

CITY OF DARIEN TEMPORARY AMENDMENT TO PLANNING AND ZONING COMMISSION MEETING RULES FOR COMPLIANCE WITH ILLINOIS OPEN MEETINGS ACT:

- In person attendance at Planning and Zoning Commission meetings is allowed.
- The public will be permitted to attend a Planning and Zoning Commission meeting but the meeting room will be limited to 20 members of the public at one time. The public will be required to maintain social distancing rules and are required to wear a mask while in the building.
- The public is encouraged to participate in the Planning and Zoning Commission meeting by submitting questions and comments via email to the City Planner Jordan Yanke at jyanke@darien.il.gov.
- Emails providing public comment shall be submitted prior to the start of the Planning and Zoning Commission meeting.

**CITY OF DARIEN
PLANNING AND ZONING COMMISSION**

Wednesday, April 7, 2021

7:00 PM

City Hall Council Chambers

1702 Plainfield Road

AGENDA

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

A. Public Hearing – PZC2021-01

7409/7417 Cass Avenue – Special Use Permit Amendment and Variations

Petitioner Joey Buonavolanto (Buona Beef) seeks approval for a Special Use Permit Amendment pursuant to City Code Section 5A-8-3-4 to allow for site modifications to an existing eating establishment, including a patio cover addition and outdoor eating area, on property zoned B-2 (Community Shopping Center Business District) located at 7409 and 7417 Cass Avenue in Darien, Illinois. This case involves Variation requests to the following standards in the B-2 Zoning District:

1. Section 5A-8-3-8(A)(1)(a):
Variation request to reduce the required front setback.
2. Section 5A-11-5:
Variation request to reduce the minimum off-street parking requirements.
3. Section 4-3-10(B):
Variation request to Business District signage regulations.

B. Public Hearing – PZC2021-02

2305 Sokol Court & 2345 S Frontage Road – Major PUD Amendment, Annexation Agreement Amendment, and Plat of Consolidation

Petitioner Shipper Columbus, LLC c/o Paul Swanson Associates, Inc. seeks approval for a Major Planned Unit Development (PUD) Amendment, Annexation Agreement Amendment, and Plat of Consolidation in order to construct a multi-family apartment complex on property zoned Planned Unit Development (PUD)/Multi-Family Residence District (R-3), located at 2305 Sokol Court and 2345 S Frontage Road in Darien, Illinois. This petition includes Waiver requests to the following standards in the Planned Unit Development (PUD) District:

1. Section 5A-3-3-4: Waiver request to increase allowed residential density.
2. Section 5A-3-3-5: Waiver request to off-street parking requirements.
3. Section 5A-3-3-9(B): Waiver request to minimum setback requirement.
4. Section 5A-3-3-10: Waiver request to increase maximum building height.

C. Public Hearing – PZC2021-03

2019 75TH Street – Zoning Text Amendment (City-Initiated)

Petition involves a Zoning Text Amendment submitted by the City of Darien. The petition is for a Zoning Text Amendment to City Code Section 5A-9A-5(A) to add an additional property/address to the List of Permitted Locations for a Cannabis Dispensing Organization. Petition site is located at 2019 75TH Street and is within the B-2 Community Shopping Center Business District.

- 4) Correspondence
- 5) Old Business
- 6) New Business
- 7) Approval of Minutes November 4, 2020
- 8) Next Meeting April 21, 2021
- 9) Public Comments [On Any Topic Related to Planning and Zoning]
- 10) Adjournment

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
November 4, 2020**

PRESENT: Lou Mallers – Chairperson, Michael Desmond, Bryan Gay, Steve Hiatt, Julie Kasprowicz, Brian Liedtke, Ralph Stompanato

ABSENT: Robert Erickson, Hilda Gonzalez,

OTHERS: Joseph Hennerfeind-City Planner

Chairperson Lou Mallers called the meeting to order at 7:10 p.m. at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. The members of the Committee attended the meeting via Zoom. Chairperson Mallers declared a quorum present and swore in the audience members wishing to present public testimony.

REGULAR MEETING:

A. Public Hearing PZC 2020-09 – 8110 South Cass Avenue (Electronic Message Board Sign Variations) Petitioner University Dermatology (Dr. Vassilios Dimitropoulos) requests approval to permit the construction of an electronic message board sign at 8110 S. Cass Avenue, located within the O Office District.

Mr. Joe Hennerfeind, City Planner reported that the property is located on the west side of Cass Avenue south of Iroquois Street and across from the Darien Plaza. He reported that the property was developed as a medical office.

Mr. Hennerfeind reported that the petitioner has requested to replace the existing ground sign with one of similar size and shape but with an electronic message board panel in addition to the static identification for the business.

Mr. Hennerfeind reported that the electronic message board is not a permitted sign within Darien but that there been past variation approvals. He reported that most recently variations were granted for a sign at 6710 Route 83 and Chuck's on South Cass Avenue. He reported that an additional variation is needed to the illumination's standards because of the electronic changeable copy.

Mr. Hennerfeind reported that the setback is legal non-conforming and that it cannot go further without a variation.

Mr. Hennerfeind reported that the petitioner states that the signage will improve visibility and aid in keeping appointments timely, which has proven a challenge due to the recent pandemic.

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

Commissioner Desmond made a motion, and it was seconded by Commissioner Hiatt approval of Public Hearing PZC 2020-09 – 8110 South Cass Avenue (Electronic Message Board Sign Variations) Petitioner University Dermatology (Dr. Vassilios Dimitropoulos) requests approval to permit the construction of an electronic message board sign at 8110 S. Cass Avenue, located within the O Office District with the following conditions:

- 1. Messages will be held for at least 60 seconds**
- 2. Messages will change all at once**
- 3. Messages may display multiple colors**
- 4. Illumination will maintain a constant light intensity or brightness**
- 5. Illumination brightness will comply with Sign Code**

There was some discussion on the conditions.

Commissioner Desmond made a motion and it was seconded by Commissioner Hiatt approval of Public Hearing PZC 2020-09 – 8110 South Cass Avenue (Electronic Message Board Sign Variations) Petitioner University Dermatology (Dr. Vassilios Dimitropoulos) requests approval to permit the construction of an electronic message board sign at 8110 S. Cass Avenue, located within the O Office District with the following amended conditions:

- 1. Messages will be held for at least 60 seconds**
- 2. Messages will change all at once**
- 3. Messages may display multiple colors**
- 4. Illumination will maintain a constant light intensity or brightness**
- 5. Illumination brightness will comply with Sign Code**
- 6. Electronic message board portion of signage limited to 20 square feet of the 60 square feet permitted (1/3 of permitted)**
- 7. Illuminated signage may only be utilized during operating hours and 30 minutes prior to opening and 30 minutes after closing**

Upon voice vote, THE MOTION CARRIED 6-0.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

NEW BUSINESS

APPROVAL OF MINUTES

Commissioner Erickson made a motion, and it was seconded by Commissioner Desmond to approve the October 7, 2020 Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED 6-0.

NEXT MEETING

Mr. Hennerfeind announced that the next meeting is scheduled for November 18, 2020.

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 business before the Commission, Commissioner Stompanato made a motion, and it was seconded by Commissioner Kasprowicz. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 8:37 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Lou Mallers
Chairperson

AGENDA MEMO
PLANNING AND ZONING COMMISSION
APRIL 7, 2021

CASE

PZC2021-01

Special Use Permit Amendment and Variation Requests
(Front Setback, Off-Street Parking Standards, Business District
Signage Requirements)

ISSUE STATEMENT

Petitioner is seeking approval of a Special Use Permit Amendment and Variation requests to allow for site modifications to an existing eating establishment, including a patio cover addition and outdoor eating area. The petition site is located within the B-2 Community Shopping Center Business District and is 1.16 acres in size.

Applicable Regulations:

Ordinance No. O-22-16 – Final Plat & Variations
Ordinance No. O-39-07 – Special Use Amend. & Variations
Ordinance No. O-33-06 – Special Use & Variations
City Code Section 5A-2-2-6(G) – Special Uses
City Code Section 5A-8-3, B-2 District Regulations
City Code Section 5A-11-5, Off-Street Parking Standards
City Code Section 4-3-10(B), Business Sign Regulations

GENERAL INFORMATION

Petitioner: Mile High Properties, LLC c/o Joey Buonavolanto
Property Owner: Mile High Properties, LLC
Property Location: 7409/7417 Cass Avenue
PIN Number: 09-27-108-028/031
Existing Zoning: Community Shopping Center Business District (B-2)
Existing Land Use: Restaurant with Drive-Through
Comprehensive Plan: Commercial (Existing); Commercial (Future)
Surrounding Zoning & Uses
North: Community Shopping Center Business District (B-2);
Grocery Store
East: Single Family Residence District (R-2); Single-Family
Residential
South: Community Shopping Center Business District (B-2); Taco
Bell Restaurant
West: Single Family Residence District (R-2); Elementary School
History: In 2006, the City Council granted a Special Use Permit and
Variations for the subject site allowing the construction of a
restaurant with drive-through facilities. In 2007, the City
Council approved a Special Use Amendment to permit an
addition to the restaurant. Finally, the City Council
approved a Final Plat and Variations for the site in 2016.
Size of Property: 1.16 Acres
Floodplain: According to the DuPage County Parcel Viewer System,

Natural Features:

there is no floodplain on the subject site.

Transportation:

N/A

Petition site fronts Cass Avenue. Vehicular access to site is currently derived from private driveways within the shopping center (north and east access points to site).

DOCUMENTS SUBMITTED

This report is based on the following information submitted to the Community Development Department by the petitioner:

- Application & Supplemental Documents, dated February 19, 2021
Prepared by Mile High Properties, LLC c/o Joey Buonavolanto
- Site Development/Signage Plan, Buona Beef/Rainbow Ice Cream, dated March 17, 2021
Prepared by Hague Architecture

PLANNING OVERVIEW/DISCUSSION

Buona Beef is located within the Jewel-Osco shopping center near the northeast corner of Cass Avenue and 75TH Street. The shopping center includes Jewel-Osco, Chuck E. Cheese, Concentra Immediate Care, Taco Bell and Buona Beef. The subject site including Buona Beef is on an individual parcel totaling 1.16 acres.

The existing restaurant and site was developed under previously approved ordinances, which permitted a restaurant with drive-through facilities as a Special Use within the B-2 District. At this time the petitioner is seeking approval of a Special Use Permit Amendment to make site modifications in order to implement a two (2) lane drive-through facility and add a patio cover for an outdoor eating experience. The petitioner is also seeking Variations. Please note the following zoning sections that apply to the petitioner's requests:

- Zoning Section 5A-2-2-6(G): Special Use Permit Amendment for the addition of a patio cover, additional drive-through lane, and minor site modifications.
- Zoning Section 5A-8-3-8(A)(1)(a): Variation to reduce the front yard setback from fifty feet (50') to twenty-eight feet (28') for the patio cover addition.
- Zoning Section 5A-11-5: Variation to reduce the minimum required off-street parking ratio. City Code requires the proposed establishment to maintain a total of 55 parking spaces (1 space/3 seats). The submitted site plan shows 46 spaces on site.
- Sign Code Section 4-3-10(B): Variation to increase the allowed wall signage from 122 square feet to 260.5 square feet and permit wall signage on three (3) building sides.

For reference, the criteria for approving a Special Use Permit and Variations is provided below. Note that the petitioner submitted a narrative and justification for the requests associated with the application, which is provided as an attachment to this memorandum.

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.*

Since a Variation to the City's Sign Code derives from a section of the Municipal Code outside the Zoning Ordinance, they (i.e. sign variations) are subject to the following consideration by the Planning and Zoning Commission and the City Council:

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 of the variance.
- 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.

Finally, the plans were sent to the City’s Engineering Consultant. Given the limited scope of the project, there were minimal comments, but the review letter (dated March 12, 2021) with comments is included as an attachment to this memorandum.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on April 7, 2021.

MEETING SCHEDULE

Planning and Zoning Commission	April 7, 2021
Municipal Services Committee	April 26, 2021
City Council	May 3, 2021



ZONING APPLICATION

CITY OF DARIEN

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

CONTACT INFORMATION

Buona Companies Joe Buonavolante Mile High Properties
Applicant's Name Owner's Name

6801 W. Roosevelt Rd, Berwyn IL 60402 7409 Cass Ave Darien IL 60561
Address, City, State, Zip Code Address, City, State, Zip Code

708.948.0557 708 744 - 2333
Telephone Telephone

Joeybuona@buona.com joeybuona@buona.com
Email Email

PROPERTY INFORMATION

7417 S. Cass Ave 09-27-108-031-0000
Property address PIN Number(s)

B-2 Existing Restaurant
Zoning District Current Land Use(s)

Zoning District Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

Variation for Front Setback relief from 50'-0" to 28'-0" for an accessory structure.

Variation from the sign code for new signage

Special Use change for Drive thru from a single lane to double lane

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that _____ is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.

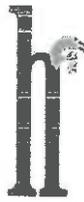
Given under my hand and seal, this 9 day of February 2021

Mike Buonavolante
Notary Public

For office use only	
Date Received:	<u>02/19/2021</u>
Case Number:	<u>17C2021-01</u>
Fee Paid:	<u>\$ 995.00</u>
Hearing Date:	<u>04/07/2021</u>

RECEIVED
FEB 19 2021
Community Development
City of Darien





HAGUE ARCHITECTURE

Friday, February 12, 2021
Village of Darien
1702 Plainfield Road
Darien, IL 60561

RE: Buona Restaurant w/ Rainbow Cone – 7417 S Cass Ave, Darien, IL 60561
Special Use & Variation requests

Special Use Request.

1. The Special Use request is for a double drive thru to expand the existing approved drive thru, ordinance 0-33-06 drive thru. The expansion to a double drive thru will provide additional stacking and provide a convenient way to pick up food for customers.
2. The drive thru will not be detrimental to the public and will provide a safe means of entering and exiting the site.
3. The special use will not diminish or impair any neighboring properties, this is an expansion of an existing drive thru that has been in place for over 15 years.
4. The special use has been in place for a single drive thru and increasing to a double will not impede the surrounding developments, the traffic flow will be similar to the existing.
5. The exterior design and revised landscaping areas will enhance the existing building and landscape area for the public and will be in character and will not cause any deprivation to surrounding properties.
6. We will provide adequate drainage for the increased drive thru lane additionally we will be increasing the non-impervious area for the site.
7. We have redesigned the ingress and egress to minimize cross traffic and ensure safe travel through the site and drive thru areas.
8. This request shall conform to all the applicable regulations and recommendations of the Planning and zoning Commission and development committee.

Variation Criteria.

1. The Variations that we are requesting are for a reduction in front yard setback to 28'-0" from 50'-0" is proposed for an open air canopy/structure. Additionally we are seeking a variation from the sign code for new signage. These will enhance the consumers experience with the restaurant and will not adversely impact the property.
2. The variations will not devalue the property or adjacent properties, the canopy structure will provide a pedestrian space and should provide a positive addition to the building.
3. No person or persons have a proprietary interest in creating these requests.
4. The variation doesn't impair the supply of light this is an open air structure with slats at the top to allow light and air through. The steel structure will not increase any danger to the public safety.
5. The proposed structure provides an attractive element to the building and will not adversely alter the neighborhoods character.

Sincerely,

Jonathon M. Hague - Architect

160 E GRAND AVE. SUITE 300 - CHICAGO, ILLINOIS 60611
708.771.3900 t

BUONA RESTAURANT & THE ORIGINAL RAINBOW CONE

INTERIOR AND EXTERIOR ALTERATIONS TO EXISTING RESTAURANT
7417 S. CASS AVE
DARIEN, ILLINOIS 60561

REVISED FOR PERMIT
MARCH 03, 2021



SCOPE OF WORK	PROJECT DATA	INDEX OF DRAWINGS	BUILDING CODES
<p>BUONA & THE ORIGINAL RAINBOW CONE</p> <p>SCOPE OF WORK: INTERIOR AND EXTERIOR ALTERATIONS TO EXISTING RESTAURANT</p>	<p>OCCUPANCY ASSEMBLY USE (RESTAURANT) A-2 OCCUPANT LOAD (15 SF / NET SF) 3,230 /15 = 215 OCCUPANTS ACTUAL 88 SEATS & 12 STAFF TOTAL ACTUAL OCCUPANTS = 100</p> <p>TOTAL OCCUPANT LOAD = 215 REQUIRED EXITS = 2 (<500) PROVIDED EXITS = 3</p>	<p>ARCHITECTURAL T-0.0 TITLE SHEET KSP-01 ARCHITECTURAL SITE PLAN C-1.1 DEMOLITION PLAN A-1.1.2 ARCHITECTURAL PLAN A-1.1.3 COMPREHENSIVE PLAN A-1.1.5 FINISH PLAN / FINISH SCHEDULE A-1.1.6 REFLECTED CEILING PLAN A-1.1.8 ROOF PLAN A-1.2.1 INTERIOR ELEVATIONS A-1.2.4 INTERIOR DETAILS A-1.5.1 EXTERIOR ELEVATIONS A-1.5.2 EXTERIOR ELEVATIONS</p>	<p>INTERNATIONAL RESIDENTIAL CODE 2015 INTERNATIONAL BUILDING CODE 2015 INTERNATIONAL MECHANICAL CODE 2015 NATIONAL ELECTRICAL CODE 2014 INTERNATIONAL FIRE CODE 2015 INTERNATIONAL ENERGY CONSERVATION CODE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE 2015 INTERNATIONAL FLUE GAS CODE 2015</p>
<p>HEALTH DEPT</p> <p>PREP AREA = 110 SF DRY STORAGE AREA 75 SF REQUIRED 110/0.25 = 27.5 SF</p>	<p>PLUMBING OCCUPANTS 4,038/50 SF = 135 OCCUPANTS MALE = 68 / FEMALE = 68 MALE = 1 FIXTURE REQUIRED FEMALE = 2 FIXTURES REQUIRED</p> <p>EXISTING BUILDING TO REMAIN CONSTRUCTION TYPE VB</p> <p>FIRE PROTECTION (EXISTING IN KITCHEN ONLY)</p>	<p>FOOD SERVICE PLANS FS-1 EQUIPMENT PLAN FS-1A EQUIPMENT SCHEDULES FS-2 PLUMBING PLAN FS-3 ELECTRICAL PLAN FS-4 SPECIAL CONDITIONS PLAN</p>	<p>ARCHITECT: HAGUE ARCHITECTURE 160 E GRAND AVENUE CHICAGO, ILLIN OHS 60611</p> <p>708.771.3960 T 708.771.3965 F</p>



STATEMENT OF COMPLIANCE

I hereby certify that I have prepared or caused to be prepared under my direct supervision, the attached plans and specifications and state that, to the best of my knowledge and belief and to the best of my knowledge and belief, they are in compliance with the requirements of the Village of Downers Grove and the Illinois Accessibility Code.

[Signature]
 Jonathan H. Hague, Architect S. No. 0101016 Date 03/03/2021



HAGUE ARCHITECTURE
160 E GRAND AVE - 3RD FL - CHICAGO, ILLINOIS 60611
708.771.3968



BUONA
THE ORIGINAL ITALIAN BEEF



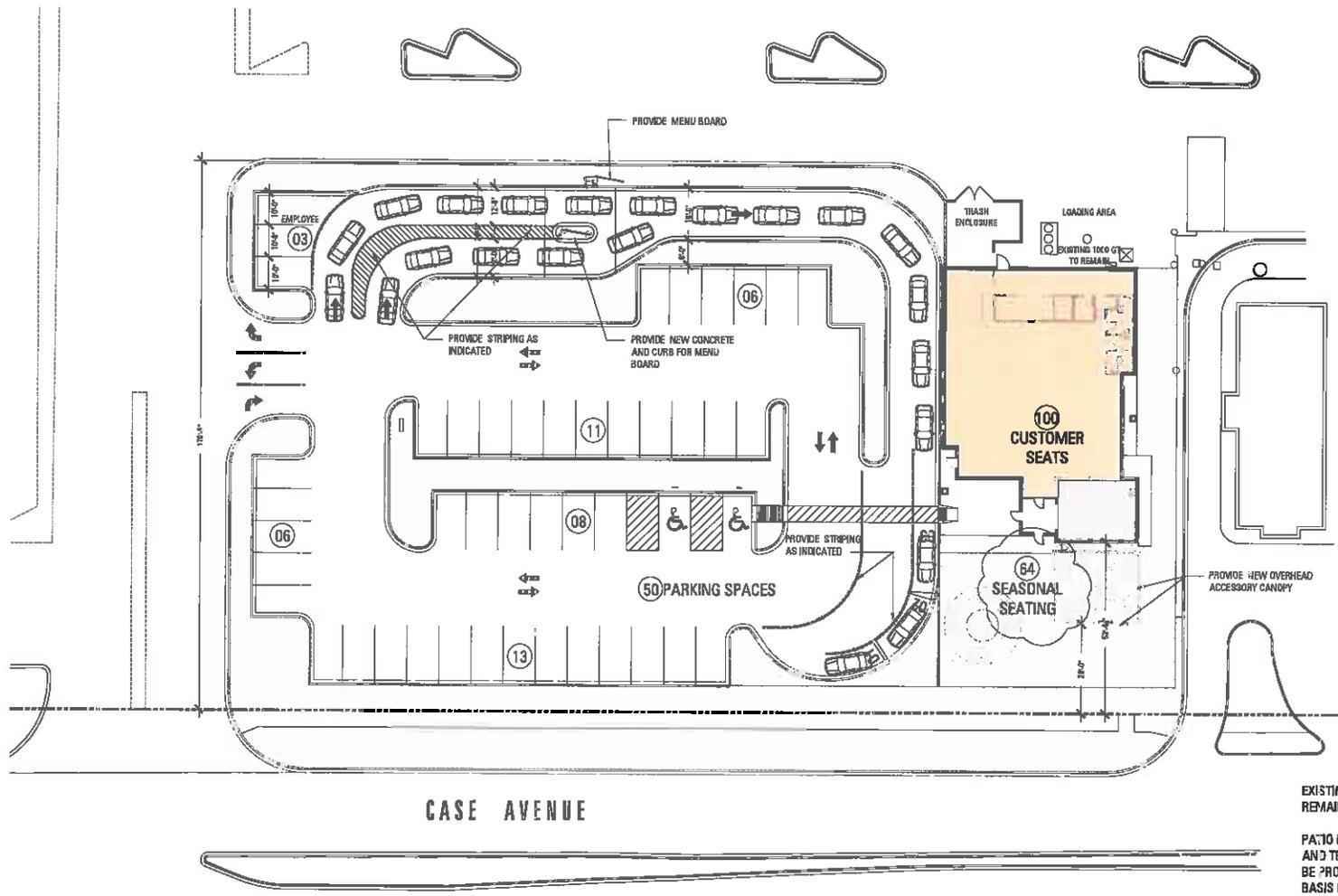
BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
7417 S. CASS AVE
DARIEN, ILLINOIS 60561
CLIENT:

