309	22.401	46.985	12.401	7.309	33.221	34.155	
8050	8.554	22.401	54.985	12.401	8.554	25.221	39.460	
8056	9.487	22.401	60.985	12.401	9,487	43.221	43.439	
8060	10.420	22.401	66.985	12.401	10.420	37.221	47.418	

WEATHER SHIELD.

WINDOWS & DOORS

Shaded sizes meet or exceed egress opening requirements per 2006 IBC (International Building Code) minimum dimensions of 20" clear opening width, 24" clear opening height, 5.7 sq. ft. clear opening and floor to bottom of clear opening not to exceed 44".

^a Floor to bottom of clear opening dimensions are based on 82" header height.

All units over 66 height are based off 106" header height for floor to clear opening dimension

^b Sq. Ft. Overall Unit Area is calculated on the jamb dimension.

23.135 × 2= 46.27

These windows meet or exceed emergency escape and rescue opening requirements if installed lower in the wall so the "Floor to Bottom of Clear Opening Height" does not exceed 44".

Weather Shield®

Slider Windows

Signature Series™

Elevation Details

		mension	2'-11 1/2"	3'-11 1/2"	4'-11 1/2"	5'-11 1/2"
		h Opening	3'-0"	4'-0"	5'-0"	6'-0"
	N	etric R.O. (mm)	914	1219	1524	1829
- 1	1	Glass Size	14 7/8"	20 7/8"	26 7/8"	32 7/8"
4		B				
2,-0,2	610	17 5/16"				
- 1			3020	4020	5020	6020
2/10/1/2	762	23 5/16"				
1	ı	"	3026	4026	5026	6028
٤.	4	16.				
3/1 11-2	914	29 5/16"				
		1	3030	4030	5030	6030
3,5	1067	35 5/16"				
1			3036	4036	5036	6036
3/1 1/2	1219	415/16"			L	
1			3040	4040	5040	6040
4-5 1/2	1372	47 5/16"				
1			3046	4046	5046	6046
	1524	53 5/16"				
		11	3050	4050	5050	6050
5-5 1/2"	1676	59 5/16"				
١		1 1	3056	4056	5056	6056
5'-11 1/2"	1820	91/S 59				

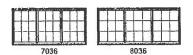
5060

6060

Ja	mb	Din	ner	nsion	6'-11 1/2"	7'-11 1/2"
	R			pening	7'-0"	8'-0*
		M		c R.O. (mm)	2134	2438
	П		Er	nd Glass Size	18 31/32"	21 31/32"
				Center Glass 5	Size 37 31/32"	43 31/32"
3'-5 1/2"	3-6"	1067	35 5/16"		7036	8036
					7000	1 1 8 1 1 8 1 1
3-11 1/2"	4,-0"	1219	41 5/16"			
				`	7040	8040
4'-5 1/2"	46"	1372	47 5/16"			
					7046	8046
4'-11 1/2"	2,-0.	1524	53 5/16"			8050
					7050	8050
5'-5 1/2"	2,-6	1676	59 5/16"			
				'	7056	8056
5-11 1/2"	.0-,9	1829	65 5/16"			
	1			1	7060	8060
					7060	8000

Slider Windows - Triple Slide 1/4-1/2-1/4 (8401)

Optional Triple Slider 1/3-1/3-1/3 Configurations
Available for these widths, and all heights.



Shaded units meet or exceed egress opening requirements per 2015 IBC (International Building Code) minimum dimensions of 20" [508mm] clear opening width, 24" [610mm] clear opening height, 5.7 sq. ft. [5295cm²] clear opening and floor to bottom of clear opening not to exceed 44" [1118mm] in height.

Verify local or state egress opening sizes with your local building inspector.

Floor to bottom of clear opening dimensions are based on 82" [2083mm] jamb height of Weather Shield French doors and center hinged French doors.

See Opening Specification chart for reference.

Re: 8431 Wilmette Ave., Darien

From: chris@midwestwaterproofing.com (chris@midwestwaterproofing.com)

To: artcano@ameritech.net

Date: Thursday, August 18, 2022, 01:25 PM CDT

Yes they will absolutely be IRC code compliant for means of egress... I'll be able to highlight all of that information in the drawings so there shouldn't be any question about that.

Thank you,

Chris Steponaitis

Owner

60 W. Terra Cotta Ave, Ste B #220

Crystal Lake, IL 60014 Office: 815.245.6890 Mobile: 708.341.1109

www.midwestwaterproofing.com

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FW: Window requirement

From: Mary Belmonte (mbelmonte@darienil.gov)

artcano@ameritech.net

Date: Monday, March 22, 2021, 11:35 AM CDT

MIOWEST WATER PROOFING CRYSTAL LAKE, IL

243-Actual
EGRES
5.7 SF FIRE ESI
8º/o HIGHT
4º/o Air

From: Don Morris <donmorrisarchitects@hotmail.com>

Sent: Monday, March 22, 2021 11:32 AM

To: Mary Belmonte <mbelmonte@darienil.gov>

Subject: Re: Window requirement

Mary,

Plans are required by a licensed Illinois Architect and the minimum egress window well shall be 36" x 36" with a window 44" max for the sill height, 24" x 20" min., and 5 s.f min. of clear opening (section 310.2.1-310.2.3)

Jason Noe Don Morris Architects, P.C. 616 Executive Drive Willowbrook, IL 60527 PH 630-920-8175

From: Mary Belmonte <mbelmonte@darienil.gov>

Sent: Monday, March 22, 2021 10:13 AM

To: Don Morris (donmorrisarchitects@hotmail.com) <donmorrisarchitects@hotmail.com>

Subject: FW: Window requirement

From: ARTHUR CANO < artcano@ameritech.net >

Sent: Friday, March 19, 2021 2:28 PM

To: Mary Belmonte <mbelmonte@darienil.gov>

Subject: Window requirement

To: Mary Belmonte: Darien Development Asst. Coordinator

From: Arthur A. Cano. Darien resident

Location: Lower level. 8431 Wilmette Ave., Darien, Il

Re: Window Size

Mary: This reference my visit to City Hall, this morning, 3/19/21, inquiring about window code requirement. As you suggested, I should sent you my inquiry which is as follows:

I am in the feasibility stage to remodel space in the lower level basement to: four open studio apartments, approx 375 sq.ft. (17x21) . I propose to install a window well egress window measured at 35" x45" for each unit.