DATE: 03/03/2021
PROJECT NUMBER: 201108

DRAWN BY: JH
CHECKED BY: JH

TITLE SHEET

T-0.0



EXISTING LANDSCAPING TO REMAIN - NO CHANGE

PATIO FURNITURE, PLANTERS, AND TEMPORARY FENCING TO BE PROVIDED ON A SEASONAL BASIS BY OWNER/TENANT

01 SITE PLAN SCALE 1"=10'-0"



BUONA
THE ORIGINAL ITALIAN BEEF



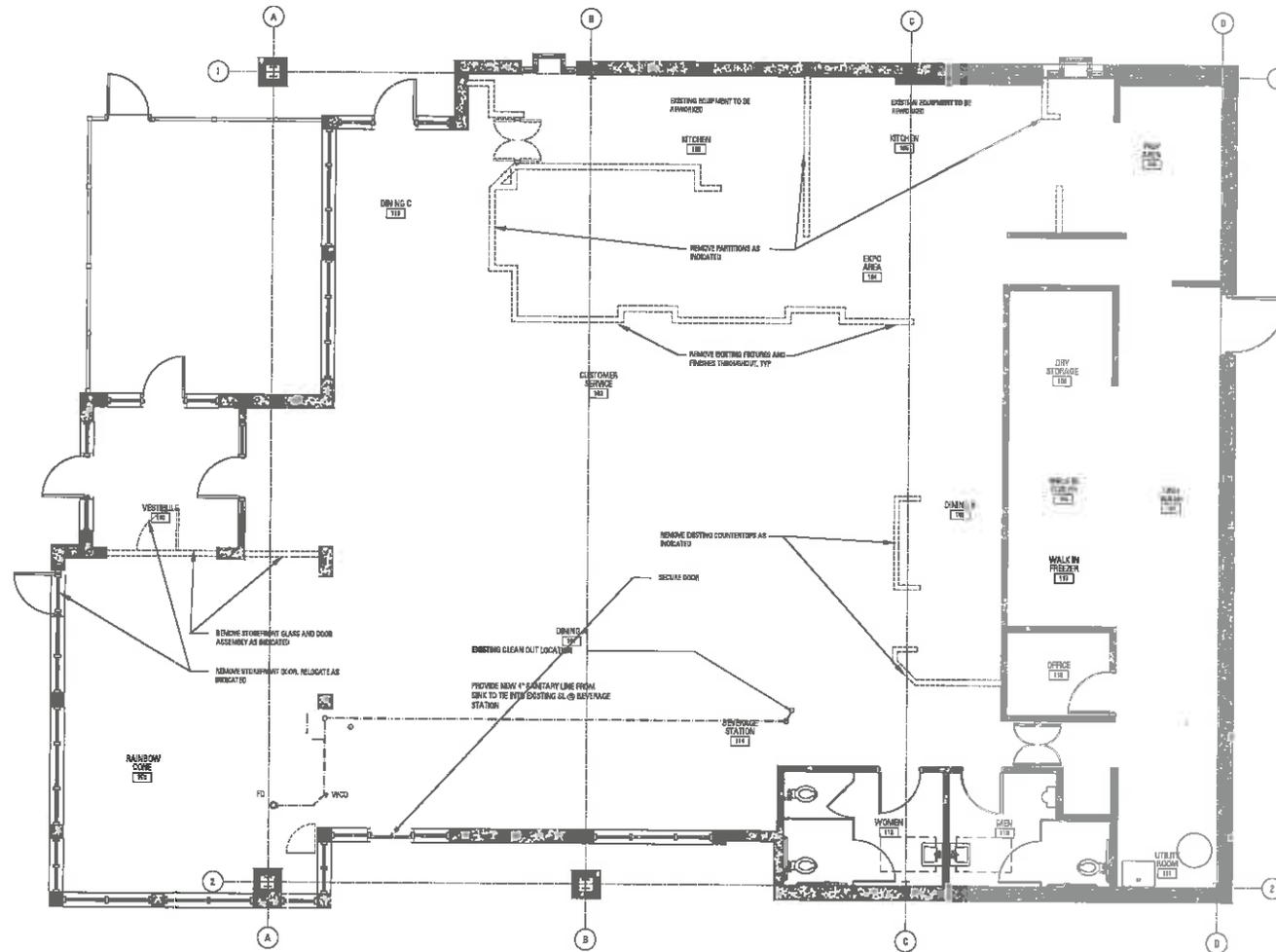
BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
7417 S. CAROL AVE
DURHAM, ILLINOIS 60011
CLIENT:



ISSUE DATE: 06.17.2021
PROJECT NUMBER: 201124
DRAWN BY: JC
CHECKED BY: JH

SITE PLAN

Prepared by: ARCHITECTURAL DESIGN GROUP, INC.
1000 W. WASHINGTON ST.
ASP-001



- DEMOLITION LEGEND:**
- EXISTING TO REMAIN
 - - - - - EXISTING TO BE REMOVED
- DEMOLITION NOTES:**
1. ALL WORK TO BE DONE IN ACCORDANCE WITH APPLICABLE CODES THAT HAVE AUTHORITY OVER THIS PROJECT. PROVIDE ALL NECESSARY SAFETY, SANITATION, PROTECTION, FENCING, AND PROTECTION SIGNAGE, ETC. AS REQUIRED DURING DEMOLITION.
 2. DEMOLITION INCLUDES COMPLETE REMOVAL, DISPOSAL OR SALVAGE OF SPECIFIED WORK.
 3. DEMOLITION METHODS AND OPERATION OF DEMOLITION TO BE DONE FOR SAFETY PURPOSES SHALL BE DETERMINED BY PERSONAL CONSULTATION WITH SUB-CONTRACTOR AND CONSULTATION OF UTILITY SERVICES AS APPLICABLE.
 4. ELECTRICAL, MECHANICAL, AND PLUMBING SYSTEMS INSTALLED BY NEW CONSTRUCTION SHALL BE REMOVED TO THE FURTHER TRANSPARENT PUMP GLASS.
 5. KEEP FIRE EXITS UNBLOCKED AND ACCESSIBLE FOR USE AT ALL TIMES DURING DEMOLITION OPERATIONS.
 6. ALL DEMOLISHABLE BUILDING MATERIALS, HANDMADE, DOOR FRAMES, FINE EXTENSIBLES, LIGHT FIXTURES, FURNITURE, ETC., NOT INDICATED TO BE RELOCATED OR REUSED SHALL BE TORN UP TO GARBAGE.
 7. REMOVE EXISTING FLOORING THROUGHOUT OF ALL AREAS, A.M.C.
 8. REMOVE ALL EXISTING CARPET, WOODEN FLOOR OR OTHER FLOORING MATERIALS EXCEPT FOR FLOORING TO BE REUSED FOR A HIGHER LEVEL FLOOR.
 9. CONTRACTOR TO DISCONNECT ALL TRACES RELATED TO PREVIOUS DEMOLITION WORK AS OBTAINED BY THE CONTRACT DOCUMENTS.
 10. REMOVE ALL EXISTING GLASS BLOCK WINDOWS, OVERHEAD DOORS, EXTERIOR WINDOWS, ACCESSORIES & STOREFRONT.
 11. EXISTING STRUCTURE, MATERIALS AND PROCEDURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL VERIFY SKILL WHERE EXISTING STRUCTURE FOR DEMOLITION.
 12. DEMOLISH REMAINING PARTITIONS ONLY.

01 DEMOLITION PLAN
SCALE: 1/8" = 1'-0"

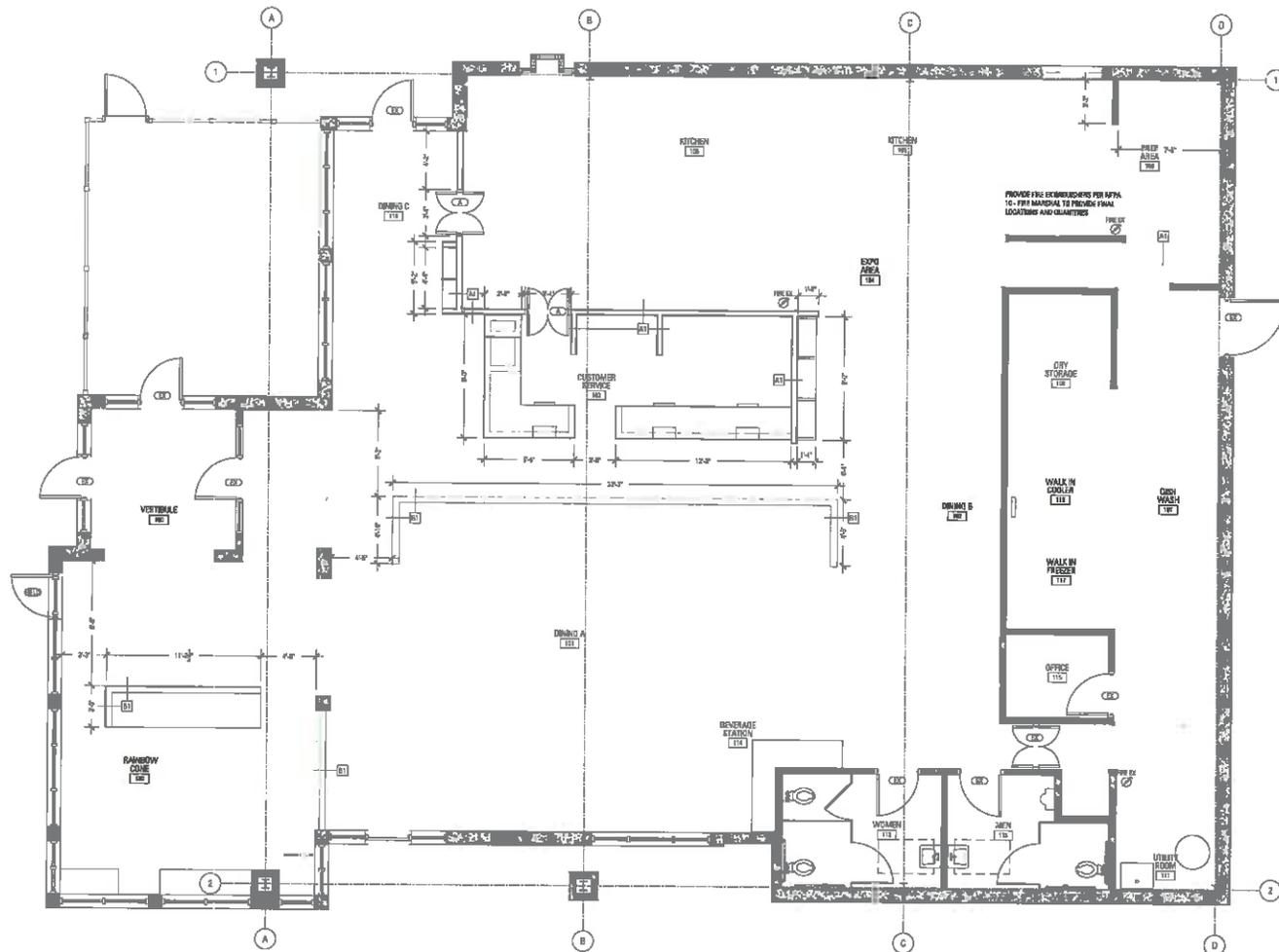


BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
 7417 S. KASS AVE
 CHICAGO, ILLINOIS 60621
 CLIENT:

DATE:	05.17.2021
ISSUE DATE:	05.17.2021
PROJECT NUMBER:	211120
DRAWN BY:	JM
CHECKED BY:	JM
DATE:	

DEMOLITION PLAN

D-1.1



01 FLOOR PLAN
SCALE: 1/8" = 1'-0"

- ### ARCHITECTURAL NOTES
1. THE DIMENSIONS INCLUDE THE FINISH, SCOPES OF WORK, INCLUDING PROPOSED LOCATIONS OF BEST CONTRACTORS. ALL DIMENSIONS ARE TO FINISH WALLS.
 2. SEE ALL SCHEDULES FOR MATERIALS, FINISHES, AND CONSTRUCTION DETAILS. ALL DIMENSIONS ARE TO FINISH WALLS UNLESS NOTED OTHERWISE.
 3. REFER TO SHEET 01.1 FOR DOORS AND WINDOWS, ETC. OTHER FINISHES, MATERIALS, AND DIMENSIONS OF ARCHITECTURAL DETAILS ARE TO BE DETERMINED BY THE CONTRACTOR.
 4. ALL FINISHES SHALL BE SPECIFICALLY IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE. FINISHES SHALL BE IDENTIFIED BY THE CONTRACTOR AND SUBJECT TO ARCHITECT'S APPROVAL.
 5. COVERS SHALL BE PROVIDED FOR ALL WALLS AS APPLICABLE TO THE FINISHES. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE. FINISHES SHALL BE IDENTIFIED BY THE CONTRACTOR AND SUBJECT TO ARCHITECT'S APPROVAL.
 6. ALL PLUMBING SHALL BE IN ACCORDANCE WITH THE LOCAL CODES.
 7. ALL ELECTRICAL SHALL BE IN ACCORDANCE WITH THE LOCAL CODES.
 8. FINISHES ARE TO BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 9. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 10. ALL FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 11. ALL FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 12. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 13. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 14. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 15. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 16. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 17. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 18. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 19. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.
 20. FINISHES SHALL BE IDENTIFIED BY TRADE FOR A COMPLETE AND FINISHED APPEARANCE.

- ### WALL TYPES
- TYPE 1: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON BOTH SIDES.
 - TYPE 2: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 3: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 4: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 5: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 6: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 7: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 8: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 9: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 10: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 11: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 12: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 13: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 14: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 15: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 16: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 17: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 18: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 19: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.
 - TYPE 20: INTERIOR WALL - FINISH CONCRETE OR BRICK WITH FINISH ON ONE SIDE AND GYPSUM BOARD ON THE OTHER SIDE.

- ### SYMBOLS
- DOOR TAG: DOOR TYPE
 - WINDOW TAG: WINDOW TYPE
 - REVISION BY: CREATOR OF SHEET #
 - REVISION DATE: 03.12.2021
 - PROJECT NUMBER: 001.00
 - DRAWN BY: JK
 - CHECKED BY: JK
 - ARCHITECTURAL PLAN
 - A-1.1.2



BUONA
THE ORIGINAL ITALIAN DEEF



RAINBOW CONE
ICE CREAM SHOP

BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION

7417 S. CASH AVE
DARIEN, ILLINOIS 60017

CLIENT:

ISSUE DATE: 03.12.2021

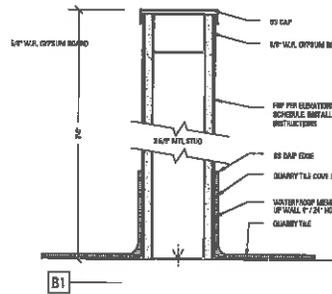
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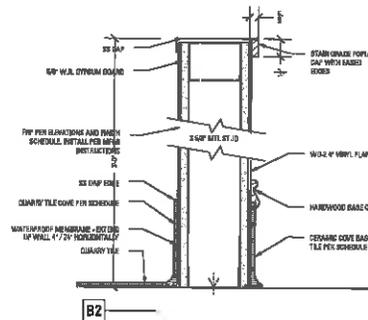
CHECKED BY: JK

ARCHITECTURAL PLAN

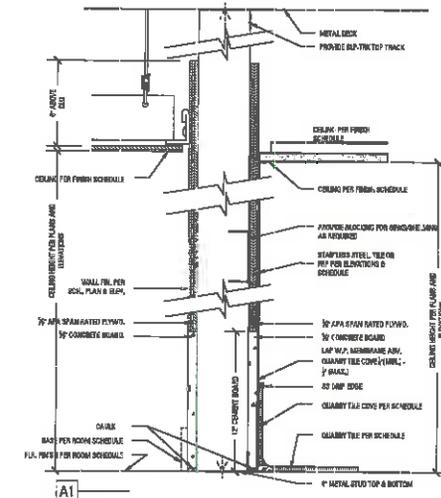
A-1.1.2



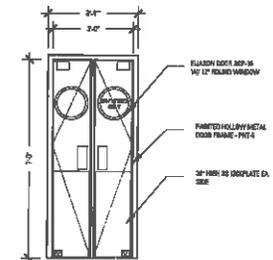
B1 PARTITION TYPE B1
SCALE: 1/8"=1'-0"



B2 PARTITION TYPE B2
SCALE: 1/8"=1'-0"



A PARTITION TYPE A1
SCALE: 1/8"=1'-0"



01 GLASS DOOR ELEVATION
SCALE: 1/8"=1'-0"

DIOR NOTES

1. ALL DOORS USED IN CONTACT WITH OTHERS SHALL BE SO ARRANGED AS TO BE READILY OPENED WITH OUT THE USE OF A KEY FROM THE SIDE FROM WHICH DOORS TO BE OPENED.
2. DOOR STRIKE ONLY ARE SPECIFIED. ALL OTHER CONSTRUCTION SHALL BE AS NECESSARY TO PROVIDE PROPERLY FUNCTIONING INSTALLATION.
3. ALL HARDWARE SHALL BE CORROSIVE RESISTANT, LEAD FREE AND OF THE FINISH SPECIFIED ON ARCHITECT'S APPROVED ALTERNATE.
4. ANY COVER OR GLASS BEING USED TO PROTECT THE PROPOSED USE OF GLASS SHALL BE SO INSTALLED AND INSTALLED SO THAT THEY CAN NOT, EVEN IN CASE OF FAILURE, IMPEDOR OR PREVENT EMERGENCY USE OF SUCH DOOR. ALL HARDWARE FINISHES ARE TO MATCH THE FINISH OF THE DOOR LOCKSET UNLESS OTHERWISE NOTED.
5. FINISH BEHINDERS TO BE PROVIDED WITHIN THE PARTITION AT ALL DOOR STOP LOCATIONS.
6. ALL GLASS IS TO BE ACCEPTED TO ACCEPT BEHIND CURTAINS. USE THE HARDWARE TO BE PROVIDED AS NECESSARY TO ACCEPT MOUNTED CURTAINS.
7. ALL GLASS TO BE FINISH USE OF SPECIFIED WITH LOCKSET APPLIED.
8. ALL HOLLOW METAL FRAMES TO BE GALVANIZED, WELDED AND BUSHED THROUGH.
9. ALL HOLLOW METAL DOOR HEADS TO BE FINISH USE OF SPECIFIED (BY DOOR HARDWARE).
10. PROVIDE SEALING AND Gaskets DOOR SIPS FOR TOPS AND BOTTOMS OF ALL HOLLOW METAL DOORS.
11. ALL INSULATED DOORS TO HAVE POLYURETHANE FOAM INSULATION.
12. DOORS TO BE GALVANIZED AND VERTICALLY STIFFENED. ALL GLASS TO BE WELDED, NO BUSHED.
13. ALL WOOD DOORS TO BE 1" PLYWOOD OR 1 1/2" SOLID WOOD WITH 1/2" PLYWOOD UNDER THE ALL DOORS TO BE FINISH USE OF SPECIFIED.

H
HAGUE ARCHITECTURE
100 E. CHASE AVENUE - SUITE 101
CHICAGO, ILLINOIS 60611
774.231.2181



BUONA
THE ORIGINAL ITALIAN DEEF



BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
7111 S. CASAS AVE
DORNE, ILLINOIS 60421
CLIENT:

NO.	DATE	DESCRIPTION
1	04/17/2021	ISSUED FOR PERMIT
2	04/17/2021	ISSUED FOR PERMIT
3	04/17/2021	ISSUED FOR PERMIT
4	04/17/2021	ISSUED FOR PERMIT
5	04/17/2021	ISSUED FOR PERMIT
6	04/17/2021	ISSUED FOR PERMIT
7	04/17/2021	ISSUED FOR PERMIT
8	04/17/2021	ISSUED FOR PERMIT
9	04/17/2021	ISSUED FOR PERMIT
10	04/17/2021	ISSUED FOR PERMIT
11	04/17/2021	ISSUED FOR PERMIT
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16	04/17/2021	ISSUED FOR PERMIT
17	04/17/2021	ISSUED FOR PERMIT
18	04/17/2021	ISSUED FOR PERMIT
19	04/17/2021	ISSUED FOR PERMIT
20	04/17/2021	ISSUED FOR PERMIT

DATE: 04/17/2021
PROJECT NUMBER: 201111

DRAWN BY: JH
CHECKED BY: JH

SHEET NO. 2
ROOF PLAN

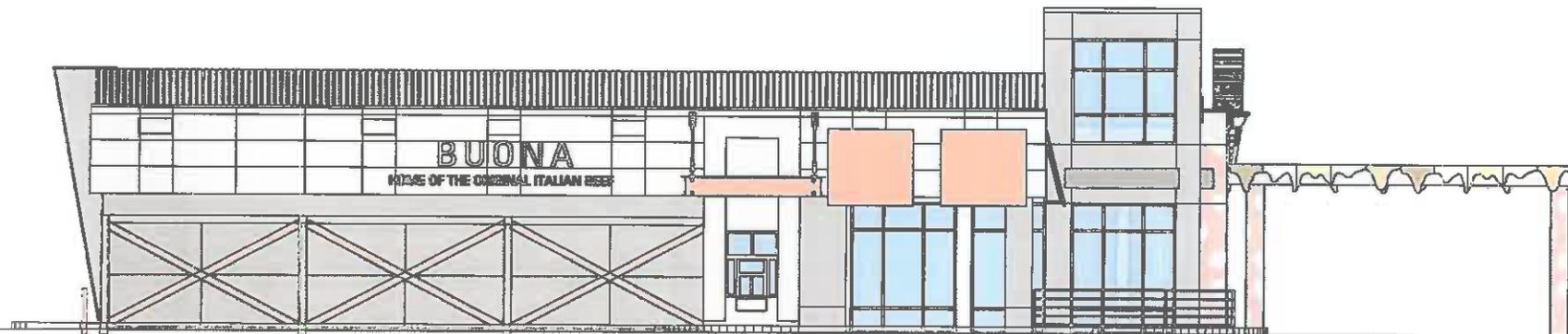
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SHEET NUMBER:

A-1.3.4

- 7' WALL
ELEV. 16'10"
- 2' WALL
ELEV. 14'6"
- WATER
ELEV. 14'6"
- FINISH GROUND
ELEV. 12'6"
- 1ST FLOOR
ELEV. 0'0"



A WEST ELEVATION
SCALE 1/4" = 1'-0"



B NORTH ELEVATION
SCALE 1/4" = 1'-0"



RAGUE ARCHITECTURE
100 S. GRAND AVE. - SUITE 200
CHICAGO, ILLINOIS
60611
708.271.2000



BUONA
THE ORIGINAL ITALIAN DEEF



BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
 EXTERIOR & INTERIOR RENOVATION
 3177 S. CAROLINE
 CHICAGO, ILLINOIS 60607
 CLIENT:



ISSUE DATE: 04/17/2011
PROJECT NUMBER: 2011A

DRAWN BY: JO
CHECKED BY: JM

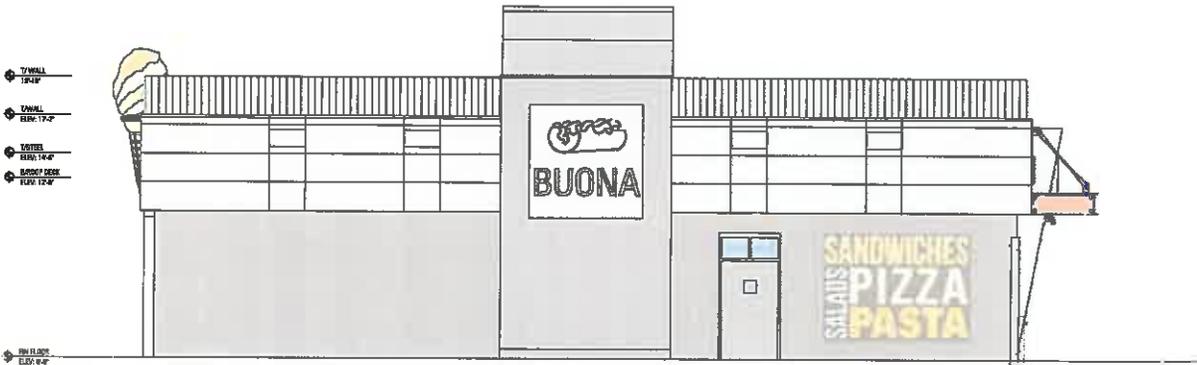
EXTERIOR ELEVATIONS

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A-5.1.1



A SOUTH ELEVATION
SCALE 1/4" = 1'-0"



- ◆ TRIMMILL
ELEV: 18'-0"
- ◆ TRIMMILL
ELEV: 17'-0"
- ◆ TRIMMILL
ELEV: 16'-0"
- ◆ SANDWICH DECK
ELEV: 15'-0"
- ◆ 100% FLOOD
ELEV: 8'-0"

B EAST ELEVATION
SCALE 1/4" = 1'-0"

h
MARQUE ARCHITECTURE
101 S. GRAND AVE. - SUITE 200
CHICAGO, ILLINOIS 60611
708.771.9888



BUONA
THE ORIGINAL ITALIAN BEEF



BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
7417 S. CASS AVE
DANVER, ILLINOIS 60119
CLIENT:

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	06/17/2021
2	ISSUED FOR CONSTRUCTION	06/17/2021
3	ISSUED FOR OCCUPANCY	06/17/2021

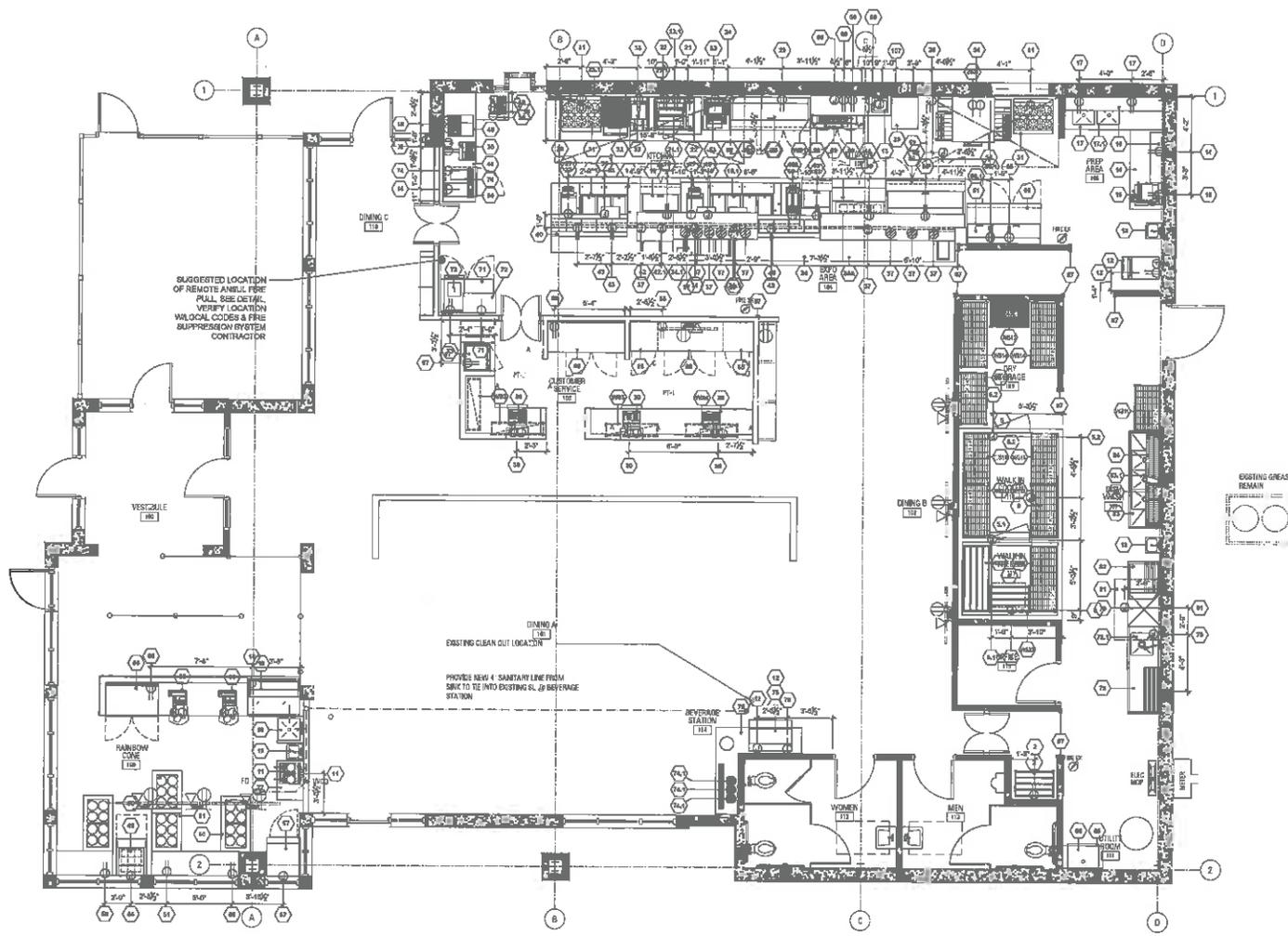
ISSUE DATE: 06/17/2021
PROJECT NUMBER: 189-124

DESIGNED BY: JG
CHECKED BY: JH

EXTERIOR ELEVATIONS

DATE PLOTTED: 06/17/2021 10:00 AM
PLOT SCALE: 1/4" = 1'-0"

A-5.1.2



- ELECTRICAL NOTES:**
1. ALL KITCHEN RECEPTACLES TO BE GFCI PROTECTED
 2. ALL RECEPTACLES WITH IN 6' SHALL BE GFCI
 3. KITCHEN DISHWASHER TO BE GFCI PROTECTED
 4. BOND IT CABINET TO THE TOP OF BAR JOIST WITH #6
 5. SHARED NEUTRAL CIRCUIT WILL REQUIRE BREAKER HANDLE TIES

- LIGHTING NOTES:**
1. LIGHT FIXTURES LOCATED IN SUSPENDED CEILING ARE TO BE SECURED TO GRID
 2. LIGHT FIXTURES INSTALLED ON THE EXTERIOR ARE TO BE RATED FOR CLIMATE ZONE 5

- ELECTRICAL WIRING:**
1. NEW WIRING SHALL BE SPECIFIC TO A SET VOLTAGE 120V, 240V, ETC. THE BUILDING WIRING IS TO BE INSTALLED WITH A SET VOLTAGE, BREAKER(S) SIZED, ETC
 2. ELECTRICIAN TO PROVIDE AN UPDATED PANEL LEGEND TO THE ELECTRICAL INSPECTOR DURING ROUGH INSPECTION

01 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



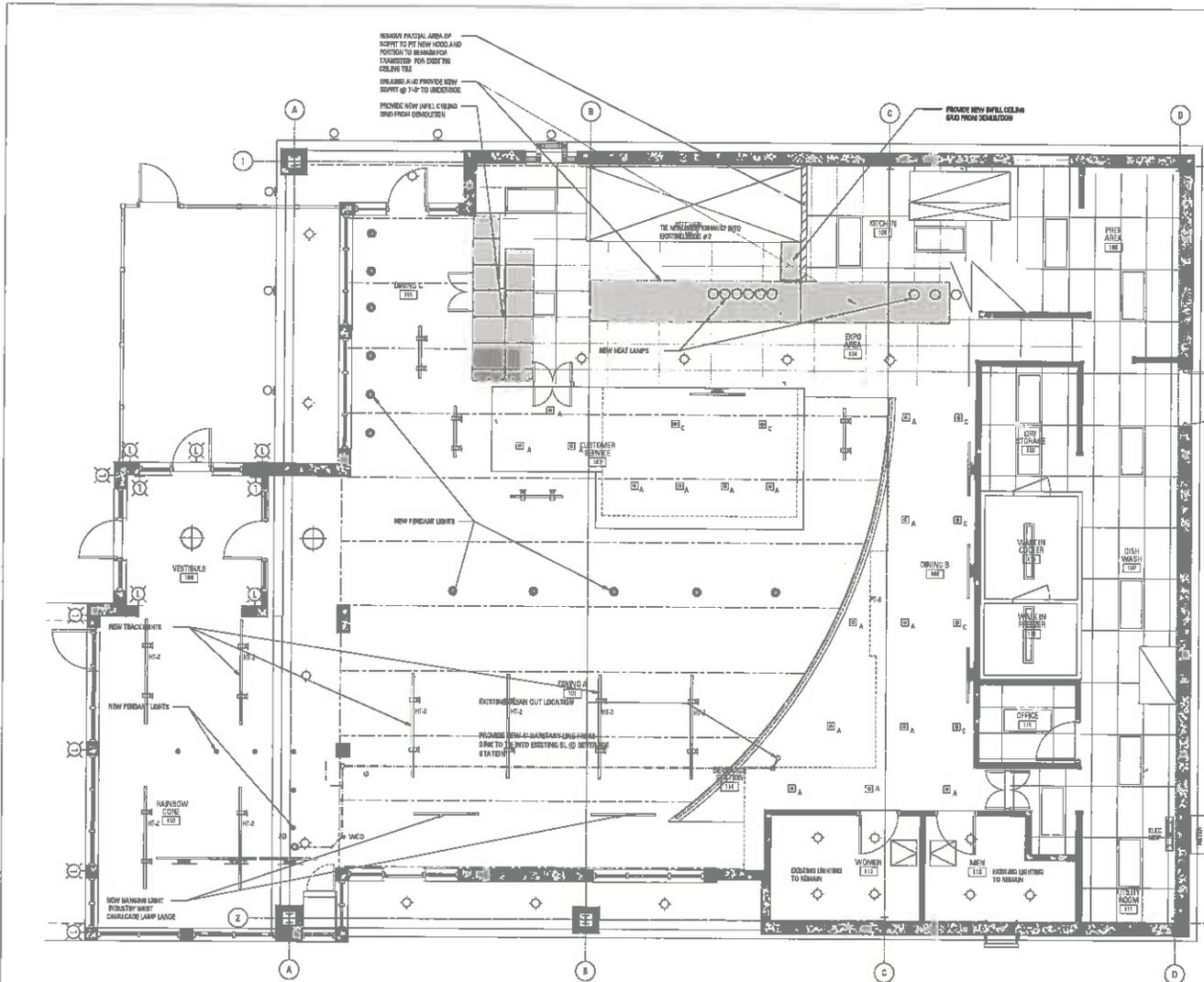
BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
 747 S. CAROL AVE
 CHICAGO, ILLINOIS 60607
 CLIENT:

DATE:	03/17/2021
ISSUE DATE:	03/17/2021
PROJECT NUMBER:	201618

DRAWN BY: JH
 CHECKED BY: JH

ELECTRICAL

Sheet Name:
E-1.2



CEILING NOTES

- SUBCONTRACTOR TO REVIEW CEILING WITH ARCHITECT AND OBTAIN APPROVAL PRIOR TO INSTALLATION.
- UNLIFT NOTED OTHERWISE LIGHTS SHOULD BE DOWNED IN CEILING UNLESS OTHERWISE NOTED.
- IN THE CASE OF ANY DISCREPANCIES BETWEEN MECHANICAL, ELECTRICAL, PLUMBING, STRUCTURAL, OR EXISTING CONDITIONS, CONTRACTOR SHALL CONTACT ARCHITECT FOR CLARIFICATION.
- ALL SUSPENDED CEILING GRID MECHANICAL, ELECTRICAL, PLUMBING, STRUCTURAL, AND FIRE SUPPRESSION SYSTEMS SHALL BE SUPPORTED ONLY FROM THE TOP OF GRID. NEVER ALLOW STRUCTURE ABOVE. SUPPORT FROM STRUCTURE ABOVE OF BAY LIGHTS IS NOT PERMITTED.
- *ACCEPT LIGHT FIXTURES AND DATE THAT IS IN FUTURE IS IN THE GUYARD READ AND MAKE SURE COVERED INDEPENDENTLY OF OTHER INTERFERING FIXTURES - SWITCH ALL BAYLIGHTS TO THE OTHER SIDE.
- LIGHT FIXTURES: VERIFY WITH ARCHITECT TO DETERMINE IN FIELD.

LIGHT FIXTURE SCHEDULE

NO.	SYMBOL	DESCRIPTION	MANUFACTURER	CONTACT PERSON
A	[Symbol]	RETRACTOR MOUNTED	...	...
B	[Symbol]	NEW OUTDOOR WALL LIGHTS	...	...
C	[Symbol]	NEW TRACK LIGHTS	...	...
D	[Symbol]	NEW PENDANT LIGHTS	...	...
E	[Symbol]	NEW TRACK LIGHTS	...	...
F	[Symbol]	NEW TRACK LIGHTS	...	...
G	[Symbol]	NEW TRACK LIGHTS	...	...
H	[Symbol]	NEW TRACK LIGHTS	...	...
I	[Symbol]	NEW TRACK LIGHTS	...	...
J	[Symbol]	NEW TRACK LIGHTS	...	...
K	[Symbol]	NEW TRACK LIGHTS	...	...
L	[Symbol]	NEW TRACK LIGHTS	...	...
M	[Symbol]	NEW TRACK LIGHTS	...	...
N	[Symbol]	NEW TRACK LIGHTS	...	...
O	[Symbol]	NEW TRACK LIGHTS	...	...
P	[Symbol]	NEW TRACK LIGHTS	...	...
Q	[Symbol]	NEW TRACK LIGHTS	...	...
R	[Symbol]	NEW TRACK LIGHTS	...	...
S	[Symbol]	NEW TRACK LIGHTS	...	...
T	[Symbol]	NEW TRACK LIGHTS	...	...
U	[Symbol]	NEW TRACK LIGHTS	...	...
V	[Symbol]	NEW TRACK LIGHTS	...	...

01 FIRST FLOOR - CEILING PLAN
SCALE 1/8" = 1'-0"

KITCHEN ZONE™
Square Lay-in
smooth texture

VISUAL SELECTION

Edge Profile	Size (inches)	Color	Material	Finish	Dimensions (inches)
[Symbol]	1	White	Aluminum	Smooth	24 x 24 x 5/8"



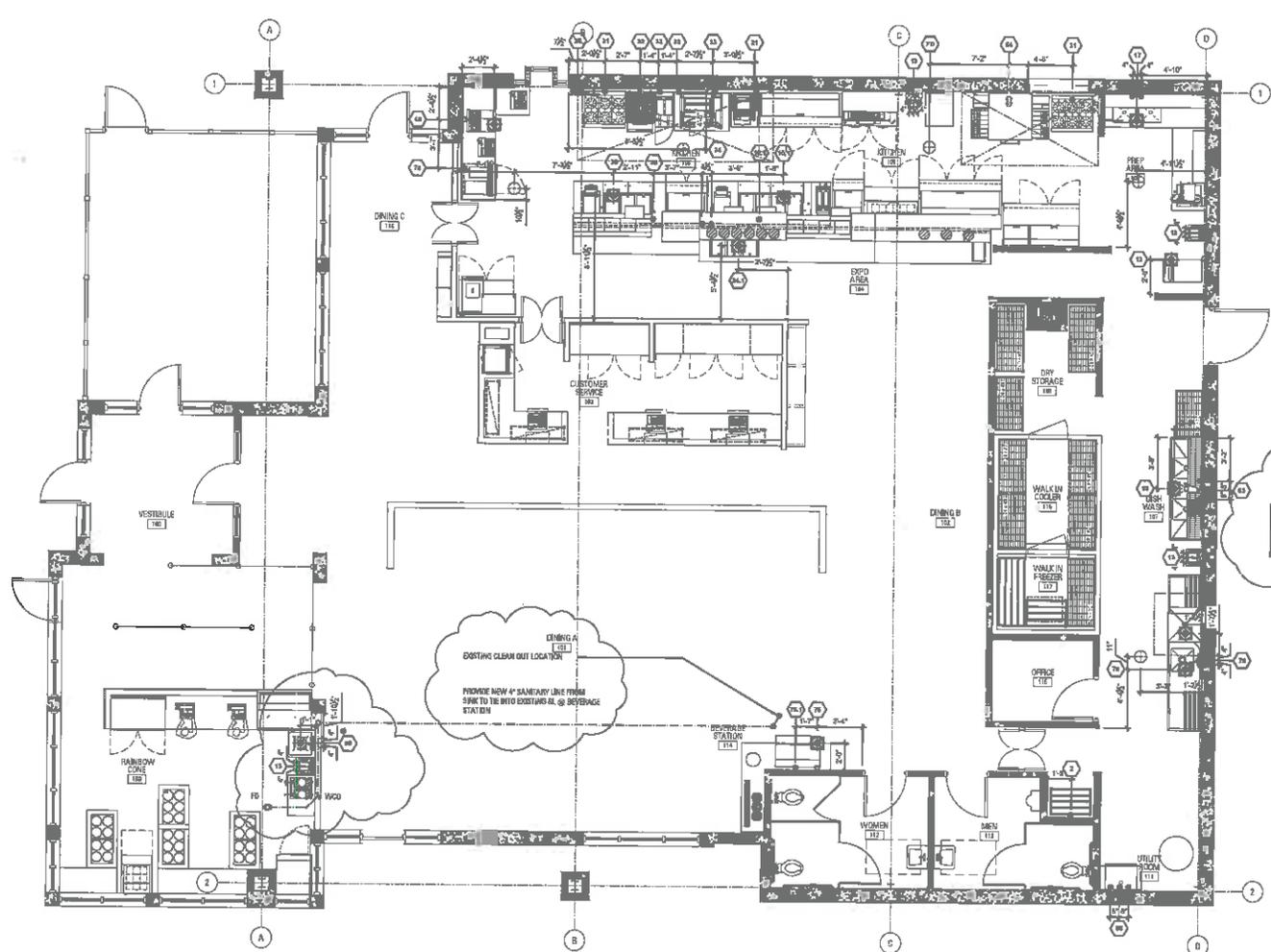
BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
700 S. BROAD ST. - SUITE 200
CHICAGO, ILLINOIS 60611
CLIENT:

ISSUE DATE: 03.17.2021
011.00

ELECTRICAL

E-1.3

- PLUMBING NOTES:**
1. EXISTING WATER SERVICE AND METER TO REMAIN (located on north side of building)
 2. EXISTING EXTERIOR GREASE TRAP TO REMAIN (1000 GALLONS)
 3. PROVIDE NEW 4" SANITARY LINE AS INDICATED TO TIE INTO EXISTING PLUMBING. COORDINATE WITH EXISTING FLOOR SINKS AND DRAINS
 4. EXISTING 3 COMP SINK, DISHWASHING, IS CONNECTED TO EXISTING GREASE TRAP
 5. NO CHANGE TO PLUMBING FIXTURE UNITS



EXISTING CLEAN OUT LOCATION

PROVIDE NEW 4" SANITARY LINE FROM SINK TO THE INFO EXISTING 4" @ BEVERAGE STATION

EXISTING GREASE TRAP TO REMAIN

01 FIRST FLOOR PLAN
PAGE 04 - 12

PARIS ARCHITECTURE
101 E. 63RD AVE. - SUITE 104
CHICAGO, ILLINOIS 60611
708.771.3988



BUONA
THE ORIGINAL ITALIAN BEEF



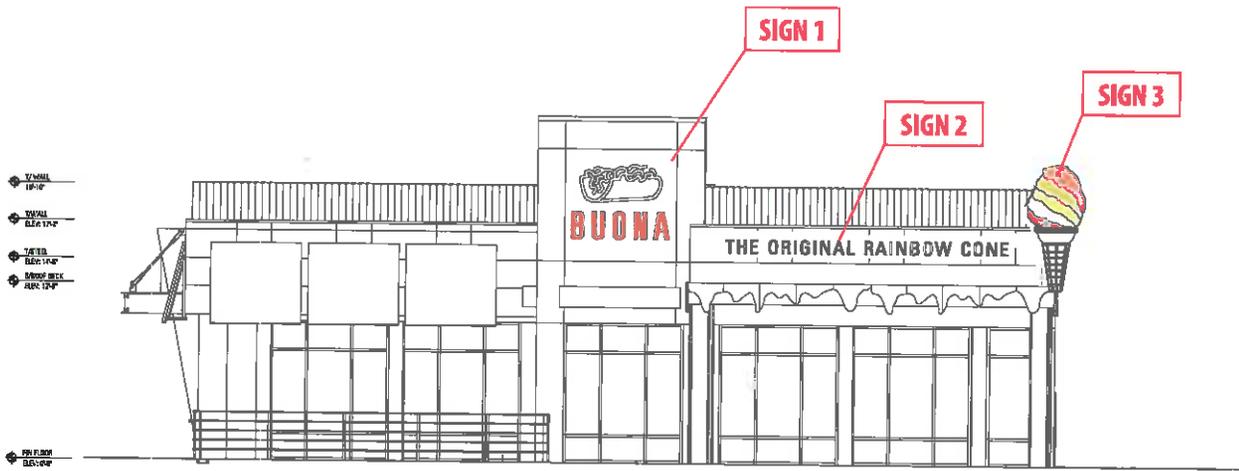
BUONA RESTAURANT / THE ORIGINAL RAINBOW CONE
EXTERIOR & INTERIOR RENOVATION
7417 S. CASS AVE.
DANFORTH, ILLINOIS 60419
CLIENT:

DATE:	08/21/2021
ISSUE DATE:	08/21/2021
PROJECT NUMBER:	091646
DRAWN BY:	JD
CHECKED BY:	JH

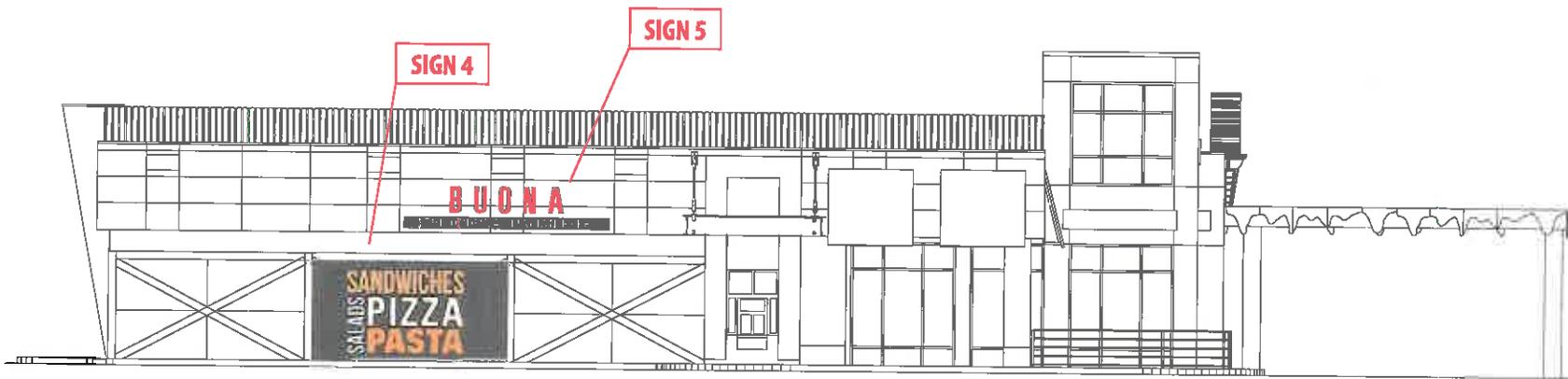
PLUMBING

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PROJECT NUMBER:

P-1.1



WEST ELEVATION



NORTH ELEVATION

CUSTOMER
Buona Beef

LOCATION
Darlen, IL

SITE NUMBER
N/A

ACCOUNT REP
Mike Shelly

DRAWN BY
AO

DATE
02/11/21

REVISED

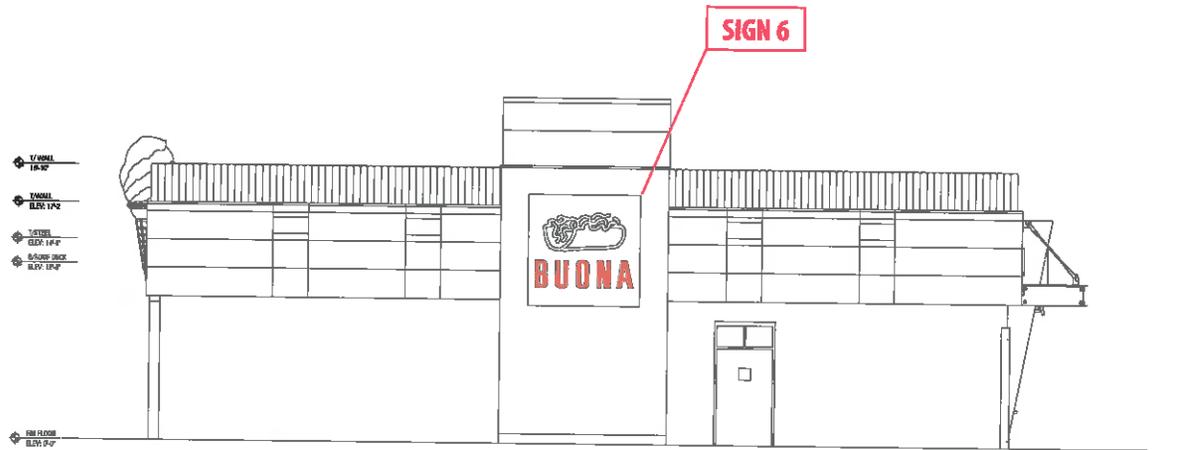
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NOTES

SCALE
NTS

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Chicago, IL 60630
P: 773-763-9600
F: 773-763-9606
CorporateIDSolutions.com





EAST ELEVATION

PG 2 / 7

CUSTOMER
Buona Beef

LOCATION
Darlen, IL

SITE NUMBER
N/A

ACCOUNT REP
Mike Shelly

DRAWN BY
AO

DATE
02/11/21

REVISED

X
X
X
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SIGN 1 & 6

- FABRICATED ALUMINUM CHANNEL LETTERS & LOGO
- REVERSE (HALO) ILLUMINATION & FACE-LIT
- STANDOFF MOUNTED
- BEEF - WHITE FACES
- LETTERS - WHITE ACRYLIC FACES WITH 3630-44 ORANGE VINYL DECORATION
- PMS 425 C RETURNS & TRIM CAPS
- QTY (2) SETS

PG 3 / 7

CUSTOMER
Buona Beef

LOCATION
Darien, IL

SITE NUMBER
N/A

ACCOUNT REP
Mike Shelly

DRAWN BY
AO

DATE
02/11/21

REVISED

X
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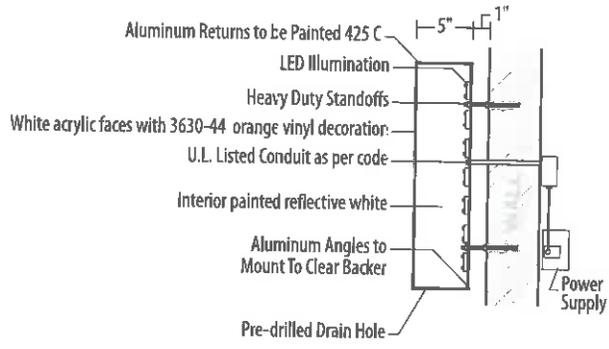
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CORPORATE IDENTIFICATION SOLUTIONS



BUONA LETTERS SIDE VIEW

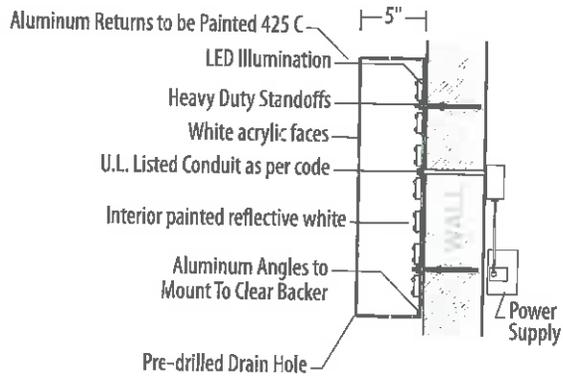


BUONA LETTERS SIDE VIEW

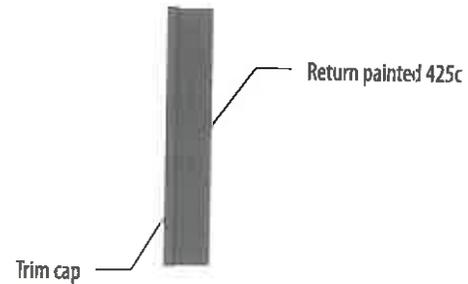
SIGN 2

- ILLUMINATED CHANNEL LETTERS
- WHITE ACRYLIC FACES
- PMS 425 C RETURNS & TRIM CAPS
- QTY (1) SET

12" |-----| 240 3/16" |-----|
THE ORIGINAL RAINBOW CONE



RAINBOW CONE LETTERS SIDE SECTION



RAINBOW CONE LETTERS SIDE VIEW

PG 4 / 7

CUSTOMER
 Buona Beef

LOCATION
 Darien, IL

SITE NUMBER
 N/A

ACCOUNT REP
 Mike Shelly

DRAWN BY
 AO

DATE
 02/11/21

REVISED

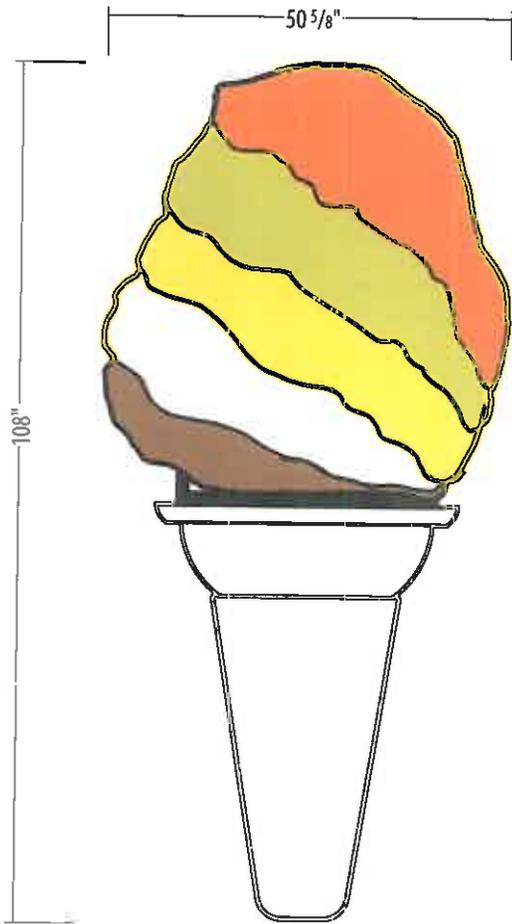
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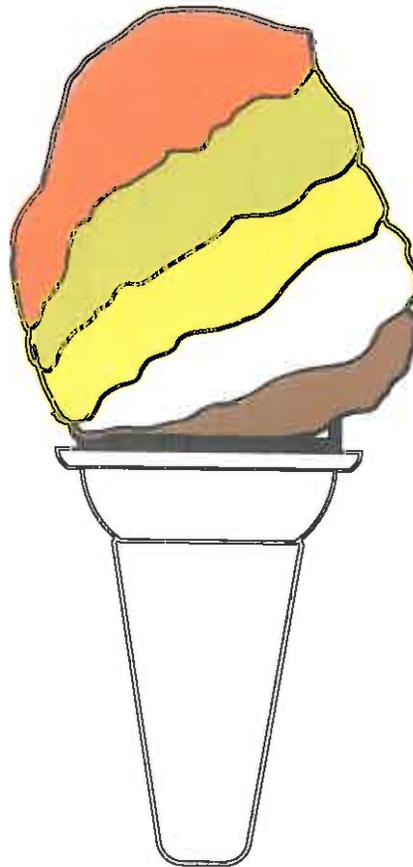
SCALE
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 Chicago, IL 60630
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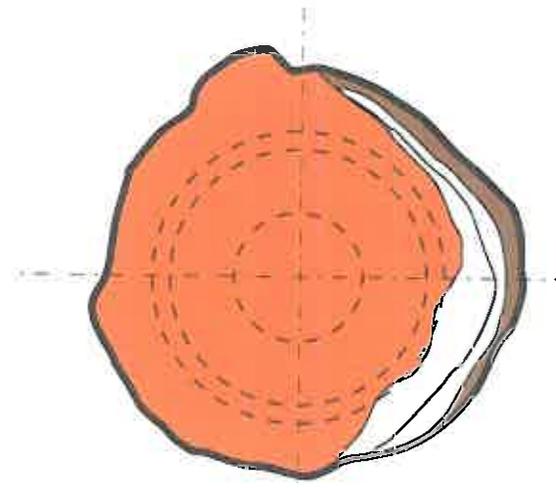
RAINBOW CONE FRONT



RAINBOW CONE SIDE

SIGN 3

- NONILLUMINATED 3D FIBERGLASS SIGN
- CUSTOM MOUNTING BRACKETS
- QTY (1)



RAINBOW CONE TOP

PG 5 / 7

CUSTOMER
Buona Beef

LOCATION
Darien, IL

SITE NUMBER
N/A

ACCOUNT REP
Mike Shelly

DRAWN BY
AO

DATE
02/11/21

REVISED

X	_____
X	_____
X	_____
X	_____
X	_____
X	_____
X	_____
X	_____
X	_____
X	_____

NOTES

SCALE
NTS

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Chicago, IL 60630
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F: 773-763-9606
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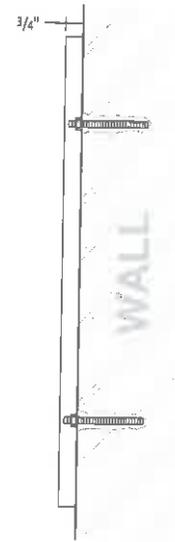


CORPORATE IDENTIFICATION SOLUTIONS

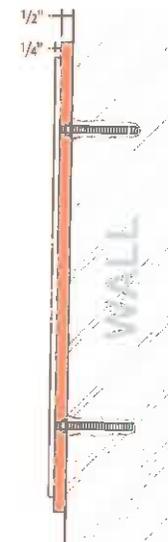


SIGN 4

- 3/4" thick stud mounted "SALADS/PASTA" letters painted orange & white
- "SANDWICHES/PIZZA" 1/4" thick stud mounted letters with stroke layer at 1/2" thick.



LETTERS
(SIDE DETAILS)



LETTERS
(SIDE DETAILS)

PG 6 / 7

CUSTOMER
Buona Beef

LOCATION
Darien, IL

SITE NUMBER
N/A

ACCOUNT REP
Mike Shelly

DRAWN BY
AO

DATE
02/11/21

REVISED

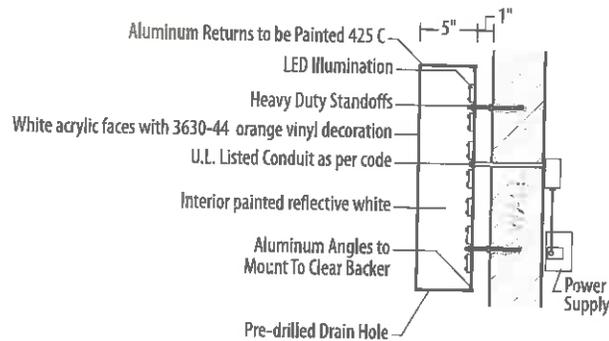
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NOTES

SCALE
NTS

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BUONA LETTERS SIDE VIEW

SIGN 5

- REVERSE (HALO) ILLUMINATION "BUONA" CHANNEL LETTERS WITH WHITE FACES AND 3630-44 ORANGE VINYL DECORATION
- "THE ORIGINAL ITALIAN BEEF" ROUTED AND BACKED CABINET WITH WHITE ACRYLIC PAINTED 425C
- QTY (1) SET

PG 7 / 7

CUSTOMER
Buona Beef

LOCATION
Darien, IL

SITE NUMBER
N/A

ACCOUNT REP
Mike Shelly

DRAWN BY
AO

DATE
02/11/21

REVISED

X
X
X
X
X
X
X
X
X
X

NOTES

SCALE
NTS

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CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

March 12, 2021

City of Darien
1702 Plainfield Road
Darien, Illinois 60561

Attention: Jordan Yanke

Subject: 7414 Cass Ave.
Buona Restaurant and The Original Rainbow Cone
(CBBEL Project No.95-323H201)

Dear Jordan

As requested, we have reviewed the preliminary site plan for the above project prepared by Hague Architecture and received on March 8, 2021. The following comments are submitted for your condieration:

1. With the addition of the double drive-through as well as 50 new outdoors seats the parking lot will be reduced by 17 regular parking spots. The reconfigured parking lot contains 48 parking stalls, two of which are handicapped accessible stalls. It appears that one additional stall could be gained if the accessible stalls were striped based on the latest Illinois Accessibility Code standards.
2. The western entrance will also be eliminated leaving only one entrance in and out of the parking lot and restaurant. We do not object to this.
3. The drive through goes exits through the pedestrian entrance to the building and so safety precautions will have to be considered, such as additional signage and/or striping.
4. Utilities to the building will not be interfered with and the storm system that is already in place appears to be sufficient to accommodate the changes.
5. The entrance to the parking lot will also be widened to accommodate a single access to the lot.
6. The north arrow on the plan set is pointing in the wrong direction.
7. The spelling of Cass Ave. is incorrect on the plan set.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Lynch". The signature is fluid and cursive, with the first name "Daniel" being more prominent than the last name "Lynch".

Daniel L. Lynch, PE, CFM
Head, Municipal Engineering Department

Cc Dan Gombac, City of Darien

**CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS**

ORDINANCE NO. 0-33-06

**AN ORDINANCE APPROVING A SPECIAL USE AND
VARIATIONS TO THE DARIEN ZONING ORDINANCE**

(PZC 2006-11: 7409 Cass Avenue, Buona Beef)

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 7th DAY OF AUGUST, 2006

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
8th day of August, 2006.**

ORDINANCE NO. 0-33-06

**AN ORDINANCE APPROVING A SPECIAL USE AND
VARIATION TO THE DARIEN ZONING ORDINANCE**

(PZC 2006-11: 7409 Cass Avenue, Buona Beef)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, the property legally described in Section 1 (the "Subject Property"), is zoned B-2 Community Shopping Center pursuant to the Darien Zoning Ordinance; and

WHEREAS, the petitioner has requested approval of a special use under Section 5A-8-3-4, B-2 zoning district of the Darien Zoning Ordinance to allow a drive-thru facility; and

WHEREAS, the petitioner has also requested variations from the terms of the Darien Zoning Ordinance and Sign Code as set forth hereinbelow; and

WHEREAS, pursuant to proper legal notice, a Public Hearing was held before the Planning and Zoning Commission on July 5, 2006, regarding this matter; and

WHEREAS, the Planning and Zoning Commission, at its regular meeting of July 5, 2006, has forwarded its findings and recommendation of approval of this request to the City Council; and

WHEREAS, on July 24, 2006, the Planning and Development Committee of the City Council reviewed the petition and has forwarded its recommendations of approval of this request to the City Council; and

ORDINANCE NO. 0-33-06

WHEREAS, the City Council has reviewed the findings and recommendations described above and now determines to grant the petition subject to the terms, conditions and limitations described hereinbelow.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Subject Property. This Ordinance is limited and restricted to the property generally located at 7409 Cass Avenue, Darien, Illinois, and legally described as follows:

PART OF PARCEL 3:

THAT PART OF LOT 192 IN HINSBROOK UNIT 2, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 25, 1966 AS DOCUMENT R-66-6422, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF LOT 192, AFORESAID, 525.0 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE WEST AT RIGHT ANGLES THERETO A DISTANCE OF 636.62 FEET TO A POINT IN THE WEST LINE OF SAID LOT; THENCE SOUTH ALONG SAID WEST LINE (BEING ALSO THE EAST LINE OF CASS AVENUE) FOR A DISTANCE OF 400.0 FEET TO A POINT 225.0 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 27, AFORESAID; THENCE EAST PARALLEL WITH SAID SOUTH LINE A DISTANCE OF 150.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF CASS AVENUE, AFORESAID, 125.0 FEET TO A POINT IN THE SOUTH LINE OF LOT 192, AFORESAID, 486.16 FEET WEST OF THE SOUTHEAST CORNER OF LOT 192, AFORESAID; THENCE EAST ALONG SAID SOUTH LINE 486.16 FEET TO THE SOUTHEAST CORNER OF LOT 192, AFORESAID; THENCE NORTH ALONG THE EAST LINE THEREOF 525.0 FEET TO THE POINT OF BEGINNING, (EXCEPT THE WEST 145.0 FEET OF THE EAST 220.0 FEET OF THE SOUTH 160.0 FEET OF SAID LOT 192); IN DUPAGE COUNTY, ILLINOIS. EXCEPTING FROM SAID PARCEL 3 THAT PART DESCRIBED AS: THE NORTH 89.90 FEET (A PORTION OF THE SOUTH LINE OF WHICH IS ALONG THE NORTH FACE OF A ONE STORY BRICK BUILDING) OF THE SOUTH 525.0 FEET OF LOT 192 IN HINSBROOK UNIT 2, IN DUPAGE COUNTY, ILLINOIS

PIN: 09-27-108-028

SECTION 2: Special Use Granted. A special use is hereby granted to allow a drive-thru facility under Section 5A-8-3-4, B-2 Community Shopping District, of the Darien Zoning Ordinance.

SECTION 3: Variations Granted. The following variations from the Darien Zoning Ordinance and Sign Code are hereby granted:

A. Variations from Zoning Ordinance:

1. To reduce the required number of vehicle stacking spaces from 15 to 12 (related to the drive-thru facility), Section 5A-11-5: Off Street Parking and Loading Table;
2. To permit the continuation of more than one principal building and uses on the same lot, Section 5A-5-5: Minimum Lot Size and Access Requirements;
3. To reduce the required width of landscape islands from 9 feet to widths ranging from 3.5 to 10 feet, Section 5A-10-6-(C): Landscape Requirements, Landscape Islands;
4. To eliminate the required building foundation landscape strip, Section 5A-10-7: Landscape Requirements, Foundation Landscaping;
5. To reduce the required front yard parking setback from 30 feet to 8 feet 11 inches, Section 5A-8-3-8(A)1(b): B-2 District, Yard Requirements;
6. To reduce the required side yard building setback from 30 feet to 10 feet, Section 5A-8-3-8(B)1(a): B-2 District, Yard Requirements; and
7. To reduce the required side yard parking setback from 20 feet to 4 feet, Section 5A-8-3-8(B)1(b): B-2 District, Yard Requirements.

B. Variations from Sign Code:

1. To permit wall signage on two sides of the building, and to increase the square footage of permitted wall signage from 122 to 150 square feet, Section 4-3-10(B): Permitted Signs in Zoning District, Signs in the Business Districts; and
2. To increase the permitted square footage of directional signage from 4 to 5 square feet, Section 4-3-8(R): Exempt Signs.

SECTION 4: Site Plan Approval. The Subject property shall be developed in substantial compliance with the following plans:

- Plat of Survey (portion), 1 sheet, prepared by Jens K. Doe Survey Service, Inc., dated December 10, 1998.
- 2. Site Plan, 1 sheet, prepared by Architectural Environments, dated June 12, 2006.
- 3. Engineering Plan, 1 sheet, prepared by JAS Associates, Inc., dated June 12, 2006.
- 4. Landscape Plan, 1 sheet, prepared by Western DuPage Landscaping, Inc., dated June 9, 2006.
- 5. Building Elevations and floor plan, 3 sheets, prepared by Architectural Environments, dated June 12, 2006.
- 6. Sign Details, 8 sheets.
- 7. Light Pole Details, date received July 24, 2006.
- 8. Traffic Analysis.

SECTION 5: Home Rule. This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent of the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supercede state law in that regard within its jurisdiction.

SECTION 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 7th day of August, 2006.

AYES: 6-Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

NAYS: 0-NONE

ABSENT: 1-Durkin

ORDINANCE NO. 0-33-06

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY.

ILLINOIS, this 7th day of August, 2006.

ATTEST:

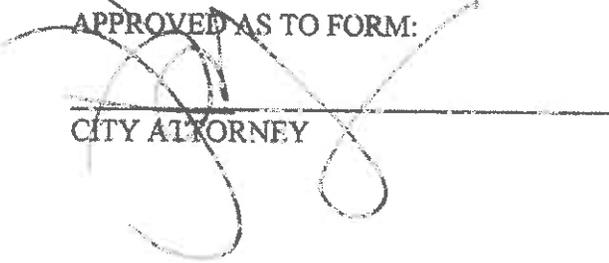


JOANNE F. COLEMAN, CITY CLERK



KATHLEEN MOESLE WEAVER, MAYOR

APPROVED AS TO FORM:



CITY ATTORNEY

**CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS**

ORDINANCE NO. 0-39-07

**AN ORDINANCE AMENDING AN EXISTING SPECIAL USE
AND VARIATIONS TO THE DARIEN ZONING ORDINANCE AND SIGN CODE
(7417 CASS AVENUE, BUONA BEEF)**

(PZC 2007-15: 7417 Cass Avenue, Buona Beef)

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 15th DAY OF OCTOBER, 2007

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
16th day of October, 2007.**

**AN ORDINANCE AMENDING AN EXISTING SPECIAL USE
AND VARIATIONS TO THE DARIEN ZONING ORDINANCE AND SIGN CODE
(7417 CASS AVENUE, BUONA BEEF)**

(PZC 2007-15: 7417 Cass Avenue, Buona Beef)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, heretofore, the City adopted Ordinance No. O-33-06 on August 7, 2006, “(AN ORDINANCE APPROVING A SPECIAL USE AND VARIATIONS TO THE DARIEN ZONING ORDINANCE)”; and

WHEREAS, a petition has been filed seeking to amend the special use and variations previously granted to allow the construction of a 492 square foot addition to provide additional indoor seating; and

WHEREAS, pursuant to proper legal notice, a Public Hearing was held before the Planning and Zoning Commission on October 3, 2007 on said petition; and

WHEREAS, the Planning and Zoning Commission, at its regular meeting of October 3, 2007, has forwarded its findings and recommendation of approval of this petition to the City Council; and

WHEREAS, on October 15, 2007, the Planning and Development Committee of the City Council reviewed the petition and has forwarded its recommendations of approval of this petition to the City Council; and

WHEREAS, the City Council has reviewed the findings and recommendations described above and now determines to grant the petition subject to the terms, conditions and limitations described hereinbelow.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Special Use Amended. The special use heretofore granted by Ordinance No. O-33-06, is hereby amended to allow the construction of a 492 square foot addition.

SECTION 2: Variations Granted.

A. A variation from the Zoning Ordinance, Section 5A-8-3-8 (B)1, Yard Requirements, is hereby granted to reduce the required rear yard building setback from 30 feet to 9.53 feet.

B. A variation from the Sign Code, Section 4-2-10(B)2: Signs in Business Districts, is hereby granted to allow an awning with 2.9 square feet of signage on the south façade as shown on the approved plans referenced in Section 3 of this Ordinance.

SECTION 3: Site Plan Approval. The Subject Property shall be developed in substantial compliance with the following plans:

Building addition plans (partial set), including site plan, seating plan and building elevations, 3 sheets (C1.1, D1.1 and A5.1), prepared by Architectural Environments, dated August 29, 2007.

SECTION 4: Home Rule. This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b)

ORDINANCE NO. 0-39-07

legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent of the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supercede state law in that regard within its jurisdiction.

SECTION 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 15th day of October, 2007.