Will this size meet the window code requirement for a 375 sf open studio? This open layout will not have a partitioned off bedroom. You referred me to IRC 2015 which I believe does not refer to open area living space.

Thank you for your help. Incidentally, I sincerely apologize if my attitude appeared to incite a quarrel. I have been a Darien resident for more than 50 years and I sincerely appreciate you City Hall employees.

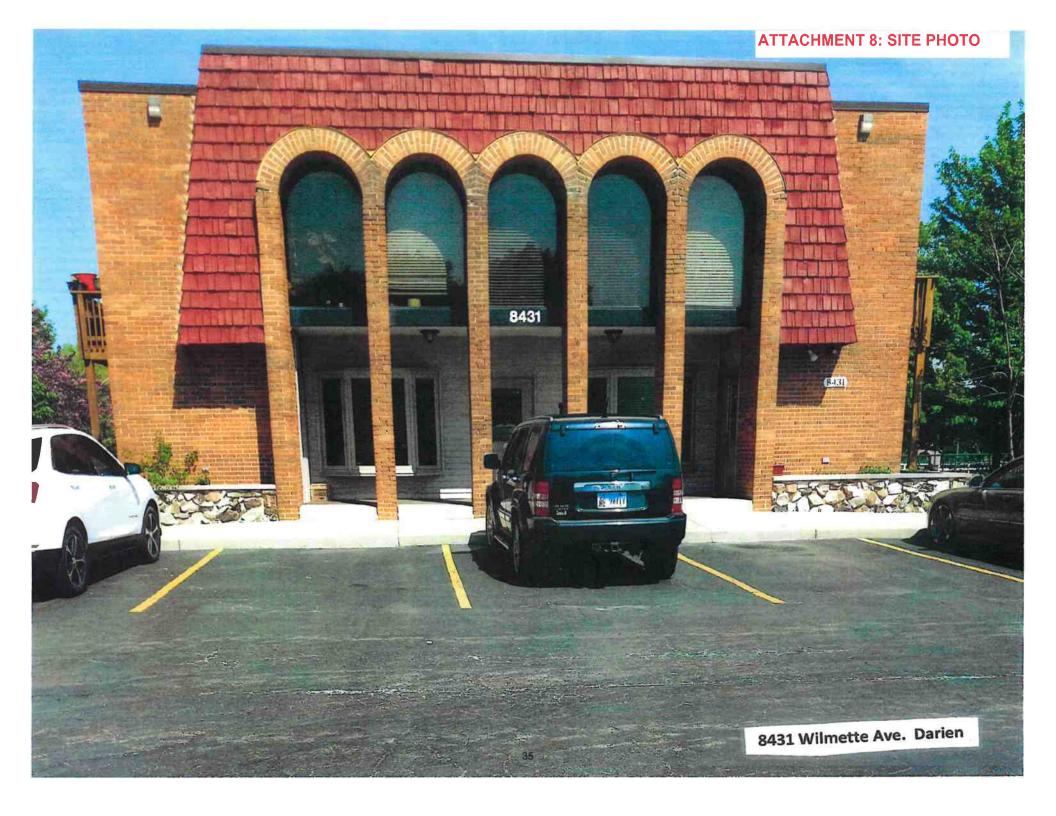
I await your early reply.

Arthur A. Cano, owner. 630-747-6070

ATTACHMENT 7: LOCATION MAP & AERIAL IMAGE







AGENDA MEMO PLANNING AND ZONING COMMISSION NOVEMBER 16, 2022

CASE

PZC2022-06 Special Use Amendment & Variation

Joe Fontana (Fry the Coop) – 2019 75TH Street

ISSUE STATEMENT

Petitioner Joe Fontana (Fry the Coop) seeks approval for an amendment to a special use and variation request from Section 4-3-10(B)(2) of the Sign Code. The petition specifically requests to allow for outdoor seating/dining and wall signage on a second building front for a new eating establishment.

GENERAL INFORMATION

Petitioner/Owner: Joe Fontana (Fry the Coop)

Property Location: 2019 75TH Street PIN Number: 09-29-409-021

Existing Zoning: Community Shopping Center Business District (B-2)

Existing Land Use: Eating Establishment

Comprehensive Plan: Commercial (Existing); Commercial (Future)

Surrounding Zoning & Uses

North: General Services/Highway Business (B-3); Shopping

Center (Downers Grove)

East: Community Shopping Center Business District (B-2); Bank South: Single Family Residence District (R-2); Single Family West: General Business District (B-3); Shopping Center

History: The property was developed in 2005 per Ordinance No. O-

20-05, and it was developed in unison with the parcel to the

east as part of a Planned Unit Development (PUD).

Size of Property: 1.91+/- Acres

Floodplain: N/A
Natural Features: N/A

Transportation: The petition site has two access points from 75TH Street.

One access drive serves the site individually while the second access point is a shared drive with the bank (First

American) to the east.

MEMO ATTACHMENTS

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN & FLOOR PLAN
- 4) SIGN PROGRAM
- 5) LOCATION MAP & AERIAL IMAGE

PLANNING OVERVIEW/DISCUSSION

The subject property is located on the south side of 75TH Street, just west of Fairview Avenue. The site is situated between commercial properties to the east and west, while single-family homes are to the south. The existing building was formerly a Steak 'n Shake restaurant with a drive-through, but the site has been vacant for a few years now.

The petitioner is opening a new restaurant (Fry the Coop) by repurposing the building and has requested an amendment to the original *special use* ordinance (2005) that authorized Steak 'n Shake but restricted outdoor seating/dining. The original ordinance also restricted wall signs on any building front that does not face 75TH Street. At this time, the petitioner is proposing an outdoor seating/dining area and a wall sign on the west side of the building (facing Home Depot), thus requiring an amendment to the original *special use*. With the amendment request, the petitioner must also receive a variance from the City's Sign Code to allow a wall sign on a second building front that is a non-street front.

Based on the application submittals, the outdoor seating/dining area is proposed off the far northwest side of the building (see site plan and floor plan attached). If implemented the outdoor area would extend from the existing building's northwest side to the sidewalk that currently wraps around the building. The subject wall sign is depicted per the sign program attached to this memo. (NOTE: The only sign under consideration is Sign 2 on Sheet 2 of the attached sign program.)

Site Plan Review & Findings of Fact

City staff has reviewed the petitioner submitted documents and staff does not have any review comments. The project meets all applicable standards outside of the requested variation.

The petitioner submitted *Findings of Fact* that would support the application request. Those findings are attached to this memo under the Justification Narrative. Included below is the criteria for approving a special use and the criteria for a sign variation.

Special Use Criteria:

No special use shall be recommended to the City Council by the Plan Commission, nor approved by the City Council, unless findings of fact have been made on those of the following factors which relate to the special use being sought:

- 1. That the special use is deemed necessary for the public convenience at the location specified.
- 2. That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.
- 3. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- 4. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 5. That the exterior architectural design, landscape treatment, and functional plan of any

proposed structure will not be at variation with either the exterior architectural design, landscape treatment, and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

- 6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
- 7. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 8. That the special use shall, in all 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 by the City Council pursuant to the recommendations of the Plan Commission and Planning and Development Committee.

<u>Per Section 4-3-18 of the Sign Code, the Planning and Zoning Commission shall consider the following in reviewing a sign variation:</u>

- 1. The available locations for adequate signage on the property.
- 2. The effect of the proposed sign on pedestrian and motor traffic.
- 3. The cost to the applicant in complying with the Sign Code as opposed to the detriment, if any, to the public from granting the variation.
- 4. If undue hardships and practical difficulties result in complying with the Sign Code and if these hardships are a result of previous actions of the applicant.
- 5. The general intent of the Sign Code (see below).

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on November 16, 2022.

MEETING SCHEDULE

Planning and Zoning Commission Municipal Services Committee City Council November 16, 2022 November 28, 2022 December 5, 2022



ZONING APPLICATION

CITY OF DARIEN
1702 Plainfield Road, Darien, IL 60561
www.darienil.us 630-852-5000

CONTACT INFORMATION	
Fry the Coop Darien, LLC Applicant's Name	Joseph Fontana Owner's Name
2019 75th Street Darie IL 60561 Address, City, State, Zip Code	624 Independence Ak Westman, IL 60559 Address, City, State, Zip Code
(630-508-5962) Telephone	630 - 508 - 5962 Telephone
Email Joe & fry the coop. com	Joecfry He coup. com
PROPERTY INFORMATION	
2019 75th St. Davien, IL 60561 Property address	09-29-409-021 PIN Number(s)
B-2	Restaurant
Zoning District	Current Land Use(s)
(Attach additional information per the Submittal Checklist.)	the City Planner for guidance.) New restaurant in
REQUEST	Chilly Oev
Brief description of the zoning approval requested. (Contact to	the City Planner for guidance.)
Special Use Amendment tor	new restaurant in
addition to signage varia	tion Ox JZ
As Notary Public, in and for DuPage County in Illinois, I do hereby certhat Soph Fontance is personally known by me to be the same person whose name is subscribed above and happeared before me this day in person and acknowledged that they signed this document as their own free and voluntary act, for the purposes therein set forth.	Date Received: 09/09/2022 Case Number: PZC2092-06
Given under my hand and seal, this 13 day of Octo ber 20	22
Notary Public M. Hashansey	OFFICIAL SEAL DOROTHY M HATHAWAY NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:05/17/24

ATTACHMENT 2: JUSTIFICATION NARRATIVE



January 25th, 2022

City of Darien 1702 Plainfield Road Darien, Illinois 60561 Phone: 630-852-5000 Email: jyanke@darien.il.gov

RE: Jordan Yanke

Dear Jordan,

Please accept this letter as a formal letter of intent to convert 2019 75th St, Darien, IL 60561 from an existing Steak and Shake restaurant into a Fry the Coop restaurant.

Fry the Coop is a Nashville Hot Chicken restaurant in the Chicagoland area. We are in the process of purchasing the building at 2019 75th St, Darien, IL 6056. Our intention is to reuse the 2nd generation restaurant to reopen a similar freestanding drive-thru Fry the Coop restaurant. Since the building is an existing restaurant, we plan to reuse as much of the existing layout and utilities as much as possible.

After working with the City, we **believe** the best course of action is to apply to amend the **existing** Special Use Permit Ordinance No. 0 - 20 -05.

The general character of the property will not be adversely altered. We believe the overall value of the property will be improved while adding value to the neighborhood as a great restaurant in town. The variation request is needed for the upcoming restaurant and business. The variation will not impair light nor air in any adjacent property and we are hoping the changes will improve any possible future congestion on the public streets by providing adequate signage and there will be no danger of fire nor any endangerment of public safety. Also, the proposed variation will not alter the essential character of the neighborhood as we are mostly the majority of the existing building.

The variation request is necessary for the public convenience of the specified location. The business maintenance and operations of the special use will not be a detriment nor endanger the public health, safety, or the general welfare of the community. This special use will not be injurious to the use and enjoyment of the other property in the immediate vicinity for the current restaurant purposes already permitted nor the new business will not diminish nor impair property values within the neighborhood. The establishment of the special use will not impede

the normal and orderly development and improvement of the surrounding properties permitted in the district. We feel strongly that these variations and building upgrades will improve the value of the neighborhood and our neighbors and will not cause any depreciation in the property values. The Adequest utilities, access roads, drainage, and all necessary facilities are existing and will be utilized appropriately and to code. Adequate measures will be taken with the current ingress and egress to improve any future traffic congestion in the public streets. Also the special use shall in all other respects, conform to the applicable regulation of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendation of the planning and Zoning Commission and the Planning and Development Committee.