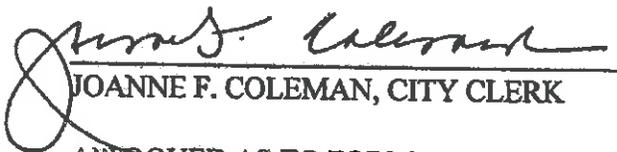
AYES: 6-Avci, Durkin, Galan, Gattuso, Marchese, Poteraske

NAYS: 0-NONE

ABSENT: 1-McIvor

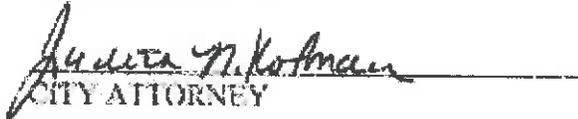
APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 15th day of October, 2007.

ATTEST:



JOANNE F. COLEMAN, CITY CLERK

APPROVED AS TO FORM:



ANDREA M. KOLMAN
CITY ATTORNEY



KATHLEEN MOESLE WEAVER, MAYOR





FRED BUCHOLZ
 DUPAGE COUNTY RECORDER
 JUL.08,2016 12:19 PM
 PLAT \$83.00 09-27-108-028
006 PAGES R2016-069588

CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. O-22-16

**AN ORDINANCE APPROVING
 A FINAL PLAT OF SUBDIVISION
 AND VARIATIONS TO THE
 DARIEN ZONING ORDINANCE**

(PZC 2016-08: 7417 Cass Avenue)

**ADOPTED BY THE
 MAYOR AND CITY COUNCIL
 OF THE
 CITY OF DARIEN**

THIS 20th DAY OF JUNE, 2016

7414 Cass Avenue, Darien, IL 60561 - PIN #09-27-108-028

**Published in pamphlet form by authority
 of the Mayor and City Council of the City
 of Darien, DuPage County, Illinois, this
21st day of June, 2016.**

Prepared by
**SUBMITTED BY AND RETURN TO:
 JOANNE E. RAGONA, CITY CLERK
 CITY OF DARIEN
 1702 PLAINFIELD ROAD
 DARIEN, IL 60561**

ORDINANCE NO. 0-22-16

**AN ORDINANCE APPROVING
A FINAL PLAT OF SUBDIVISION
AND VARIATIONS TO THE
DARIEN ZONING ORDINANCE**

(PZC 2016-08: 7417 Cass Avenue)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, the property legally described in Section 1 (the "Subject Property"), is zoned B-2 Community Shopping Center District pursuant to the Darien Zoning Ordinance; and

WHEREAS, petitioner has requested approval of a Final Plat of Subdivision and variations from the terms of the Darien Zoning Ordinance to reduce the required minimum lot area from 2.00 acres to 1.157 acres, to reduce the required minimum side yard from 30 feet to 0 feet, to reduce the required minimum rear yard from 30 feet to 0 feet, and to increase the required maximum lot coverage from 75% to 83% to reflect existing structures on the property; and

WHEREAS, the Planning and Zoning Commission at its regular meeting of June 15, 2016, recommended approval of said petition and has forwarded its findings and recommendation to the City Council; and

WHEREAS, on June 20, 2016, the Municipal Services Committee of the City Council reviewed the petition and has forwarded its recommendation of approval of said petition to the City Council; and

ORDINANCE NO. 0-22-16

WHEREAS, the City Council has reviewed the findings and recommendations described above and now determines to grant the petition subject to the terms, conditions and limitations described below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Subject Property. This Ordinance is limited and restricted to the property generally located at 7417 Cass Avenue, Darien, Illinois, and legally described as follows:

THAT PART OF LOT 192 IN HINSBROOK UNIT 2, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SUBDIVISION RECORDED FEBRUARY 25, 1966 AS DOCUMENT R666422, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 192 THAT IS 225.00 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH ON THE WEST LINE OF SAID LOT 192 HAVING AN ASSUMED BEARING OF NORTH 01 DEGREES 50 MINUTES 02 SECONDS WEST A DISTANCE OF 293.39 FEET; THENCE NORTH 88 DEGREES 12 MINUTES 53 SECONDS EAST ON A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 171.73 FEET; THENCE SOUTH 01 DEGREES 50 MINUTES 02 SECONDS EAST ON A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 192 A DISTANCE OF 293.39 FEET TO THE INTERSECTION WITH A LINE 225.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 88 DEGREES 12 MINUTES 53 SECONDS WEST ON THE LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 171.73 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PIN: 09-27-108-028

SECTION 2: Approval of Final Plat of Subdivision Granted. Approval of a Final Plat of Subdivision is hereby granted for a two lot subdivision of a parcel of land known as the Darien Estates Subdivision with Lot One containing 1.157 acres and Lot Two containing 4.236

ORDINANCE NO. 0-22-16

acres, subject to further review and approval by the City of Darien Community Services Department.

SECTION 3: Variations from Zoning Ordinance Granted. Variations from the Zoning Ordinance are hereby granted as follows: Section 5A-8-3-6: AREA REQUIREMENTS, to reduce the required minimum lot area from 2.00 acres to 1.157 acres; Section 5A-8-3-8 (B) 1: INTERIOR SIDE AND REAR YARDS, to reduce the required minimum side yard from 30 feet to 0 feet and to reduce the required minimum rear yard from 30 feet to 0 feet; and Section 5A-8-3-9: HEIGHT LIMITATIONS, BULK REGULATIONS, to increase the required maximum lot coverage from 75 % to 83%, all to reflect existing structures on the property, and

SECTION 4: Home Rule. This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent of the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supercede state law in that regard within its jurisdiction.

SECTION 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ORDINANCE NO. 0-22-16

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 20th day of June, 2016.

AYES: 6 - Beilke, Belczak, Chlystek, Marchese, McIvor, Schauer
NAYS: 0 - NONE
ABSENT: 1 - Kenny

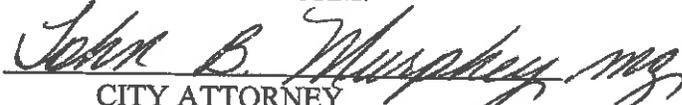
APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 20th day of June, 2016.


KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:


JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY





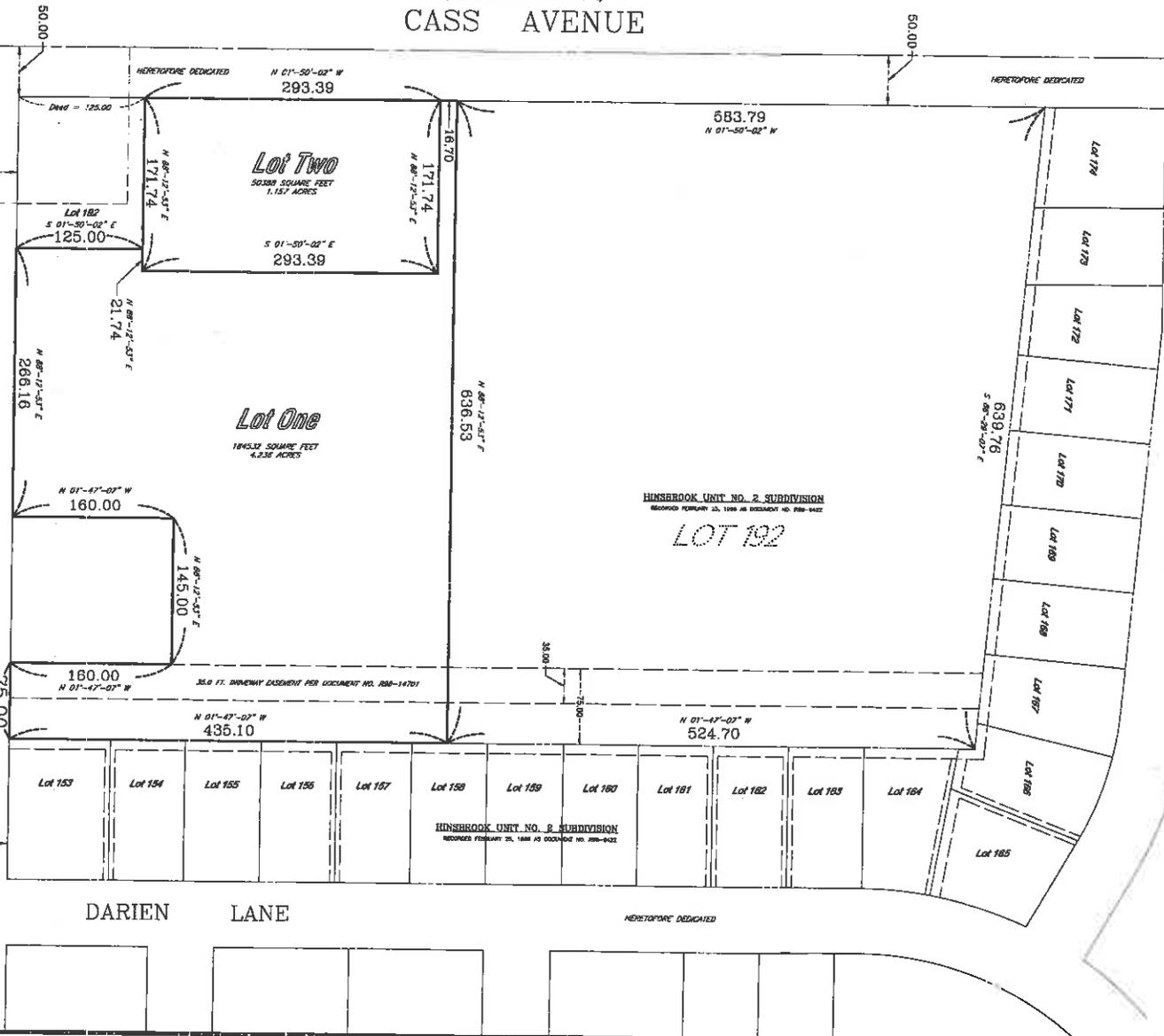
ORDINANCE NO. 03-22-16

Darien Associates Subdivision of

PART OF THE NORTHWEST QUARTER OF SECTION 27
TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD
PRINCIPAL MERIDIAN, ALL IN DU PAGE COUNTY, ILLINOIS

(ALSO KNOWN AS COUNTY HIGHWAY 15)
CASS AVENUE

PLAT
R2016-069586
JUL 28, 2016
PLAT PAGE COUNT: 2
ACCOMPANYING PAPER: V



TIMBER LANE

75th STREET

DARIEN LANE

SUBMITTED BY AND RETURN TO:
JOANNIE E. RALONA, CITY CLERK
CITY OF DARIEN
1782 PLAINFIELD ROAD
DARIEN, IL 60551

SHEET: 1 OF 2
PIN NO: 09-27-108-028-000

ADDRESS: 7414 S. CASS AVENUE
DARIEN, ILLINOIS 60551

SCALE: ONE INCH = FIFTY FEET
ORDERED BY: MR. MIKE BUONAVOLANTO

PLAT OF SUBDIVISION
MARCHESE AND SONS, Inc.
Land - marine - construction surveys
18 Haines Drive, Darien, Illinois 60551
Phone: (708) 944-8800
Fax: (708) 944-8800

AGENDA MEMO
PLANNING AND ZONING COMMISSION
APRIL 7, 2021

CASE

PZC2021-02

Major Planned Unit Development (PUD) Amendment, Annexation Agreement Amendment, and Plat of Consolidation. This petition includes waiver requests that are described in this memo.

ISSUE STATEMENT

Petitioner is seeking approval for a Major Planned Unit Development (PUD) Amendment, Annexation Agreement Amendment, and Plat of Consolidation. Approval would allow the construction of a 68-unit apartment complex on property zoned Planned Unit Development (PUD)/Multi-Family Residence District (R-3). Petition site comprises a total of 2.81 acres.

Applicable Regulations: Ordinance No. O-32-96 – Annexation/Development Agreement
Ordinance No. O-30-05 – Annexation Agreement Amendment
Ordinance No. O-31-05 – PUD Amendment/Preliminary Approval
Ordinance No. O-33-05 – Final PUD Approval
City Code Section 5A-3, PUD Regulations
City Code Section 5B, Subdivision Regulations

GENERAL INFORMATION

Petitioner: Shipper Columbus, LLC c/o Paul Swanson Associates, Inc.
Property Owner: Shipper Columbus, LLC
Property Location: 2305 Sokol Court; 2345 S Frontage Road
PIN Number(s): 10-05-404-002; 10-05-404-024
Existing Zoning: Planned Unit Development (PUD)/
Multi-Family Residence District (R-3)
Proposed Zoning: Planned Unit Development (PUD)/
Multi-Family Residence District (R-3)
Existing Land Use: Vacant
Proposed Land Use: 68-Unit Apartment Complex
Comprehensive Plan: High Density Residential (Existing); Parks/Open Space (Future)
Surrounding Zoning & Uses
North: R-1 Single Family Residence District (North of I-55 Expressway);
Single Family Residential
East: Planned Unit Development (PUD)/Multi-Family Residence District
(R-3); Multi-Family Residential
South: Planned Unit Development (PUD)/Multi-Family Residence District
(R-3); Multi-Family Residential
West: Planned Unit Development (PUD)/Multi-Family Residence District
(R-3); Hotel
History: The petition site is part of the Burnside/Lemont Road Mixed Use
Planned Unit Development (PUD), originally approved under an
Annexation/Development Agreement (Ordinance No. O-32-96).
The Sokol Organization submitted plans for a gymnasium on the site
but the plans were withdrawn in 2002 after the City Council

AGENDA MEMO PZC2021-02

requested changes to the proposed building’s façade. Subsequently, in 2005 the City Council adopted an amendment to the existing Planned Unit Development (PUD) and Annexation/Development Agreement allowing for a 66-unit condominium development. The development was never constructed.

- Total PUD Acreage: 27.9 Acres
- Petition Site Acreage: 2.81 Acres
- Floodplain: According to the DuPage County Parcel Viewer System, there is no floodplain on the subject site.
- Natural Features: There is a small cluster of trees on the petition site along S Frontage Road.
- Transportation: The petition site gains access from Sokol Court via S Frontage Road.

DOCUMENTS SUBMITTED

This report is based on the following information submitted to the Community Development Department by the petitioner:

- Application & Supplemental Documents, dated February 12, 2021
Prepared by Paul Swanson Associates, Inc.
- Site Development Plan, Darien Heights Residences, dated January 19, 2021 (8 Pages)
Prepared by Paul Swanson Associates, Inc.; Pearson, Brown & Associates, Inc.; Gary R. Weber Associates, Inc.
- Traffic Study & Memorandum, dated March 10, 2021
Prepared by Haeger Engineering

PLANNING OVERVIEW/DISCUSSION

The subject property is located at the southeast corner of the intersection of S Frontage Road and Sokol Court, east of the Extended Stay Hotel. On November 7, 2005, the City Council approved a Final Planned Unit Development (PUD) and Final Plat (Ordinance No. O-33-05) for the subject property allowing the construction of a 66-unit condominium development comprised of two (2) buildings. In addition to these approvals, the City Council also adopted an Annexation Agreement associated with the proposal (Ordinance No. O-30-05). These approvals were technically amendments to a previously approved Planned Unit Development (PUD) and Annexation Agreement for the site.

Subsequently, the development was never constructed and the petition site is currently vacant. On February 12, 2021, a new petition was submitted by Paul Swanson Associates, Inc., which is the petition before the Planning and Zoning Commission. The newly submitted petition proposes to construct a 68-unit multi-family apartment complex comprised of one (1) building the subject property.

Given the fact the new petition proposes apartments instead of condominiums as specified in the prior approvals, City staff, in conjunction with the City Attorney concluded that a Major Planned Unit Development (PUD) Amendment and Annexation Agreement Amendment would need to

be filed. Thus, the petitioner has submitted these filings. The previous ordinance approvals are included as attachments to this report for reference. The newly submitted petition includes waiver requests to the following Zoning Ordinance Sections:

- *Zoning Section 5A-3-3-4: Waiver request to increase allowed residential density.*
 - o This waiver request pertains to gross residential density, which is permitted within the subject Planned Unit Development (PUD) at a maximum of 7.0du/residential acre. The proposed residential density is 9.9du/residential acre.
- *Zoning Section 5A-3-3-5: Waiver request to off-street parking requirements.*
 - o While the proposed development meets the ordinance requirement for minimum parking ratio (two (2) spaces per dwelling unit) and ADA standards, the proposal does not include the required one (1) off-street loading berth.
- *Zoning Section 5A-3-3-9(B): Waiver request to minimum setback requirement.*
 - o In addition to standard setback requirements, the ordinance specifies that buildings of more than twenty-four feet (24') in height shall provide a setback from any property line of not less than equal to the height of the building. The proposed structure is forty feet (40') in height but is setback only twenty feet (20') from the site's eastern lot line.
- *Zoning Section 5A-3-3-10: Waiver request to increase maximum building height.*
 - o The maximum allowed building height per ordinance is three (3) stories not to exceed thirty-five feet (35'). The proposed building is four (4) stories and is forty feet (40') in height.

Additionally, the plans have been reviewed by the City's Engineering Consultant and a comment letter has been included (dated March 12, 2021). Also included is the comment letter (dated March 29, 2021) provided by the City's Transportation Engineer/Consultant.

The Lemont Fire District is currently developing comments on the proposed project and the comments are expected to be provided prior to the Public Hearing on April 7, 2021.

STAFF FINDINGS/RECOMMENDATION

In sum, the submitted petition plans comply with ordinance specifications. The exceptions were described above and the petitioner has requested waivers pursuant to the Zoning Ordinance and submitted documentation.

Similar to the prior proposal, staff finds that the proposed use, while increasing dwelling units, is compatible with the existing adjacent uses. The adjacent uses include townhomes, condominiums, and a hotel. The proposed apartment complex is also compatible in terms of scale and height to the nearby hotel and residential development(s). Therefore, please see the following recommendation:

Based upon the submitted petition and the information presented, the request filed under PZC2021-02 is in conformance with the standards of the Darien City Code, and therefore, it is recommended the Planning and Zoning Commission forward the petition to the City Council with a recommendation of approval, subject to the following items/conditions:

1. Address review comments from the City's Engineering Consultant,

- Transportation Engineer/Consultant, and the Lemont Fire District.**
- 2. Submit materials board for the proposed apartment complex.**
 - 3. Amend Landscape Plan to include a landscape island within the row of perimeter parking spaces on the northern end of the parking lot.**
 - 4. Waivers to be granted:**
 - A. *Zoning Section 5A-3-3-4: Waiver request to increase allowed residential density.* This waiver request pertains to gross residential density, which is permitted within the subject Planned Unit Development (PUD) at a maximum of 7.0du/residential acre. The proposed residential density is 9.9du/residential acre.**
 - B. *Zoning Section 5A-3-3-5: Waiver request to off-street parking requirements.* While the proposed development meets the ordinance requirement for minimum parking ratio (two (2) spaces per dwelling unit) and ADA standards, the proposal does not include the required one (1) off-street loading berth.**
 - C. *Zoning Section 5A-3-3-9(B): Waiver request to minimum setback requirement.* In addition to standard setback requirements, the ordinance specifies that buildings of more than twenty-four feet (24') in height shall provide a setback from any property line of not less than equal to the height of the building. The proposed structure is forty feet (40') in height but is setback only twenty feet (20') from the site's eastern lot line.**
 - D. *Zoning Section 5A-3-3-10: Waiver request to increase maximum building height.* The maximum allowed building height per ordinance is three (3) stories not to exceed thirty-five feet (35'). The proposed building is four (4) stories and is forty feet (40') in height.**

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on April 7, 2021.

MEETING SCHEDULE

Planning and Zoning Commission	April 7, 2021
Municipal Services Committee	April 26, 2021
City Council	May 3, 2021



ZONING APPLICATION

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

CONTACT INFORMATION

Applicant's Name: EQUITY TRUST COMPANY CUSTODIAN c/o PAUL SWANSON P/B/O PAUL SWANSON IRA
Address: 401 E PROSPECT AVE MT. PROSPECT IL 60056
Telephone: 847 680-6710
Email: PAUL@PSA-INC.BIZ

Owner's Name: SHIPPER COLUMBUS LLC
Address: 7515 SANTA FE DRIVE HODGKINS, IL 60525
Telephone: 708-544-8530
Email: bSHIPPER3@EVENTEQUIPMENT.COM

PROPERTY INFORMATION

Property address: 2305 SOKOL CT
Zoning District: R3 PUD

PIN Number(s): 1005404002 & 1005404024
Current Land Use(s): VACANT

(Attach additional information per the Submittal Checklist.)

REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

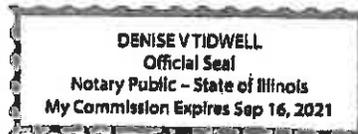
TO DEVELOP A 4-STORY 68 UNIT APARTMENT BUILDING W/ EXTERIOR & INTERIOR PARKING

Applicant Signature: [Handwritten Signature]

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that PAUL SWANSON is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth. Given under my hand and seal, this 9th day of OCTOBER 2020.

Notary Public: [Handwritten Signature]

For office use only
Date Received: 02/12/2021
Case Number: 22-0261-02
Fee Paid: \$2,000.00
Hearing Date: 01/07/2021



RECEIVED
FEB 12 2021
Community Development
City of Darien

CITY OF DARIEN, ILLINOIS, Community Development Department

PLANNED UNIT DEVELOPMENT petition to the Mayor and City Council of the City of Darien:

Staff Use Only
Case No.:
Date Received:
Fee Paid:
Check No.:
Hearing Date:

PETITIONER INFORMATION

EQUITY TRUST CO. CUSTODIAN FPC
 Petitioner's Name PAUL SWANSON, TR
PAUL SWANSON
 Contact Name
401 E PROSPECT AVE W/ PROSPECT
 Address, City, State, Zip Code IL 60556
847-670-6710
 Phone #
847-670-6713
 Fax #
PAUL@PSA-INC.BIZ
 Email

SHIPPER CELLINGUS LLC
 Owner's Name
7515 MASTAKE DR. HODGKINS, IL
 Address, City, State, Zip Code 60525
708-514-8532
 Phone #
bshipper3@EVENTEQUIPMENT.com
 Email

PROPERTY INFORMATION

2305 SKOL CT.
 Property address
~~PSA~~ 100540402 & 100540424
 PIN(s)

2.68 ac
 Acreage
R3 PUD
 Zoning

RECEIVED
 FEB 12 2021
 Community Development
 City of Darien

Provide legal description on a separate sheet and attach, such as the plat of survey.

REQUEST

DARIEN HEIGHTS RESIDENCES
 PUD Name
 Brief description of the proposed development:
A 5 STORY 68 UNIT APT BLDG W/ EXT. PARKING
 Preliminary PUD PUD Amendment
 Final PUD

I, _____ do hereby certify that I am the owner of record (or one of the owners of record or the attorney for the owners of record of the aforesaid described property) and I hereby make application as such.

Signature _____

Subscribed and sworn to before this _____ day of _____, 20____

Notary Public _____

Authorizing Equity Trust & Custodian FPC Paul Swanson Trust To

Development Concept
Darien Heights Residences
2305 Sokol Court

Overall Concept

The overall Development Concept for Darien Heights is to provide an alternative to Home Ownership – being tied down to one place with Mortgage Payments, Real Estate Taxes, Home Upkeep and Repair etc.

Up Scale Rental Residences, such as Darien Heights, is a Life Style Choice; not so much built on Economics, (our residences will lease for between \$1,500 a month for a 1 Bedroom/1 Bathroom residence to over \$2,700 a month for our largest a 2 Bedroom/2 Bathroom residence) but to offer a more mobile attachment free lifestyle.

To attract this upscale clientele, we provide 6 different floor plans, which vary in size and layout, but with features found in upscale homes, such as hardwood floors in all living areas (carpet in bedrooms) ceramic tile floors and walls in bathrooms, kitchens all with designer countertops and appliances including in unit washer and dryers.

All utilities are separately metered for future conversion to Condominiums. Further amenities provided are Underground Heated Parking with Car Wash, Storage Units, Party Room, Exercise Room, Exterior Terrace with BBQ, generous (2 cars/residence) parking and a small “Bark Park” all under the watchful eye of an On-Site Leasing Manager and Building Engineer to attend to the daily needs of the residents.