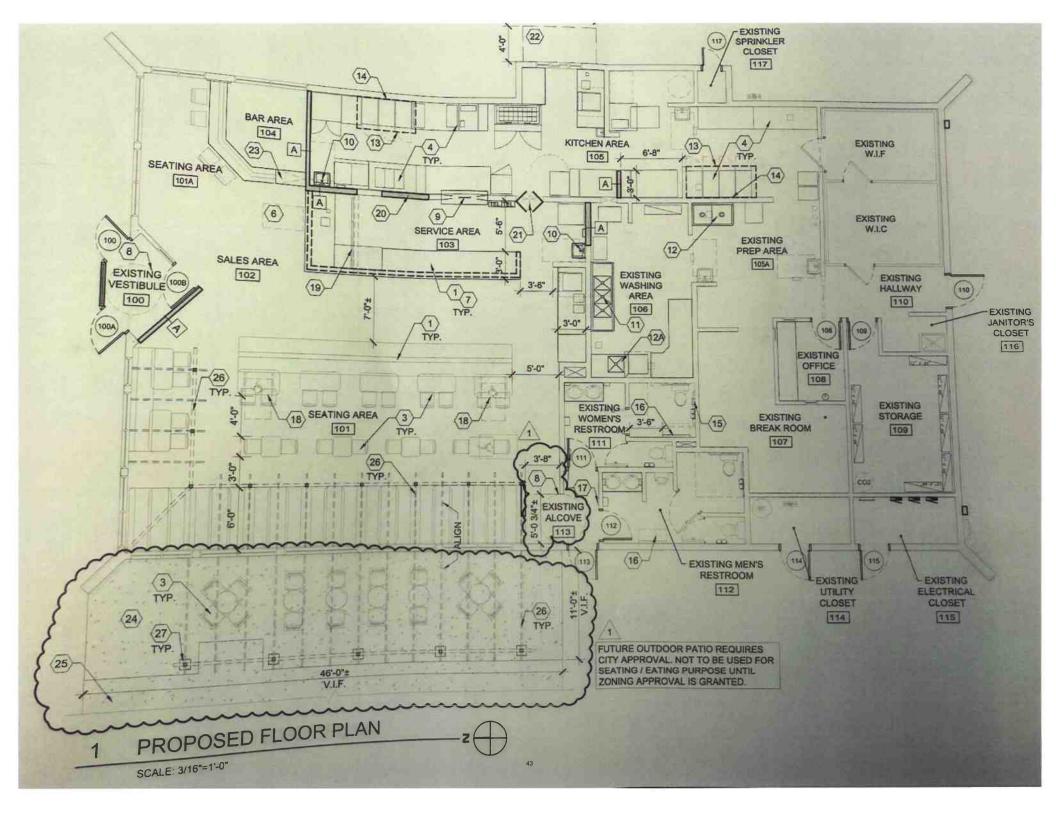
At Fry the Coop, we are very community focused. We promise to work really hard to earn our place in the community with the goal of one day becoming a staple for the neighborhood. We take our responsibility to bring happiness very seriously and we will work tirelessly to bring value to the City of Darien.

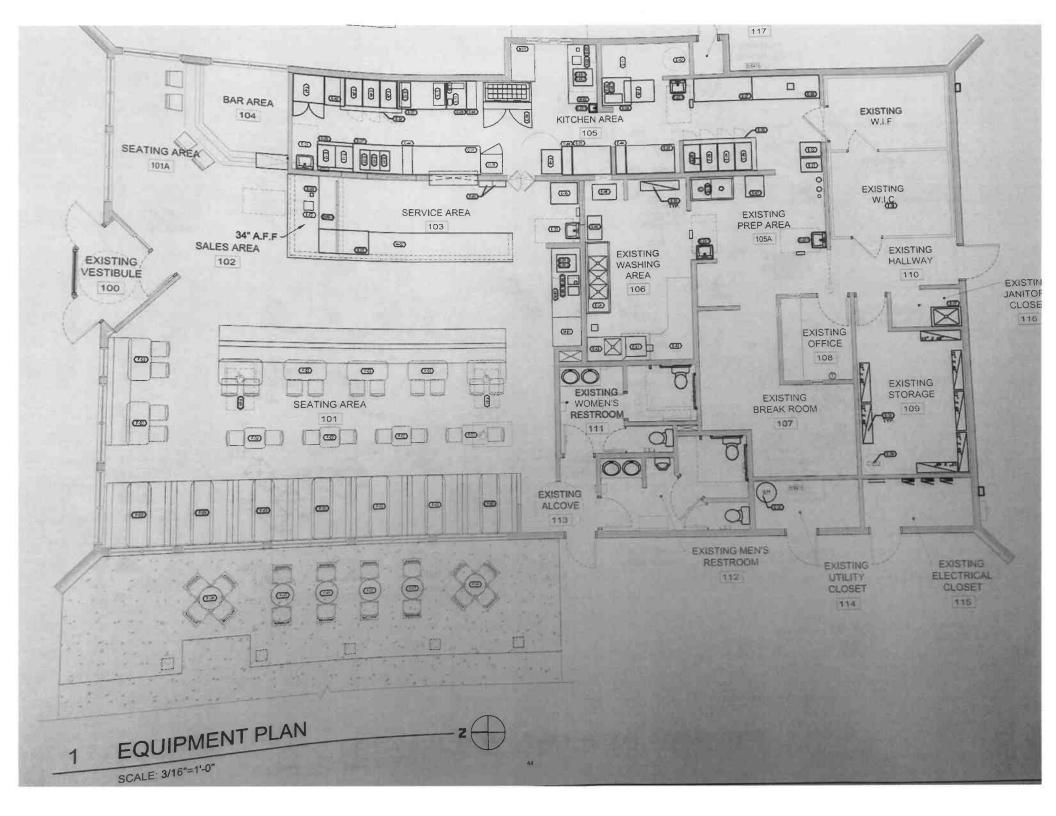
Attached you will find our Zoning Application and Plat of Survey. To follow, updated copies of the blue prints, Letter to the Neighbors, and public notice sign posting.