Site Specific Concept

Site specifically we are presenting a 4 Story Building with 66 Residences plus a 1 Bedroom and a 2 Bedroom Model all with private Balconies or Patios. The site was chosen for its access to a major expressway and the upscale Darien Community and more specifically the attractive ‘Waterfall Glen’ neighborhood of Townhomes and Condominiums. The Building Architecture is brick with some stucco accents with a lower building height (40’) than the existing Condominium Buildings and sited to the east part of the site overlooking the Park and away from the existing Condominium Buildings as possible.

Another plus for these Upscale Residences is the fact that there will be very few school aged children as the Residents will be economically upscale, mobile, young working professionals and older empty nesters.

All the above being said, we are excited about becoming part of the Waterfall Glen Neighborhood and while looking to present an alternative lifestyle, to firstly become a good and stable part of the Neighborhood.

DARIEN HEIGHTS RESIDENCES

2305 SOKOL COURT

DARIEN, IL

Development Concept
 Darien Heights Residences
 2305 Sokol Court.

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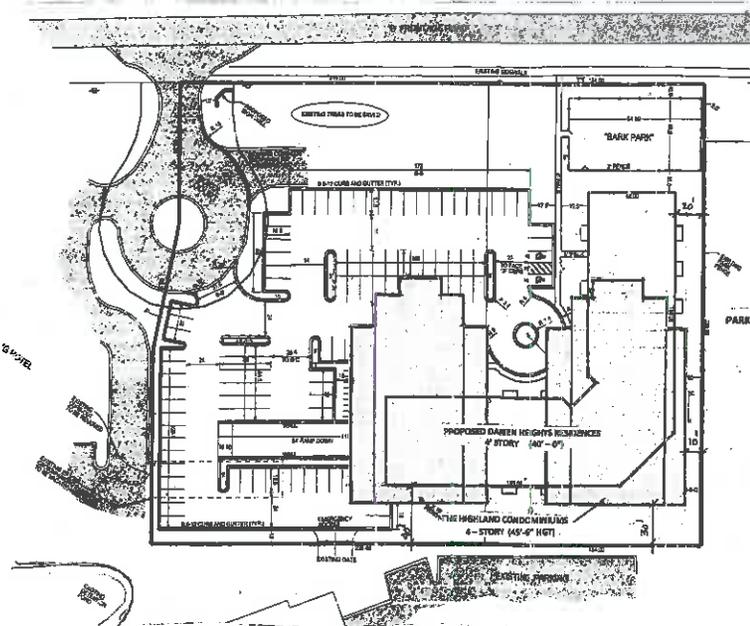
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INDEX

- A1 SITE PLAN, LL FL PLAN, 1/8" UNIT PLANS
- A2 BLDG FL PLANS; BLDG ELEVATIONS
- CE1 EXISTING CONDITIONS
- CE2 GEOMETRIC SITE PLAN
- CE3 PRELIMINARY ENGINEERING & LIGHTING
- L1 OVERALL LANDSCAPE PLAN
- L2 LANDSCAPE DETAILS
- L3 LANDSCAPE SPECIFICATIONS



VIEW FROM SOKOL COURT

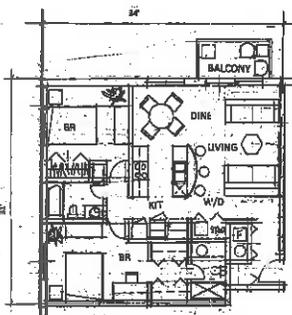


COMPARATIVE SITE PLAN WITH THE HIGHLAND CONDOMINIUMS

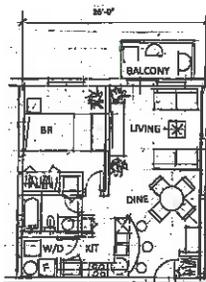
1"=40'

DARIEN HEIGHTS RESIDENCES
 2305 SOKOL COURT
 DARIEN, IL

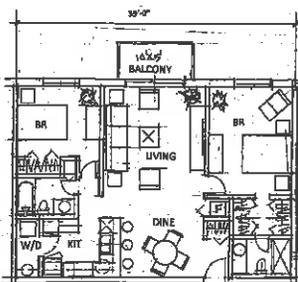
DATE: 1/19/21
 JOB NO.
 SHEET NO.



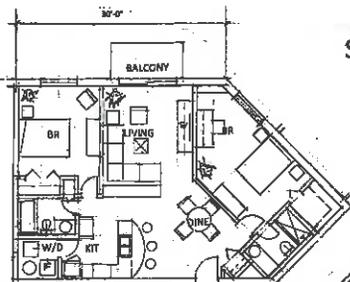
SUITE 'A' 1/8"
1,064 SF



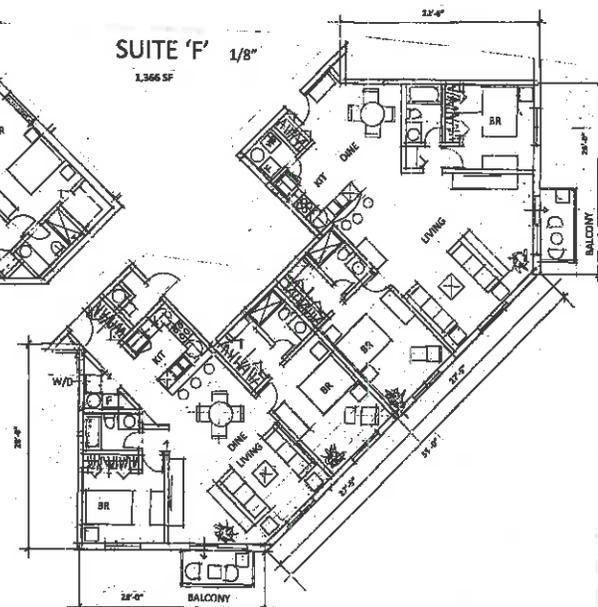
SUITE 'B' 1/8"
761 SF



SUITE 'C' 1/8"
1,112 SF

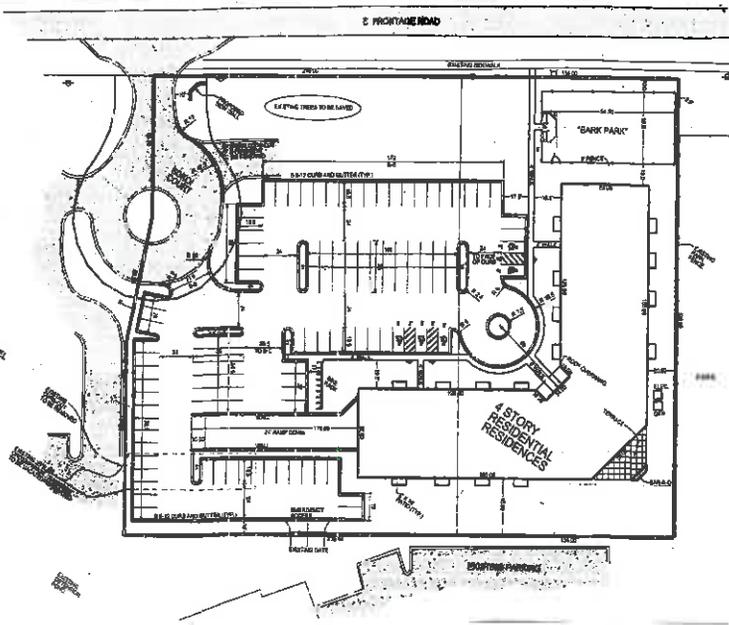


SUITE 'D' 1/8"
1,100 SF



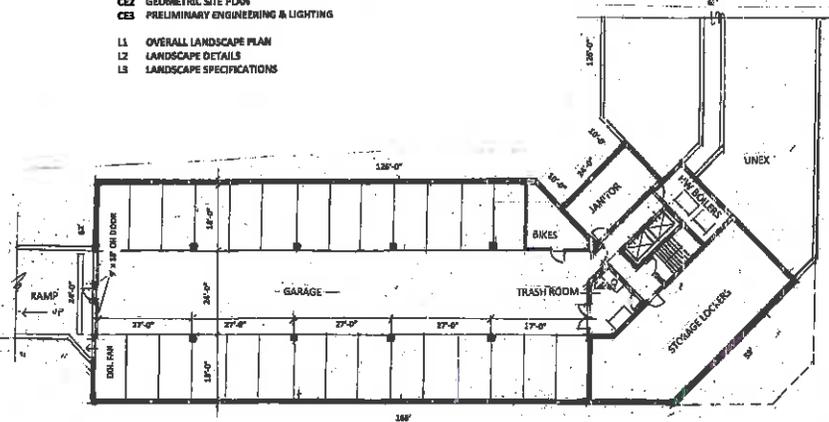
SUITE 'E' 1/8"
1,314 SF

SUITE 'F' 1/8"
1,366 SF



SITE PLAN 1" = 40'

- INDEX**
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LOWER-LEVEL FLOOR PLAN 1/15"

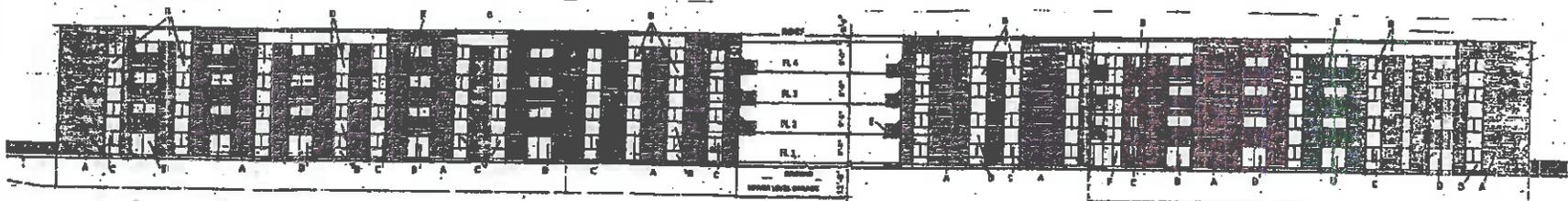
PROJECT DATA

LAND AREA	122,404 SF	2.18 AC
BUILDING COVERAGE	28,750 SF/122,404 SF	17%
FAR	83,000 SF/122,404 SF	68%
TOTAL IMPERVIOUS	67,400 SF/122,404 SF	55%
BUILDING HEIGHT		40'
PARKING	EXTERIOR 110 CARS	157 CARS (2/OU)
	GARAGE 27 CARS	

DARIEN HEIGHTS RESIDENCES
 DARIEN, IL
 2305 SOKOL COURT

DATE 1/19/21

A1



SOUTH & EAST ELEVATION

NORTH & WEST ELEVATION

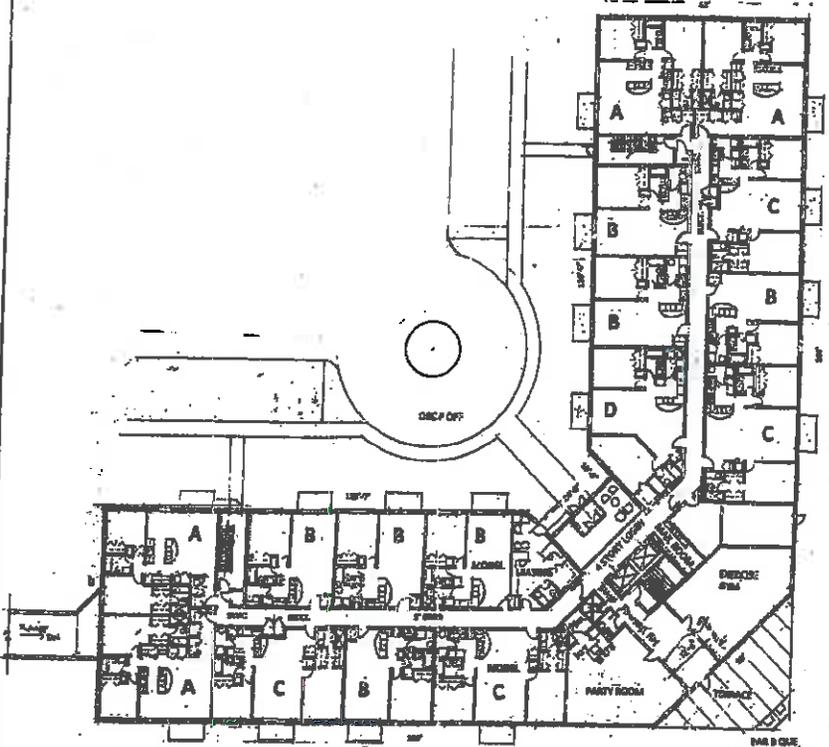
BUILDING ELEVATIONS 1/16"

EXTERIOR FINISH SCHEDULE

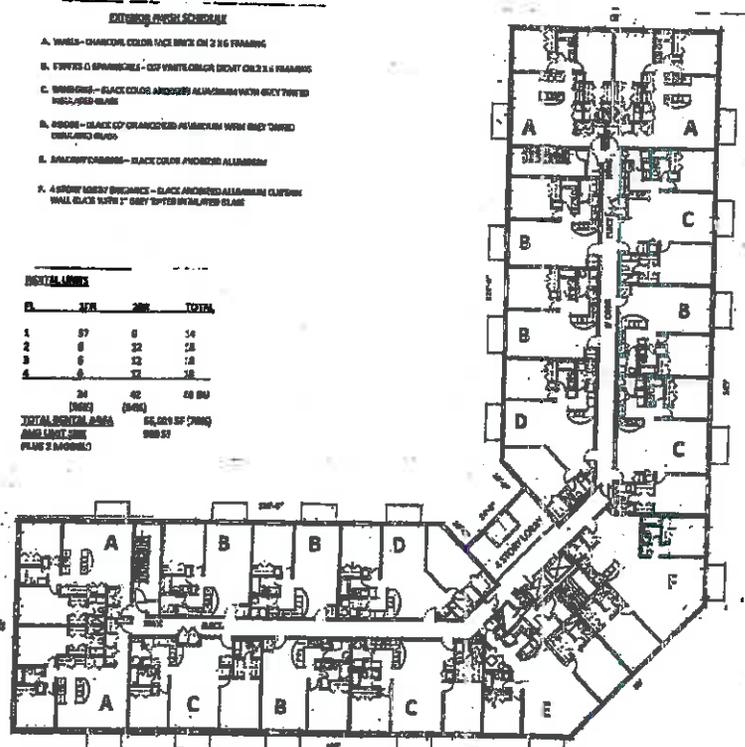
- A. WALLS - CHARCOAL COLOR FACE BRICK ON 2 X 6 FRAMING
- B. TYPED C. BRICKWORK - COP WHITE COLOR BRICK ON 2 X 6 FRAMING
- C. BRICKWORK - BLACK COLOR ANCHORED ALUMINUM WITH GREY TINTED IRON-ORE GLAZE
- D. BRICKS - BLACK CO. ANCHORED ALUMINUM WITH GREY TINTED IRON-ORE GLAZE
- E. BRICKWORK - BLACK COLOR ANCHORED ALUMINUM
- F. A GROUND FLOOR ENTRANCE - BLACK ANCHORED ALUMINUM CLAYTONE WALL GLAZE WITH 1" GREY TYPED BRICK LAYER GLAZE

DETAILS

FL.	STN.	NO.	TOTAL
1	57	0	54
2	0	32	24
3	0	32	24
4	0	32	24
24			48 BU
[5000]			[5000]
TOTAL SQUARE FEET			86,000 SF (7000)
GROSS FLOOR AREA			86,000 SF
PLANS 2 THROUGH 10			



FIRST FLOOR PLAN 1/16"

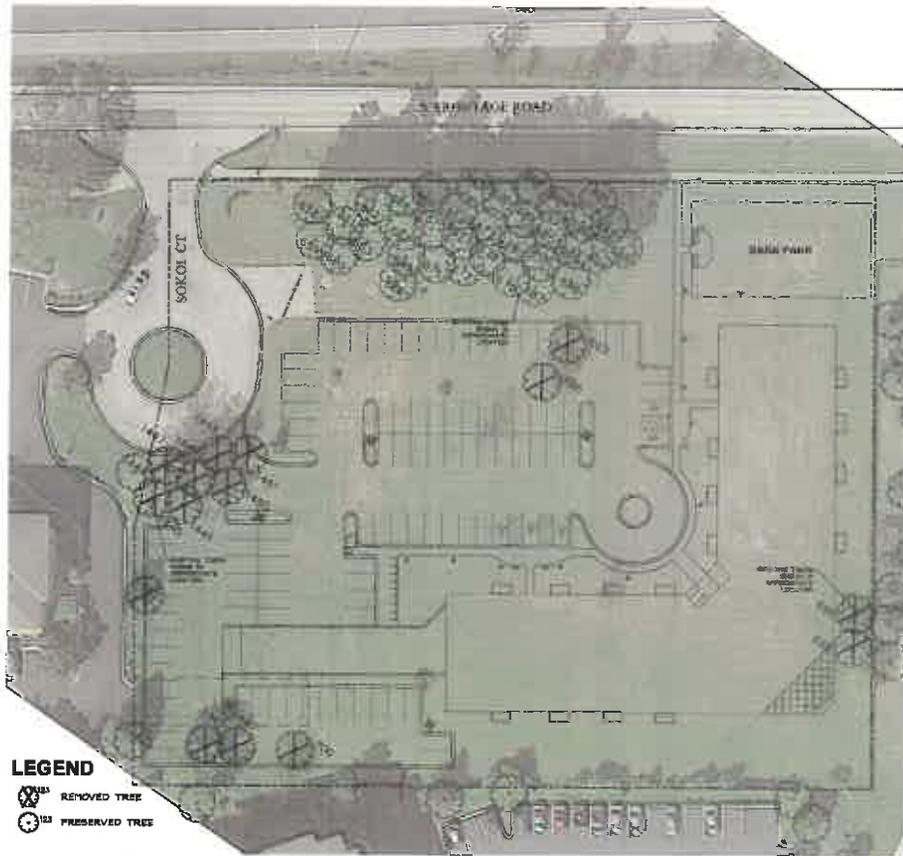


SECOND - FOURTH FLOOR PLAN 1/16"

DARIEN HEIGHTS RESIDENCES
 2305 SOKOL COURT
 DARIEN, IL

V/14/23

A2



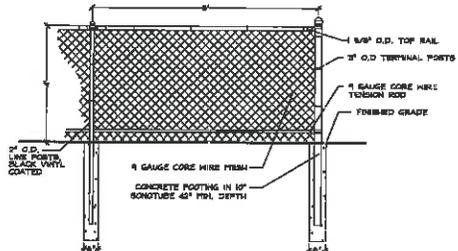
LEGEND

REMOVED TREE
 PRESERVED TREE

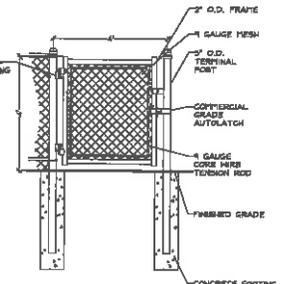
TREE PRESERVATION PLAN



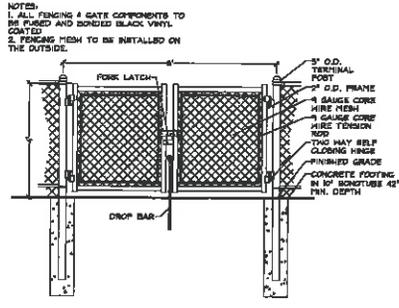
NOTES:
 1. FINISHING COMPONENTS TO BE FINISHED AND BONDED BLACK VINYL COATED
 2. FINISHING MESH TO BE INSTALLED ON THE OUTSIDE.



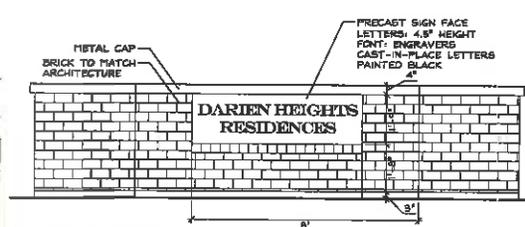
4' CHAIN LINK FENCE DETAILS
SCALE: 1/2"=1'-0"



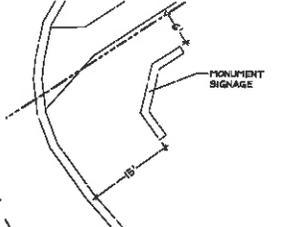
4' WIDE GATE
CONCRETE FOOTING IN 12\"/>



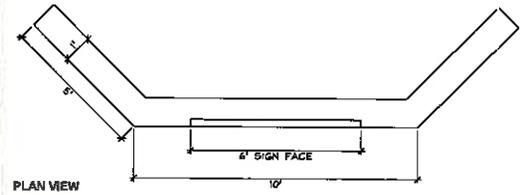
8' WIDE GATE
CONCRETE FOOTING IN 12\"/>



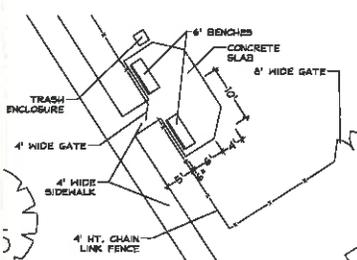
MONUMENT ELEVATION



MONUMENT LAYOUT PLAN
SCALE: 1"=10'



PLAN VIEW
MONUMENT DETAILS
SCALE: 1/2"=1'-0"



BARK PARK ENTRY PLAN
SCALE: 1"=10'

NOTES:
 1. ALL FINISHING 4 GATE COMPONENTS TO BE FINISHED AND BONDED BLACK VINYL COATED
 2. FINISHING MESH TO BE INSTALLED ON THE OUTSIDE.

TREE INVENTORY

TAXID	COMMON NAME	COMMON NUMBER	DBH (INCH)	HT (FEET)	NOTES	RECOMMENDED ACTION
068	Robinia pseudoacacia	Black_loc_01	6.8	10	Split risk	Preserve
069	Robinia pseudoacacia	Black_loc_02	10	10	Split risk	Preserve
070	Robinia pseudoacacia	Black_loc_03	15.15	10	Split risk	Preserve
071	Robinia pseudoacacia	Black_loc_04	12.8	10	Split risk	Preserve
072	Robinia pseudoacacia	Black_loc_05	10	10	Split risk	Preserve
073	Robinia pseudoacacia	Black_loc_06	11	10	Split risk	Preserve
074	Robinia pseudoacacia	Black_loc_07	8	10	Split risk	Preserve
075	Robinia pseudoacacia	Black_loc_08	5	10	Split risk	Preserve
076	Robinia pseudoacacia	Black_loc_09	5	10	Split risk	Preserve
077	Robinia pseudoacacia	Black_loc_10	5	10	Split risk	Preserve
078	Robinia pseudoacacia	Black_loc_11	5	10	Split risk	Preserve
079	Robinia pseudoacacia	Black_loc_12	5	10	Split risk	Preserve
080	Robinia pseudoacacia	Black_loc_13	5	10	Split risk	Preserve
081	Robinia pseudoacacia	Black_loc_14	5	10	Split risk	Preserve
082	Robinia pseudoacacia	Black_loc_15	5	10	Split risk	Preserve
083	Robinia pseudoacacia	Black_loc_16	5	10	Split risk	Preserve
084	Robinia pseudoacacia	Black_loc_17	5	10	Split risk	Preserve
085	Robinia pseudoacacia	Black_loc_18	5	10	Split risk	Preserve
086	Robinia pseudoacacia	Black_loc_19	5	10	Split risk	Preserve
087	Robinia pseudoacacia	Black_loc_20	5	10	Split risk	Preserve
088	Robinia pseudoacacia	Black_loc_21	5	10	Split risk	Preserve
089	Robinia pseudoacacia	Black_loc_22	5	10	Split risk	Preserve
090	Robinia pseudoacacia	Black_loc_23	5	10	Split risk	Preserve
091	Robinia pseudoacacia	Black_loc_24	5	10	Split risk	Preserve
092	Robinia pseudoacacia	Black_loc_25	5	10	Split risk	Preserve
093	Robinia pseudoacacia	Black_loc_26	5	10	Split risk	Preserve
094	Robinia pseudoacacia	Black_loc_27	5	10	Split risk	Preserve
095	Robinia pseudoacacia	Black_loc_28	5	10	Split risk	Preserve
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101	Robinia pseudoacacia	Black_loc_34	5	10	Split risk	Preserve
102	Robinia pseudoacacia	Black_loc_35	5	10	Split risk	Preserve
103	Robinia pseudoacacia	Black_loc_36	5	10	Split risk	Preserve
104	Robinia pseudoacacia	Black_loc_37	5	10	Split risk	Preserve
105	Robinia pseudoacacia	Black_loc_38	5	10	Split risk	Preserve
106	Robinia pseudoacacia	Black_loc_39	5	10	Split risk	Preserve
107	Robinia pseudoacacia	Black_loc_40	5	10	Split risk	Preserve
108	Robinia pseudoacacia	Black_loc_41	5	10	Split risk	Preserve
109	Robinia pseudoacacia	Black_loc_42	5	10	Split risk	Preserve
110	Robinia pseudoacacia	Black_loc_43	5	10	Split risk	Preserve
111	Robinia pseudoacacia	Black_loc_44	5	10	Split risk	Preserve
112	Robinia pseudoacacia	Black_loc_45	5	10	Split risk	Preserve
113	Robinia pseudoacacia	Black_loc_46	5	10	Split risk	Preserve
114	Robinia pseudoacacia	Black_loc_47	5	10	Split risk	Preserve
115	Robinia pseudoacacia	Black_loc_48	5	10	Split risk	Preserve
116	Robinia pseudoacacia	Black_loc_49	5	10	Split risk	Preserve
117	Robinia pseudoacacia	Black_loc_50	5	10	Split risk	Preserve
118	Robinia pseudoacacia	Black_loc_51	5	10	Split risk	Preserve
119	Robinia pseudoacacia	Black_loc_52	5	10	Split risk	Preserve
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122	Robinia pseudoacacia	Black_loc_55	5	10	Split risk	Preserve
123	Robinia pseudoacacia	Black_loc_56	5	10	Split risk	Preserve
124	Robinia pseudoacacia	Black_loc_57	5	10	Split risk	Preserve
125	Robinia pseudoacacia	Black_loc_58	5	10	Split risk	Preserve
126	Robinia pseudoacacia	Black_loc_59	5	10	Split risk	Preserve
127	Robinia pseudoacacia	Black_loc_60	5	10	Split risk	Preserve
128	Robinia pseudoacacia	Black_loc_61	5	10	Split risk	Preserve
129	Robinia pseudoacacia	Black_loc_62	5	10	Split risk	Preserve
130	Robinia pseudoacacia	Black_loc_63	5	10	Split risk	Preserve
131	Robinia pseudoacacia	Black_loc_64	5	10	Split risk	Preserve
132	Robinia pseudoacacia	Black_loc_65	5	10	Split risk	Preserve
133	Robinia pseudoacacia	Black_loc_66	5	10	Split risk	Preserve
134	Robinia pseudoacacia	Black_loc_67	5	10	Split risk	Preserve
135	Robinia pseudoacacia	Black_loc_68	5	10	Split risk	Preserve
136	Robinia pseudoacacia	Black_loc_69	5	10	Split risk	Preserve
137	Robinia pseudoacacia	Black_loc_70	5	10	Split risk	Preserve
138	Robinia pseudoacacia	Black_loc_71	5	10	Split risk	Preserve
139	Robinia pseudoacacia	Black_loc_72	5	10	Split risk	Preserve
140	Robinia pseudoacacia	Black_loc_73	5	10	Split risk	Preserve
141	Robinia pseudoacacia	Black_loc_74	5	10	Split risk	Preserve
142	Robinia pseudoacacia	Black_loc_75	5	10	Split risk	Preserve
143	Robinia pseudoacacia	Black_loc_76	5	10	Split risk	Preserve
144	Robinia pseudoacacia	Black_loc_77	5	10	Split risk	Preserve
145	Robinia pseudoacacia	Black_loc_78	5	10	Split risk	Preserve
146	Robinia pseudoacacia	Black_loc_79	5	10	Split risk	Preserve
147	Robinia pseudoacacia	Black_loc_80	5	10	Split risk	Preserve
148	Robinia pseudoacacia	Black_loc_81	5	10	Split risk	Preserve
149	Robinia pseudoacacia	Black_loc_82	5	10	Split risk	Preserve
150	Robinia pseudoacacia	Black_loc_83	5	10	Split risk	Preserve
151	Robinia pseudoacacia	Black_loc_84	5	10	Split risk	Preserve
152	Robinia pseudoacacia	Black_loc_85	5	10	Split risk	Preserve
153	Robinia pseudoacacia	Black_loc_86	5	10	Split risk	Preserve
154	Robinia pseudoacacia	Black_loc_87	5	10	Split risk	Preserve
155	Robinia pseudoacacia	Black_loc_88	5	10	Split risk	Preserve
156	Robinia pseudoacacia	Black_loc_89	5	10	Split risk	Preserve
157	Robinia pseudoacacia	Black_loc_90	5	10	Split risk	Preserve
158	Robinia pseudoacacia	Black_loc_91	5	10	Split risk	Preserve
159	Robinia pseudoacacia	Black_loc_92	5	10	Split risk	Preserve
160	Robinia pseudoacacia	Black_loc_93	5	10	Split risk	Preserve
161	Robinia pseudoacacia	Black_loc_94	5	10	Split risk	Preserve
162	Robinia pseudoacacia	Black_loc_95	5	10	Split risk	Preserve
163	Robinia pseudoacacia	Black_loc_96	5	10	Split risk	Preserve
164	Robinia pseudoacacia	Black_loc_97	5	10	Split risk	Preserve
165	Robinia pseudoacacia	Black_loc_98	5	10	Split risk	Preserve
166	Robinia pseudoacacia	Black_loc_99	5	10	Split risk	Preserve
167	Robinia pseudoacacia	Black_loc_100	5	10	Split risk	Preserve

TREE INVENTORY 1/25/2011
 1. -see measured C.A.B. # above the ground - USE! (measure the tree height)
 2. -measure trees 4\"/>

GARY L. WEBER ASSOCIATES, INC.
 LANDSCAPE ARCHITECTS
 200 N. LIBERTY STREET
 CHICAGO, ILLINOIS 60610

PAUL SWANSON ASSOCIATES, INC.
 41 E. PROSPECT AVE. SUITE 211
 EL PROSPECT, IL 60525

PEARSON, BROWN & ASSOCIATES, INC.
 100 W. WINCHESTER ROAD
 GAITHERSBURG, MD 20878

2305 SOKOL COURT
 DARIEN, ILLINOIS
LANDSCAPE DETAILS

REVISED

DATE: 1.18.11
 PROJECT NO.: P2012101
 DRAWN: CLE
 CHECKED: MEM
 SHEET NO.

L-2

LANDSCAPE WORK PART 1 - GENERAL

1.1 DESCRIPTION OF WORK

The work shall consist of furnishing, transporting and installing of seeds, plants and other materials required for:

1. The establishment of trees, shrubs, perennial, annual and lawn areas as shown on Landscape Plan;
2. The provision of post-planting management as specified herein;
3. Any remedial operations necessary in conformance with the plans as specified in this document;
4. Materials which may be required.

1.2 QUALITY ASSURANCE

- A. Work shall conform to State of Illinois Horticultural Standards and local municipal requirements.
- B. Quality Control Procedures:
 1. Site landscape materials with certificates of inspection as required by governmental authorities. Comply with governing regulations applicable to landscape materials.
 2. Do not make substitutions. If specified landscape material is not obtainable, submit to Landscape Architect proof of non-availability and proceed for use of equivalent material.
 3. Analyze and standards: Package standard products with manufacturer's certified analysis.

1.3 SUBMITTALS

- A. Planting Schedule: Submit three (3) copies of the proposed planting schedule showing dates for each type of planting.
- B. Maintenance Instruction - Landscape Work: Submit two (2) copies of typewritten instructions recommending procedures to be maintained by the Owner for the maintenance of landscape work for one full year. Submit prior to expiration of required maintenance periods. Instructions shall include: watering, fertilizing, spraying, mulching and pruning for plant material and trimming grasses. Instructions for watering, fertilizing and mowing grass areas shall be provided ten (10) days prior to request for inspection for final acceptance. Landscape Architect shall receive copies of all instructions when issued.
- C. Submit two (2) copies of soil test of existing topsoil with recommendations for soil additive requirements to Landscape Architect for review and written approval.
- D. Submit two (2) samples of shredded hardwood bark mulch, erosion control blankets, and all other products and materials as specified on plans to Landscape Architect for review and written approval.
- E. Nursery packing lists indicating the species and quantities of material installed must be provided to the Owner and/or City upon request.

1.4 JOB CONDITIONS

- A. Storms and evaluate grades, soils and water levels. Observe the conditions under which work is to be performed and notify Landscape Architect of unsatisfactory conditions. Do not proceed with the work until unsatisfactory conditions have been corrected in an acceptable manner.
- B. Utilities: Review underground utility location maps and plans; notify local utility location services demonstrate an awareness of utility locations; and certify acceptance of liability for the protection of utilities during course of work. Contractor shall be responsible for any damage to utilities or property.
- C. Excavation: When conditions detrimental to plant growth are encountered such as rubble fill, adverse drainage conditions or obstructions, notify Landscape Architect before planting.

1.5 GUARANTEES

1. Guarantee seeded and seeded area through the specified maintenance period and until final acceptance.
2. Guarantee trees, shrubs, grasses and perennials for a period of one year after date of acceptance against defects including death and unsatisfactory growth, except for defects resulting from neglect by Owner, abuse or damage by others or unusual phenomena or incidents which are beyond Landscape Installer's control.

LANDSCAPE WORK PART 2 - PLANT MATERIALS

2.1 LAWN SOD

Provide strongly rooted sod, not less than two (2) years old and free of weeds and undesirable native grasses. Provide only sod capable of growth and development when planted (90% root dormant) and in strips not more than 10" wide x 4' long. Provide sod composed of a 5-acre blend of Kentucky Bluegrass such as: Midnight, Alliance, Viva, Washington, Liberty.

2.2 LAWN SEED MIXTURE

Grass Seed: Provide fresh, clean, new crop seed complying with the tolerance for purity and germination established by the Official Seed Analysis of North America. Provide seed of the grass species, proportions and maximum percentage of weed seed, as specified.

- A. Lawn Seed Mixture - 5 lbs./1,000 sq. ft.
 - 80% Kentucky Bluegrass 95/95
 - 10% Custer Perennial Ryegrass
 - 10% Spartan Hard Fescue
 - 10% Edge Perennial Ryegrass
 - 10% Express Perennial Ryegrass
 - 5% Perennial Creeping Red Fescue
- B. Temporary Lawn Seed Mixture - 5 lbs./1,000 sq. ft.
 - 40% Kentucky Bluegrass 95/95
 - 40% Perennial Ryegrass
 - 20% Annual Ryegrass

2.3 GROUNDCOVERS, PERENNIALS AND ANNUALS

Provide plants established and well-rooted in removable containers or integral pest pots and with not less than the minimum number and length of runners required by ANSI Z60.1 for the pot size shown or listed.

2.4 TREES AND SHRUBS

- A. Name and Variety: Provide nursery grown plant material true to name and variety.
- B. Quality: Provide trees, shrubs and other plants complying with the recommendations and requirements of ANSI Z60.1 "Standard for Nursery Stock" and as further specified.
- C. Deciduous Trees: Provide trees of height and caliper listed or shown and with branching configuration recommended by ANSI Z60.1 for type and species required. Provide single stem trees except where special forms are shown or listed. Provide balled and burlapped (B&B) deciduous trees.
- D. Deciduous Shrubs: Provide shrubs of the height shown or listed and with not less than the minimum number of stems required by ANSI Z60.1 for the type and height of shrub required. Provide balled and burlapped (B&B) deciduous shrubs.
- E. Coniferous Evergreens: Provide evergreens of the sizes shown or listed. Dimensional tolerance minimum spread for spreading and semi-spreading types evergreens and height for other types. Provide quality evergreens with well-balanced form complying with requirements for other size relationships to the primary dimension shown. Provide balled and burlapped (B&B) evergreen trees and containerized shrubs.
- F. Inspection: All plants shall be subject to inspection and review at the place of growth or upon delivery and conformity to specification requirements as to quality, right of inspection and rejection upon delivery at the site or during the progress of the work for size and condition of balls or roots, diseases, insects and latent defects or injuries. Rejected plants shall be removed immediately from the site.

2.5 PLANTING SOIL MIXTURE

Provide planting soil mixture consisting of clean uncompact topsoil (excavated as site) for all planting pits, perennial, annual and groundcover areas. Topsoil shall be conditional based on any recommendations resulting from the soil test in I.3.C.

2.6 EROSION CONTROL

- A. Lawn Seed Areas: Erosion Control Blankets: North American Green D875, or equivalent approved equal.

2.7 MULCH

Provide mulch consisting of premium shredded hardwood bark. Provide sample to Landscape Architect for approval prior to ordering materials.

LANDSCAPE WORK PART 3 - EXECUTION

3.1 PLANTING SCHEDULE

At least thirty (30) days prior to the beginning of work in each area, submit a planting schedule for approval by the Landscape Architect.

3.2 PLANTINGS

- A. Seeding New Lawns
 1. Remove existing grass, vegetation and turf. Dispose of such material legally off-site, do not turn over into soil being prepared for lawns.
 2. Till to a depth of not less than 6", apply soil amendments as needed; remove high areas and fill in depressions; till soil to a homogeneous mixture of fine texture; remove lumps, clods, stones over 1" diameter, roots and other extraneous matter. Dispose of such material legally off-site.
 3. Seeded lawn areas shall receive an application of commercial fertilizer at the rate of 10 lbs. per 1,000 sq. ft. and shall have an analysis of 16-8-8.
 4. Lay sod within 24 hours from time of striping.
 5. Lay sod to form a solid mass with tightly fitted joints. Butt ends and sides of sod strips do not overlap. Stagger strips to offset joints in adjacent courses. Mark from boards to avoid damage to subgrade or soil. Tamp or roll lightly to ensure contact with subgrade. Work lifted soil into minor cracks between pieces of sod; remove excess to avoid smothering of adjacent grass.
 6. Water sod thoroughly with a fine spray immediately after planting.
- B. Seeding New Lawns
 1. Remove existing grass, vegetation and turf. Dispose of such material legally off-site. Do not turn over into soil being prepared for lawns.
 2. Till to a depth of not less than 6", apply soil amendments; remove high areas and fill in depressions; till soil to a homogeneous mixture of fine texture; remove lumps, clods, stones over 1" diameter, roots and other extraneous matter. Dispose of such material legally off-site.
 3. Seeded lawn areas shall receive an application of commercial fertilizer at the rate of 5 lbs. per 1,000 sq. ft. and shall be 6-24-24. Fertilizer shall be uniformly spread and mixed into the soil to a depth of 1" inches.
 4. Do not use wet seed or seed which is moist or otherwise damaged in transit or storage.

5. Sow seed using a spreader or seeding machine. Do not seed when wind velocity exceeds five (5) miles per hour. Distribute seed evenly over entire area by sowing equal quantity in two directions at right angles to each other.
6. Sow not less than specified rates.
7. Roll lawn seed lightly into top 1" of soil, roll lightly and water with a fine spray.

C. Groundcover and Perennial Beds

Groundcover, perennial, and annuals shall be planted in continuous beds of planting soil mixture a minimum of 6" deep. Install per spacing indicated on plan.

D. Trees and Shrubs

1. Set balled and burlapped (B&B) stock plumb and in center of pit or trench with top of ball at an elevation that will keep the root flare exposed upon backfill and mulching. Remove burlap from top and sides of balls; retain on bottom. When set, place additional topsoil backfill around base and sides of ball and work each layer to settle backfill and eliminate voids and air pockets. When elevation is approximately 2/3 full, water thoroughly before placing remainder of backfill. Repeat watering until no more is absorbed. Water again after placing final layer of backfill.
2. Dip top of backfill to allow for mulching. Provide additional backfill to form and edge of excavations to form shallow saucer to collect water.
3. Munch pits, trenches and planted areas. Provide not less than 6" thickness of mulch and work into top of backfill and finish level with adjacent finish grades. Maintain exposed root flare at all times.
4. Prune only injured or dead branches from flowering trees, if any. Protect central leader of tree during shipping and pruning operations. Prune shrubs to retain natural character in accordance with standard horticultural practices.
5. Remove and replace excessively pruned or ill-formed stock resulting from improper pruning.
6. The Contractor shall be wholly responsible for ensuring that all trees are planted in a vertical and plumb position and remain so throughout the life of this contract and guarantee period. Trees may or may not be staked and guyed depending upon the individual preference of the Contractor; however, any bracing procedure(s) must be approved by the Owner prior to its installation.

3.3 INITIAL MAINTENANCE

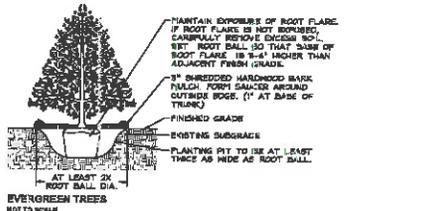
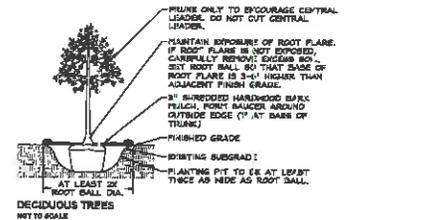
- A. Begin maintenance immediately after planting, continuing until final acceptance. A minimum of thirty (30) days.
- B. Maintain planted and seeded areas by watering, rolling/ragging, replanting and implementing erosion control as required to establish vegetation free of graded or bare areas.

3.4 CLEAN UP AND PROTECTION

- A. During landscape work, store materials and equipment where directed. Keep pavements clean and work areas and adjoining areas in an orderly condition.
- B. Protect landscape work and materials from damage due to landscape operations, operations by other trades and trespassers. Maintain protection during installation and maintenance periods. Treat, repair or replace damaged landscape work as directed by Landscape Architect.

3.5 INSPECTION AND ACCEPTANCE

- A. The Landscape Architect reserves the right to inspect seeds, plants, trees and shrubs either at place of growth or at site before planting for compliance with requirements for name, variety, size, quantity, quality and mix proportion.
- B. Supply written affidavit certifying composition of seed mixtures and integrity of plant materials with respect to species, variety and source.
- C. Notify the Landscape Architect within five (5) days after completing initial and/or supplemental plantings in each area.
- D. When the landscape work is completed, including maintenance, the Landscape Architect will, upon request, make a final inspection to determine acceptability. After final acceptance, the Owner will be responsible for maintenance.



CLIENT: PAUL SWANSON ASSOCIATES, INC. 416 PROSPECT, SUITE 201, ST. PROSPECT, IL 60584

PREP: SWANSON, BROWNE & ASSOCIATES, INC. 100 W. WASHINGTON ROAD, SUITE 200, LIBERTYVILLE, IL 62454

2305 SOKOL COURT
DARIEN, ILLINOIS
LANDSCAPE SPECIFICATIONS

REVISIONS

DATE	1.18.2011
PROJECT NO.	FWG1103
DRAWN	CIF
CHECKED	NJM
SHEET NO.	



L-3





CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

March 12, 2021

Village of Darien
1702 Plainfield Road
Darien, Illinois

Attention: Jordan Yanke

Subject: 2305 Sokol Court
4 Story Residences
(CBBEL Project No. 950323.H0232)

Dear: Jordan

As requested on March 3, 2021, we have reviewed the preliminary engineering plans for the above project prepared by Pearson, Brown and Associates, Inc. and dated January 19, 2021. We have no objection to the plan being considered by the plan commission, and the following comments are submitted for your consideration:

1. Based on parcel lines shown on the Du Page County GIS database, it appears that the property to be developed is currently two lots. A plat of subdivision/consolidation will likely be necessary.
2. As the plan progresses, we will work with the design engineer to determine if sufficient volume was provided in the existing detention basin to accommodate the proposed development. If additional volume is required, it appears that there is ample space on the property to provide it.
3. Post Construction Best Management Practices (volume and pollutant control) will have to be provided as the existing stormwater management does not provide these features. The existing development pre-dated the PCBMP requirement.
4. The two parking stalls facing east at the southwest corner of the building appear to be awkward to back out of. Perhaps one additional stall could be added to the end of the adjacent row, and one could be eliminated or placed elsewhere in the project.
5. The parking aisle on the north side of the ramp to the indoor parking does not provide space for the southern-most two stalls to back out. Modifications to this configuration will be necessary.
6. We recommend that the site plan be provided to the fire protection district for their comment on the ability to maneuver their equipment and for hydrant placement.
7. The City watermain atlas indicates that the watermain on this property is looped, and therefore would have to remain connecting to the property to the west. This can be verified as the project progresses as it does not appear to impact the project.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Lynch". The signature is written in a cursive, flowing style.

Daniel L. Lynch, PE, CFM
Head, Municipal Engineering Department

Cc Dan Gombac, City of Darien

**EQUITY TRUST COMPANY CUSTODIAN F/B/O
PAUL SWANSON IRA**

401 E. PROSPECT AVENUE
MT. PROSPECT, ILLINOIS 60056

PHONE: 847-670-6710
FAX: 847-670-6713

March 23, 2021

VIA EMAIL: (jyanke@darienil.gov)

Jordan Yanke
Senior Planner
City of Darien
1702 Plainfield Road
Darien, Illinois 60561

**RE: *Darien Heights Residences
2305 Sokol Court***

Jordan,

Please find below my response to your 3/17/2021 email "Review Comments" regarding Planning/Zoning Comments and Waivers & Deviations. The Engineering response will come from my Engineers.

Planning/Zoning Comments:

- Proposed plans have been presented to the surrounding HOA's with no written response. I spoke to Mary Sullivan the Alderman who has heard no negative response. I am sending plans to Lemont School District.
- The Development Schedule is to begin Construction ASAP after all approvals. I will "partner up" with an Investor Builder who I have done some past projects with. His name is Ram Prashantha. So, I will be with the project beyond completion.
- We are doing a Plat of Subdivision/Consolidation
- I will bring a Material Board to the Planning & Zoning Commission Meeting.
- I have corrected the math on sheet A2 and sent it to you. There are 68 Rental Units and 2 Model Units. (see enclosed)
- Open Space, the project has 55% impervious which leaves 45% open area but when you add the 30' around the building (- impervious area already counted in the 30') you have an open space of 29.7% which exceeds the code of 25%.
- **Waivers/Deviations**

Residential Density: The project has a density of 24.3 DU/AC. The R3 density is 7 DU/AC. Therefore, a waiver on density is sought as was the previously approved PUD for the Highland Condominiums.

- **Parking Requirements**

Car Parking: We meet code requirement of 2 cars/DU with 9' x 18' stalls and 24' aisle. We do not have a "set aside" Loading Area because all loading and trash pickups are on the garage ramp and through the garage to the Lower-Level Elevators, therefore the ramp (25' x 70') also acts as the loading area.

- **Yards and Spaces**

The code for R3 is 30' front and rear setback and 10' side yard, however, since our building height is 40'' we need a 40' yard setback which we have to the South, contiguous to the Condominium Building, and greater than 40' to the North and West, however, we would seek a variance of 20' to the East against the Park. The approved Highland Condominium was 30' to the South and 10' to the East.