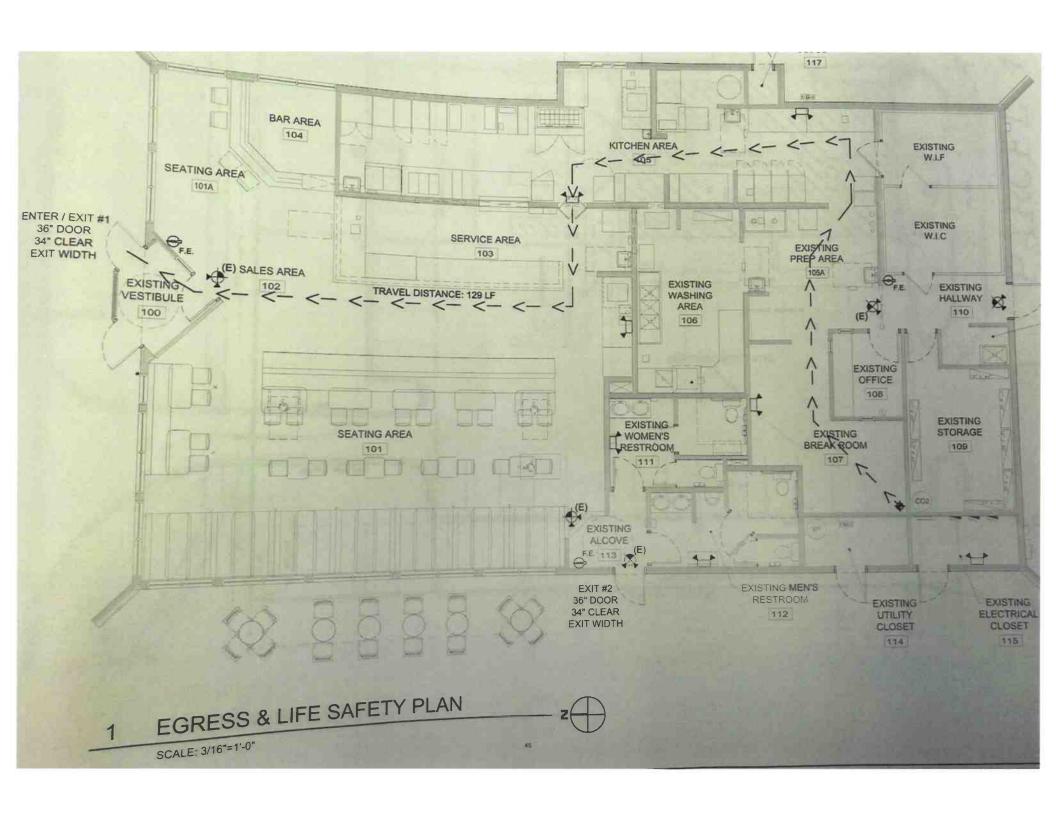
Thank you in advance and please feel free to reach out with any questions.

Cordially, Joseph Fontana

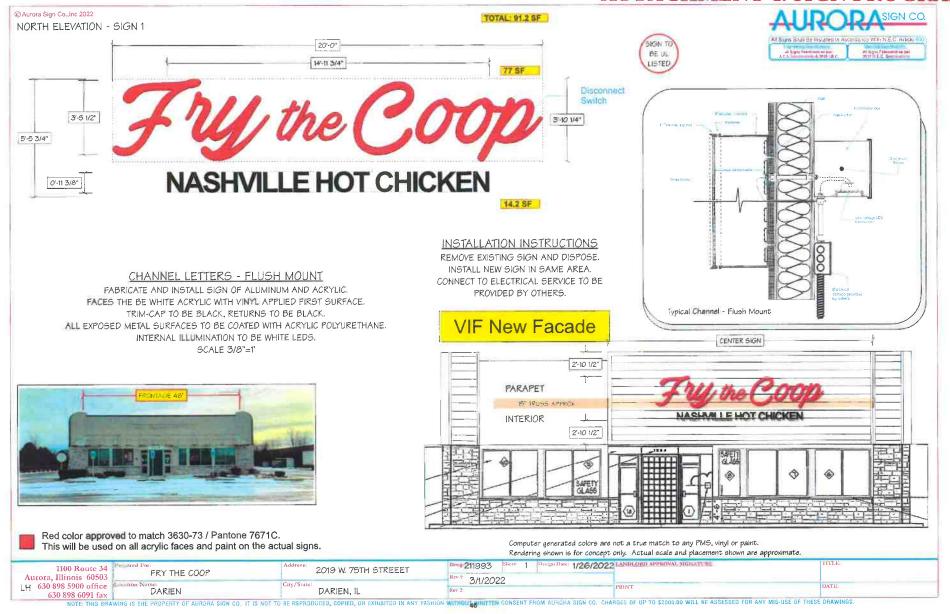
Joe Fontana Owner/Founder Fry the Coop 630-508-5962 joe@frythecoop.com







ATTACHMENT 4: SIGN PROGRAM



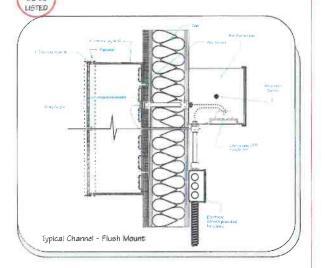


FABRICATE AND INSTALL SIGN OF ALUMINUM AND ACRYLIC.
FACES THE BE WHITE ACRYLIC WITH VINYL APPLIED FIRST SURFACE.
TRIM-CAP TO BE BLACK, RETURNS TO BE BLACK.
ALL EXPOSED METAL SURFACES TO BE COATED WITH ACRYLIC POLYURETHANE.
INTERNAL ILLUMINATION TO BE WHITE LEDS.
SCALE 3/8"=1"

INSTALLATION INSTRUCTIONS

REMOVE EXISTING SIGN AND DISPOSE.
INSTALL NEW SIGN IN SAME AREA.
CONNECT TO ELECTRICAL SERVICE TO BE
PROVIDED BY OTHERS.

VIF New Facade



At Signs Februard as per 2017 U.S.C. Specificities



Red color approved to match 3630-73 / Pantone 7671C.
This will be used on all acrylic faces and paint on the actual signs.

TW The COOD

PARAPET

NASHVILLEHOT CHECKEN

TU TO SO APPROX

3-0'

INTERIOR

SIGN TO

BE UL

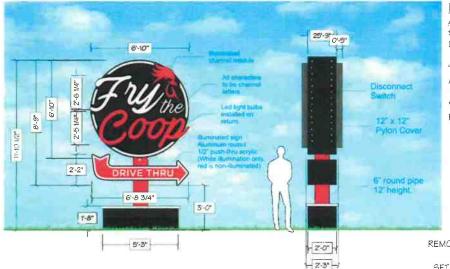
Computer generated colors are not a true match to any PMS, vinyl or paint.

Rendering shown is for concept only. Actual scale and placement shown are approximate.

1100 Route 34 Aurora, Illinois 60503 FRY THE COOP	Address: 2019 W. 75TH STREEET	Dree 211993 Short 2 Design Date: 1/26/2022	LANDLORD APPROVAL SIGNATURE	TITLE:
LH 630 898 5900 office 630 898 6091 fax	City/State: DARIEN, IL	Rev 2: 3/1/2022	PRINT	DATE

© Aurora Sign Co., Inc 2022

NEW PYLON - SIGN 3

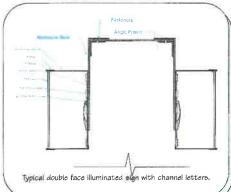


ILLUMINATION

ALL ILLUMINATION TO BE STATIC/NOT-ANIMATED.
SIGN TO BE ILLUMINATED FROM 7A-11P OR
DURING OPERATING HOURS BY BUSINESS DIRECTLY

"DRIVE THRU" ARROW TO BE AN ILLUMINATED SIGN.
ALUMINUM ROUTED (PAINTED RED)
WITH 1/2" WHITE PUSH THRU ACRYLIC
"WHITE ILLUMINATION ONLY,
RED IS NON-ILLUMINATED.





INSTALLATION INSTRUCTIONS

REMOVE EXISTING SIGN AND DISPOSE, GRIND BELOW GRADE.
INSTALL NEW SIGN IN SAME AREA.
SET (1) 6" ROUND STEEL PIPE IN CONCRETE FOOTING TO BE
3' X 4' BY 4' DEEP. CONNECT TO ELECTRICAL SERVICE
TO BE PROVIDED BY OTHERS PRIOR TO INSTALL.

DOUBLE FACE ILLUMINATED SIGN

FABRICATE AND INSTALL SIGN OF ALUMINUM AND ANGLE.

"FRY THE COOP" LOGO TO BE INDIVIDUALLY LIT CHANNEL LETTERS.

ALL EXPOSED METAL SURFACES TO BE COATED WITH ACRYLIC POLYURETHANE.

INTERNAL ILLUMINATION TO BE WHITE LEDS.

SCALE 1/4"=1"

Red color approved to match 3630-73 / Pantone 7671C.
This will be used on all acrylic faces and paint on the actual signs.



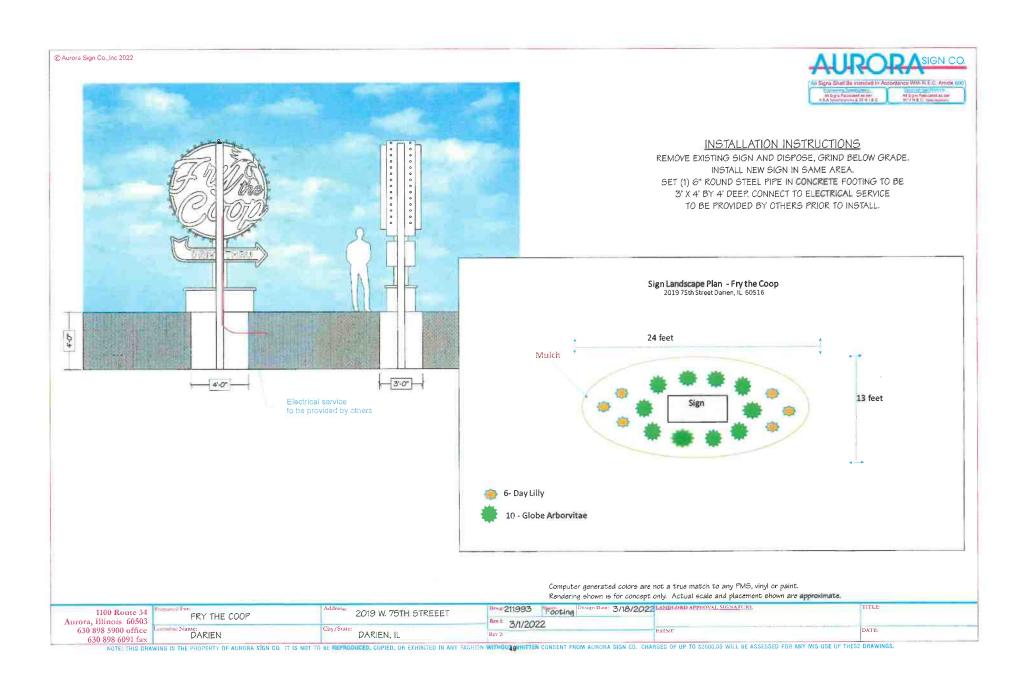
Remove existing sign and dispose

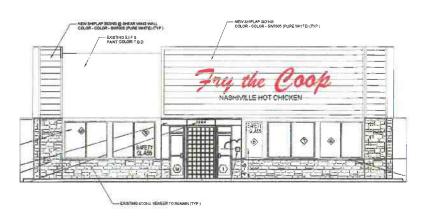


Computer generated colors are not a true match to any PMS, vinyl or paint.

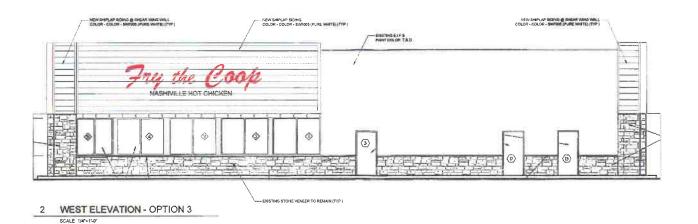
Rendering shown is for concept only. Actual scale and placement shown are approximate.

1100 Route 34 Aurora, Illinois 60503	FRY THE COOP	Address: 2019 W. 75TH STREEET	Drwg-211993 Sacci: 3 Design Date: 1/26/202	LANDI ORD APPROVAL SIGNATINE	THILE:
LH 630 898 5900 office 630 898 6091 fax	DARIEN	City/State: DARIEN, IL	NI 2022	PRINT	DATE:





1 NORTH ELEVATION - OPTION 3 SCALE 1/4/=1/0"



5821 W 117th St. Alsip, It. 60603 ph 312-226-0051 fx 312-226-0997 info@materignb.uid

DESIGN + RULLD, LLC.



PROPOSED PLAN

DESIGN APPROVAL

SIGNATURE:

DATE: NAME: TITLE:

2019 75TH ST. DARIEN, IL 60516

Copyright © 2021. PHS D+B, All rights reserved.

@ Aurora Sign Co.,Inc 2022 75 TH. STREET SELECTE ENGINE PARCEL 1 Site Plan 1100 Route 34 Aurora, Illinois 60503 LH 630 898 5900 office 630 898 6091 fax 2019 W. 75TH STREEET FRY THE COOP DARIEN DATE. DARIEN, IL NOTE: THIS DAWLING IN THE PROPERTY OF AURORA SIGN CO. IT IS NOT TO BE REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHION WITHOUT WITHOUT

ATTACHMENT 5: LOCATION MAP & AERIAL IMAGE





AGENDA MEMO PLANNING AND ZONING COMMISSION NOVEMBER 16, 2022

CASE

PZC2022-07 Variation (Rear Yard Setback) Jon Prepelica – 3480 Drover Lane

ISSUE STATEMENT

Petitioner (Jon Prepelica) seeks approval of a variation request from Section 5A-7-2-6(A) of the City Zoning Code to allow for an addition to an existing single-family residence, with the addition being a sunroom. Property is located within the R-2 Single-Family Residence Zoning District and the Variation request is to the following standard in the R-2 District:

- Zoning Section 5A-7-2-6(A): R-2 District Rear Yard Requirement.

GENERAL INFORMATION

Petitioner/Owner: Jon Prepelica
Property Location: 3480 Drover Lane
PIN Number: 09-31-313-004

Existing Zoning: Single Family Residence District (R-2)

Existing Land Use: Single Family

Comprehensive Plan: Low Density Residential (Existing/Future)

Surrounding Zoning & Uses

North: Single Family Residence District (R-2); Single Family

East: Single Family Residence District (R-2); Park

South: Single Family Residence District (R-2); Single Family West: Single Family Residence District (R-2); Single Family

Size of Property: 0.21 Acres

Floodplain: According to the DuPage County Parcel Viewer System,

there is no floodplain on the subject site.

Natural Features: N/A

Transportation: The petition site has frontage on two public roads. It gains

access from Drover Lane.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN
- 4) FLOOR PLAN
- 5) BUILDING ELEVATION

<u>CITY STAFF DOCUMENTS (ATTACHED TO MEMO)</u>

- 6) LOCATION MAP & AERIAL IMAGE
- 7) SITE PHOTO

PLANNING OVERVIEW/DISCUSSION

The subject property was platted in 1978 and is part of Gallagher and Henry's Farmingdale Village Unit 6 Subdivision. The parcel is improved with a single-family residence and unenclosed deck in the rear yard. The property is primarily flat and does not contain any natural features or floodplain. According to the submitted application and site plan, the petitioner is proposing a sunroom addition on the rear part of the residence where the deck is currently located.

The residence maintains an approximate 30' distance from the rear property line (western lot line) while the existing deck appears to be slightly under 15' from the rear lot line. The proposed sunroom would replace the deck and have a setback of 15' from the rear lot line according to the site plan. Given the property's zoning designation, which is R-2 Single-Family Residence District, there is a required rear yard setback of 30'. Therefore, the petitioner has submitted this variation which requests approval to construct the sunroom resulting in an encroachment of 15'.

Site Plan Review & Findings of Fact

City staff has reviewed the petitioner submitted documents and staff does not have any review comments on the site plan. Additionally, the petitioner was asked to submit *Findings of Fact* that would support the requested variation. Those findings are attached to this memo under the submitted Justification Narrative.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on November 16, 2022.

MEETING SCHEDULE

Planning and Zoning Commission

Municipal Services Committee

City Council

November 16, 2022

November 28, 2022

December 5, 2022



ZONING APPLICATION

CITY OF DARIEN

1702 Plainfield Road, Darien, IL 60561 <u>www.darienil.us</u> 630-852-5000

JON PREPELTE A Owner's Name
Address, City, State, Zip Code DARTEN, IL 6056
Telephone 630-985-3772 054630988-
Jon prepelica @comcast.het
09-31-313-004
PIN Number(s)
RESIDENTUAL
Current Land Lico(c)
RECEIVED
OCT 0 4 2022
Comm. 4 2022
City Develo
he City Planner for guidance.)
UROOM TO THE BACK of
CEDE THE FOOTPRINT of The
BE REMOUED
rtify For office use only
wn Date Received: 10/04/2022
case Number: PZC.acaa-07
have Fee Paid: \$360.00
Hearing Date: 11/16/2022
22.
FAL THAWAY FOR FILLINOIS FEE: 05/17/24

ATTACHMENT 2: JUSTIFICATION NARRATIVE

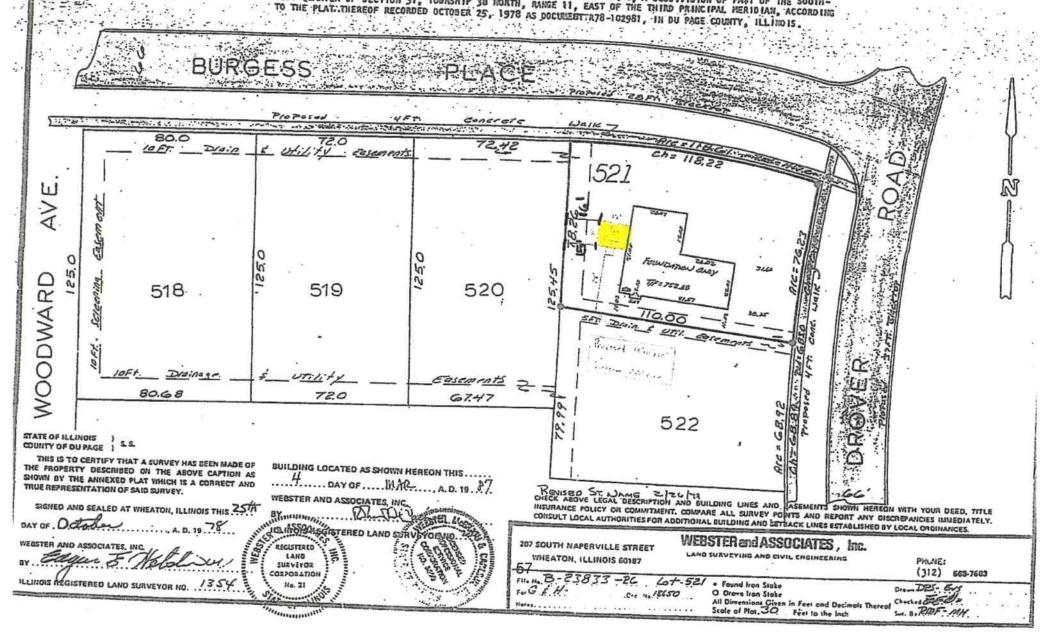
In Trepeliea 10/3/2022

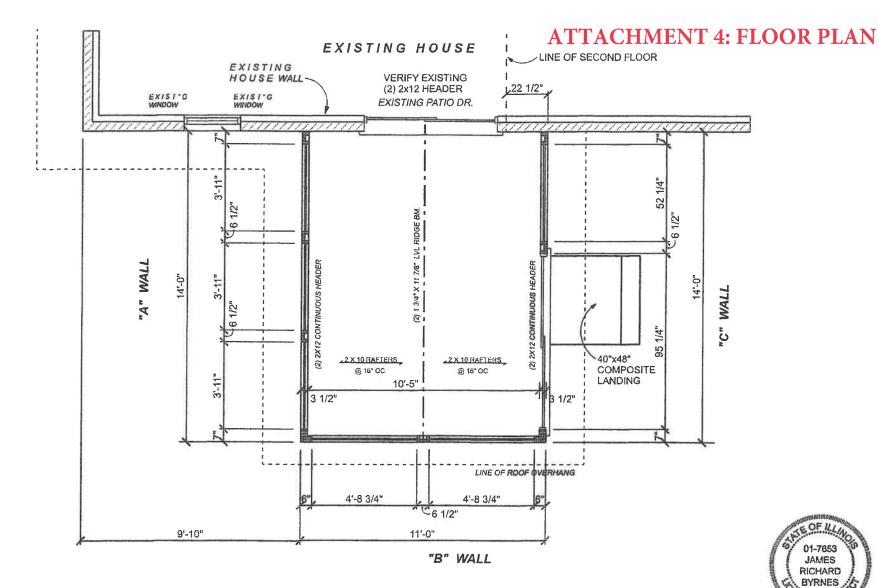
I am applying for a variance to add a four seasons sun room to the back of my house to increase my living space on the house. The footprint for the room will actually be smaller than the footprint of the existing deck which will be removed. The room will be professionally built using materials and colors to match the house and should not cause a distraction but would enhance the property and properties in surrounding area.

56

PLAT OF SURVEY

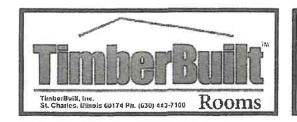
OF LOT 52/ IN GALLAGHER AND HENRY'S FARMINGDALE VILLAGE UNIT NO. 6, A SUBDIVISION OF PART OF THE SOUTH-MEST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT. THEREOF RECORDED OCTOBER 25, 1978 AS DOCUMENT: R78-102981, IN DU PAGE COUNTY, ILLINOIS.





SUN ROOM FLOOR PLAN

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



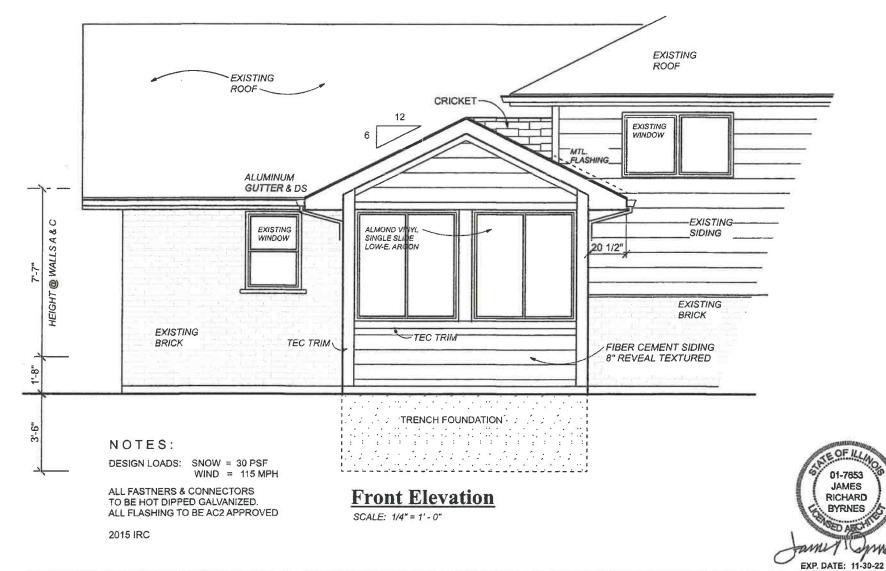
First Floor Plan	PROJECT: Prepelica	REVISIONS:
on & Debbie Prepelica	DATE: 9-27-22	
3480 Drover Ln. Darien, IL. 60561	DRAWN BY: J.R.B.	
	CLOUD:	

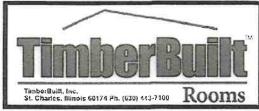
01-7653

JAMES RICHARD **BYRNES**

EXP. DATE: 11-30-22

ATTACHMENT 5: BUILDING ELEVATION





Front Elevation	PROJECT: Prepelica	REVISIONS:
Jon & Debbie Prepelica 3480 Drover Ln. Darien, IL. 60561	DATE: 9-27-22 DRAWN BY: J.R.B. CLOUD:	

1

ATTACHMENT 6: LOCATION MAP & AERIAL IMAGE





ATTACHMENT 7: SITE PHOTO