- **Building Height**

The proposed project has a building height of 40' and 4 stories which exceeds the underlying R3 Zoning of 3 stories and 35' height, so a variance is sought. The previously approved Highland Condominiums was also 4 stories and was 45' high.

Sincerely,



Paul Swanson

Paul Swanson

From: Meghan Plocinski <meghan@thesignauthority.com>
Sent: Wednesday, March 24, 2021 12:20 PM
To: Paul Swanson
Subject: Standard Invoice
Attachments: Standard Invoice.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Paul –
Your Public Hearing Sign was installed yesterday – please let us know if you need anything else.

Regards,

Meghan Plocinski

The Sign Authority, Inc.
901A West Liberty Drive
Wheaton, IL 60187
630-462-9850



PEARSON, BROWN & ASSOCIATES, INC.
CONSULTING ENGINEERS

1850 W WINCHESTER ROAD, SUITE 205
LIBERTYVILLE, IL 60048-5355

PHONE 847 / 367-6707
FAX 847 / 367-2567

March 24, 2021

City of Darien
1702 Plainfield Road
Darien, Illinois

Attn: Jordan Yanke
Village Planner

Re: Darien Heights Residences 2305 Sokol Court – Paul Swanson
4 Story Residences
Darien, Illinois
Replies to CBBEL Review 1 of Preliminary Engineering

On behalf of our client, Equity Trust Co. Custodian FBO Paul Swanson IRA, please find the following replies to the engineering comments from the CBBEL Review #1 dated March 12, 2021.

1. *Based on parcel lines shown on the DuPage County GIS Database, it appears that the property to be developed is currently two lots. A plat of subdivision/consolidation will likely be necessary.*

Understood. The necessary plat work has been ordered from Associated Surveying Group and will be available by May 1st.

2. *As the plan progresses, we will work with the design engineer to determine if sufficient volume was provided in the existing detention basin to accommodate the proposed development. If additional volume is required, it appears that there is ample space on the property to provide it.*

Understood. Per conversation with Daniel L. Lynch, P.E. with CBBEL, the records from the original design are being retrieved from archives to determine the coverage level that was planned for the subject property. At less than 60% coverage, we are confident that most if not all of the required volume is provided in the existing facility.

3. *Post Construction Best Management Practices (volume and pollutant control) will have to be provided as the existing stormwater management does not provide these features. The existing development pre-dated the PCBMP requirement.*

Understood. We will incorporate PCBMP's in the final design. Infiltration based features will likely be employed. Snout devices within drainage structures are also being considered.

4. *The two parking stalls facing east at the southwest corner of the building appear to be awkward to back out of. Perhaps one additional stall can be added at the end of the adjacent row, and one could be eliminated or placed elsewhere onsite.*

The site plan has been revised near the spaces in question to provide additional pavement to make space for backing into the emergency access aisle connection location.

5. *The parking aisle on the north side of the ramp to the indoor parking does not provide space for the southern-most two stalls to back out. Modifications to this configuration will be necessary.*

We have revised the site plan to prohibit parking in the former two spaces that do not have room to back out near the ramp. The westernmost space just north of the end of the ramp can remain as there is room to back out. The total proposed space total is 136.

6. *We recommend that the site plan be provided to the fire protection district for their comment on the ability to maneuver their equipment and for hydrant placement.*

We will work with the developer to have the plan reviewed by the fire protection district.

7. *The City water main atlas indicates that the water main on this property is looped, and therefore would have to remain connecting to the property to the west. This can be verified as the project progresses as it does not appear to impact the project.*

Understood. We are now showing the water main remaining connected to the property to the west.

Should you have any questions or concerns, please do not hesitate to contact me.

PEARSON, BROWN & ASSOCIATES, INC.

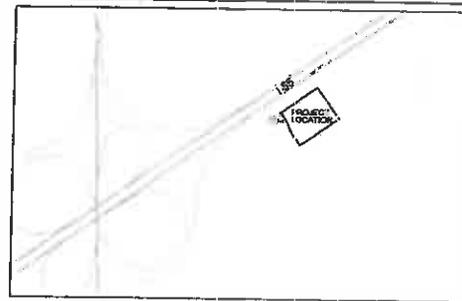
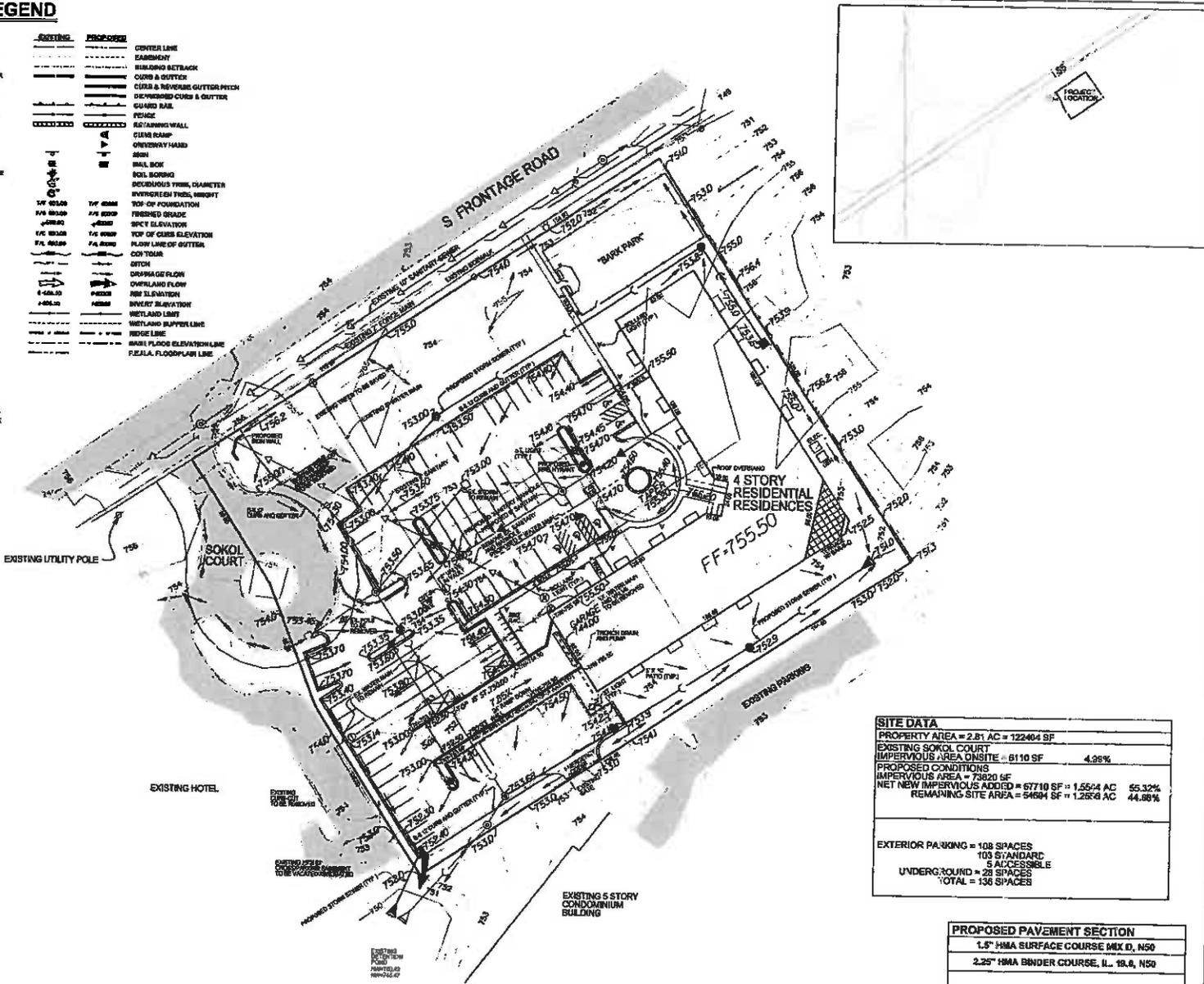


John F. Cerbus, P.E.
Associate

cc: Paul Swanson – PSA, Inc.

LEGEND

EXISTING	PROPOSED	EXISTING	PROPOSED



SITE DATA	
PROPERTY AREA = 2.81 AC	= 122404 SF
EXISTING SOKOL COURT IMPERVIOUS AREA ONSITE = 6110 SF	4.96%
PROPOSED CONDITIONS IMPERVIOUS AREA = 73620 SF	
NET NEW IMPERVIOUS ADDED = 67710 SF	= 1.5564 AC
REMAINING SITE AREA = 54694 SF	= 1.2526 AC
55.32%	44.88%
EXTERIOR PARKING = 108 SPACES	
103 STANDARD	
5 ACCESSIBLE	
UNDERGROUND = 28 SPACES	
TOTAL = 136 SPACES	

PROPOSED PAVEMENT SECTION	
1.5" HMA SURFACE COURSE MIX D, N50	
2.25" HMA BINDER COURSE, IL, 19.8, N50	
10" CRUSHED AGGREGATE BASE COURSE, CA-8	

PEARSON, BROWN & ASSOCIATES, INC.
CONSULTING ENGINEERS

1900 W. WASHINGTON ROAD - SUITE 200
MOUNTAIN VIEW, CO. 80055
PH: 303.440.1100
FAX: 303.440.1101

2305 SOKOL COURT

DESIGNED BY: J.A.A.
CHECKED BY: J.A.A.
CONSULTANT: J.A.A., J.E.B.

DATE BY: []
REVISIONS: []

PRELIMINARY ENGINEERING

SHEET NUMBER: **CE3**
OF 3 SHEETS

TRAFFIC MEMO

To: Paul Swanson
Paul Swanson Associates, Inc.

From: Kim Lask, P.E., PTOE, CFM

Date: March 10, 2021

RE: Darien Heights Residences
2305 Sokol Court, Darien, Illinois
Haeger File No.: 20-174

1 – INTRODUCTION

Haeger Engineering LLC has prepared a Traffic Memo for the proposed Darien Heights Residences development located at 2305 Sokol Court in Darien, Illinois. This study was conducted to assess the impact the proposed development would have on traffic conditions, evaluate the anticipated parking demand to determine if sufficient parking will be provided, and to evaluate traffic circulation through the development. The subject property is in Section 5, Township 37N, Range 11E. The project area is 2.81 acres, and the P.I.N.s are 10-05-404-002 and 10-005-404-024. The location map and aerial photograph of the site vicinity are illustrated on *Exhibit 1* in *Appendix A*.

The project consists of a 4-story, 68-unit apartment development with interior and exterior parking. Access to the site will consist of one full access drive along Sokol Court. The site plan is illustrated on *Exhibit 2* in *Appendix A*. A traffic impact study for the previously proposed development was prepared by Metro Transportation Group, Inc., dated 01-18-2005. The traffic study evaluated a 104-unit condominium development.

2 – LAND USE

The subject property is currently vacant. Major land uses in the vicinity of the development include an extended stay hotel to the west, a park to the east, and multi-family residential (Waterfall Glen Condominiums and Townhouses) to the east and south.

3 – PEAK HOUR TRIP GENERATION

In order to accurately estimate the traffic that will be generated by the proposed development, data compiled by the Institute of Transportation Engineers (ITE) in the 10th Edition of the *Trip Generation Manual* was utilized. Trip generation for a proposed development depends on the size and characteristics of the anticipated land use. The volume of traffic generated by the number of units of the proposed facility was used to determine anticipated traffic volume. The ITE land use code that was consulted for this analysis is indicated in *Table 1* along with the estimated weekday AM peak hour, weekday PM peak hour, and weekday daily traffic volumes. The previously proposed residential development trip generation is also included in *Table 1* for comparison.



Table 1 – ITE Land Use Codes and Peak Hour Trip Generation

Land Use	ITE Code	Units	Peak Hour Traffic Volumes				Weekday Daily Trips	
			AM Peak		PM Peak		In	Out
			In	Out	In	Out		
Previously Proposed Condominium Development	230*	104*	10*	45*	40*	20*		
Proposed Multi-family Housing (Mid-Rise)	221	68	7	18	19	13	184	185
Difference		-36	-3	-27	-21	-7		

* Data from Metro Transportation Traffic Impact Study. It should be noted that ITE land use code 230 is not used in the 10th Edition of the *Trip Generation Manual*.

As indicated in **Table 1**, there will be a reduction in trips from the previously proposed condominium development to the proposed apartment development. AM peak hour traffic volume will be reduced by 55% and PM peak hour traffic volume will decrease 47%.

4 – PARKING DEMAND ANALYSIS

Parking demand is the amount of parking that will be used at a particular time and place. Parking demand is affected by various factors such as type of use, time of day, parking duration, and geographic location. Parking adequacy was reviewed and determined based on the review of two (2) criteria: City of Darien City Code parking requirements and *ITE Parking Generation Manual*, 5th Edition recommendations.

The proposed development will include 68 apartments with 27 interior / underground parking spaces and 110 exterior parking spaces. The total proposed parking is 137 spaces, and the proposed parking ratio is 2.01 spaces per unit.

The previously proposed plan for the 104-unit condominium development included 180 parking spaces with a parking ratio of 1.73 spaces per unit.

CITY OF DARIEN CITY CODE PARKING CRITERIA

Requirements for off-street parking are included in City of Darien City Code Chapter 11, Section 5A-11-5, Off-Street Parking and Loading Table. Based on Code requirements, multiple family dwellings must provide a minimum of 2.0 parking spaces for each dwelling unit. For a 68-unit multi-family development, the standard parking requirement is 136 parking spaces. The previously proposed 104-unit condominium development required 208 parking spaces.

ITE PARKING GENERATION

According to the *ITE Parking Generation Manual*, the average peak parking demand for a 68-unit multi-family mid-rise development is 89 parking spaces (1.31 spaces per unit) on weekdays and 112 parking spaces (1.64 spaces per unit) on weekends.

Based on the above, the proposed 137 parking spaces at a ratio or 2.01 spaces per unit will adequately meet the future parking needs of the residents.



5 – INTERNAL CIRCULATION

The proposed site plan is designed for efficient traffic flow. The two-way drive aisles are designed at a minimum of 24-ft wide to accommodate the projected traffic volumes safely and efficiently. The drive aisles allow sufficient room for vehicles to back out of parking spaces. Access to the site will consist of one full access drive connecting to Sokol Court. An emergency vehicle access is located at the back of the property.

6 – RECOMMENDATIONS AND CONCLUSION

Based on the traffic analyses for Darien Heights Residences, the recommendations and conclusions are summarized below:

- The proposed multi-family residential development will generate a much lower traffic volume when compared with the previously proposed condominium development.
- The proposed development will have sufficient parking available to accommodate the parking generated and will exceed the Darien City Code and the *ITE Parking Generation Manual*.
- The site plan allows adequate site access and on-site circulation.



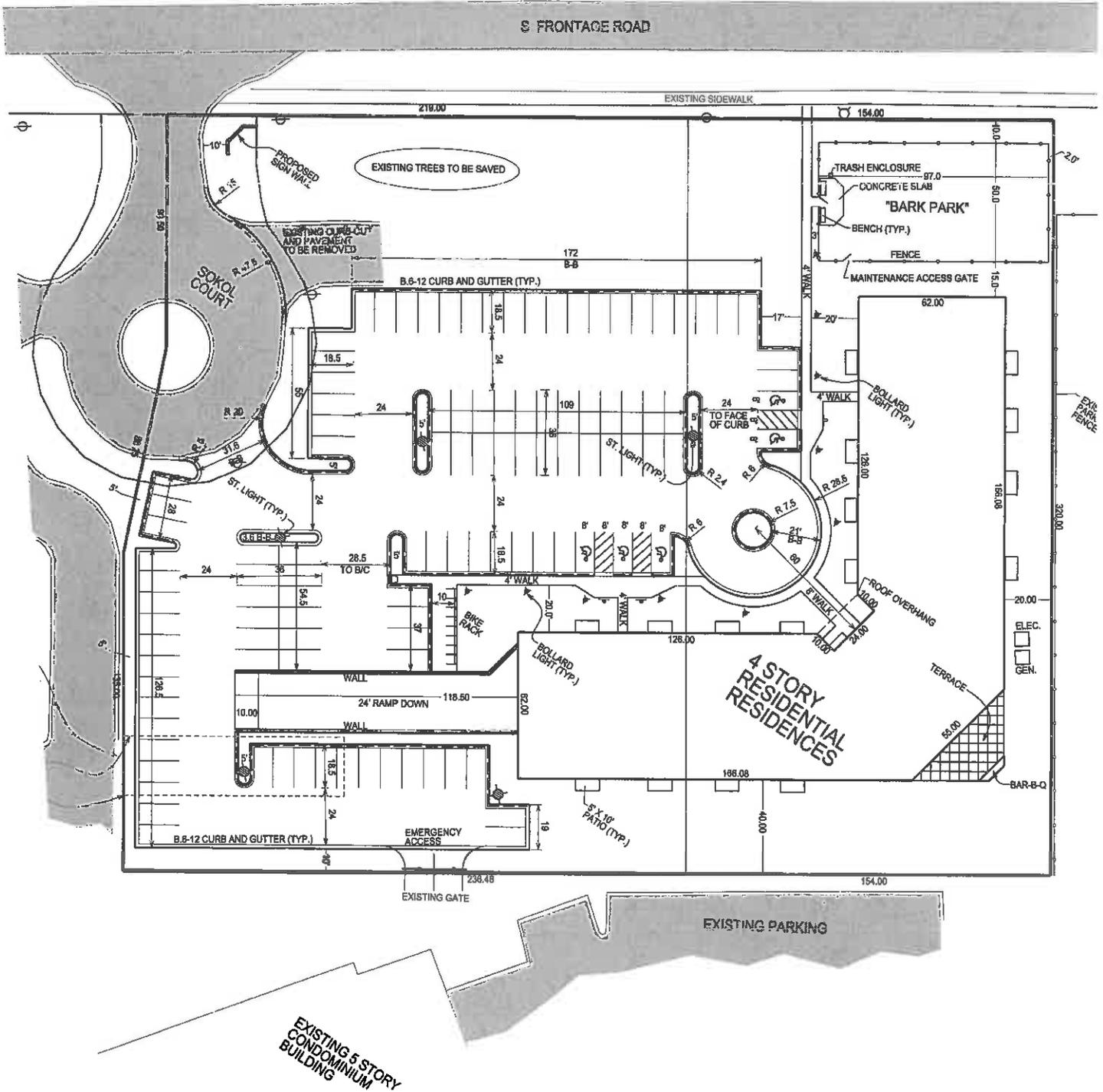
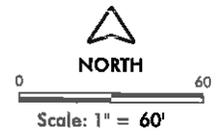
APPENDIX A - Exhibits



AERIAL PHOTO EXHIBIT
DARIEN HEIGHTS
RESIDENCES
DARIEN, ILLINOIS

HAEGER ENGINEERING
consulting engineers • land surveyors
100 East State Parkway, Schaumburg, IL 60173 Tel 847.394.6600 Fax 847.394.6608
Illinois Professional Design Firm License No. 184-003152 www.HaegerEngineering.com

Project Manager: KML
Engineer: KML
Date: 03-10-2021
Project No: 20-174
Sheet: 1 / 2



Site Plan prepared by Pearson, Brown & Associates, Inc., dated 01-19-2021

SITE PLAN
DARIEN HEIGHTS
RESIDENCES
 DARIEN, ILLINOIS

HAEGER ENGINEERING
 consulting engineers • land surveyors
 100 East State Parkway, Schaumburg, IL 60173 Tel 847 394 6600 Fax 847 394 6608
 Illinois Professional Design Firm License No 184-003152 www.HaegerEngineering.com

Project Manager KML
 Engineer KML
 Date 03-10-2021
 Project No 20-174
 Sheet 2 / 2



APPENDIX B – ITE Trip and Parking Generation Graphs

Multifamily Housing (Mid-Rise) (221)

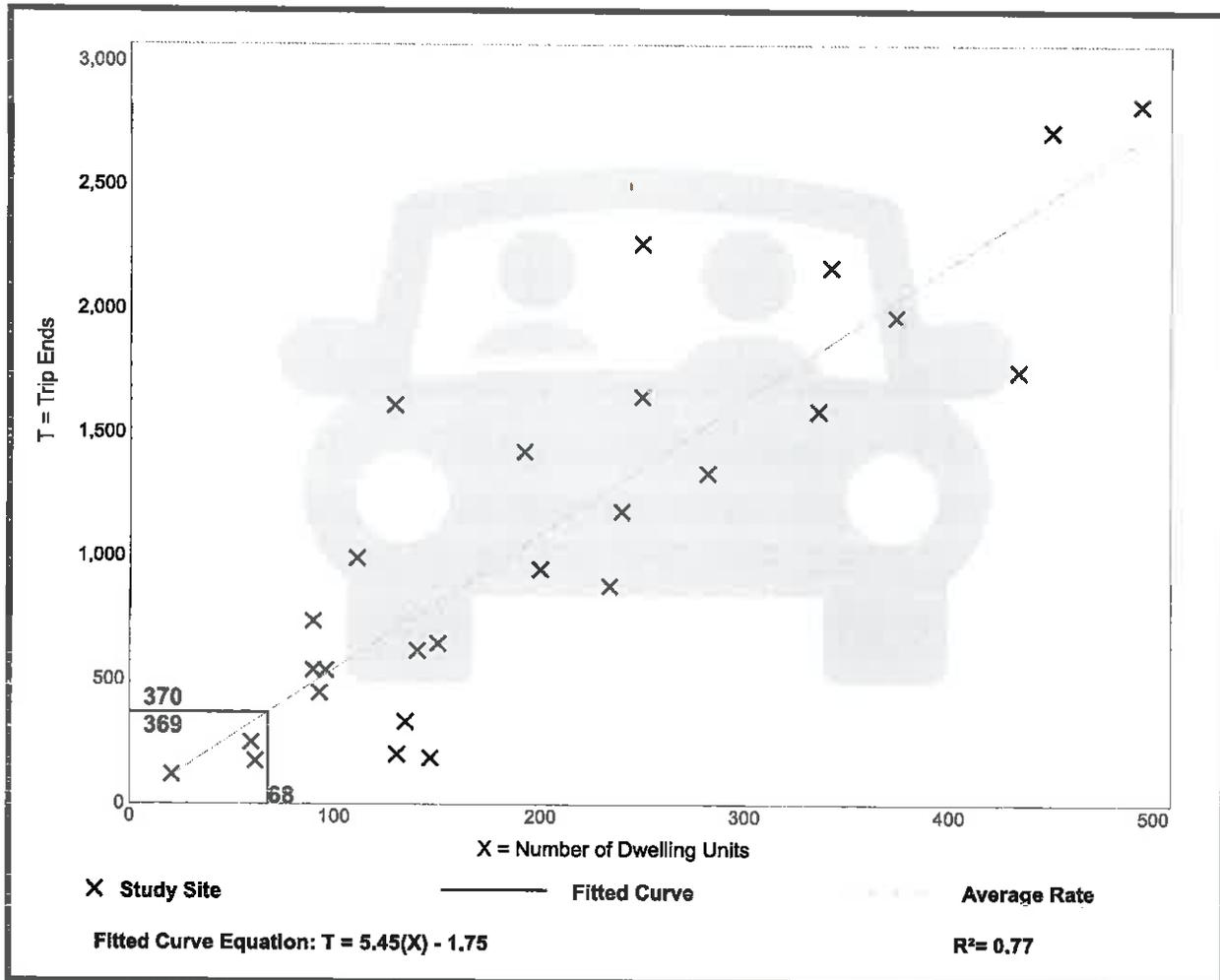
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 27
Avg. Num. of Dwelling Units: 205
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
5.44	1.27 - 12.50	2.03

Data Plot and Equation



Multifamily Housing (Mid-Rise) (221)

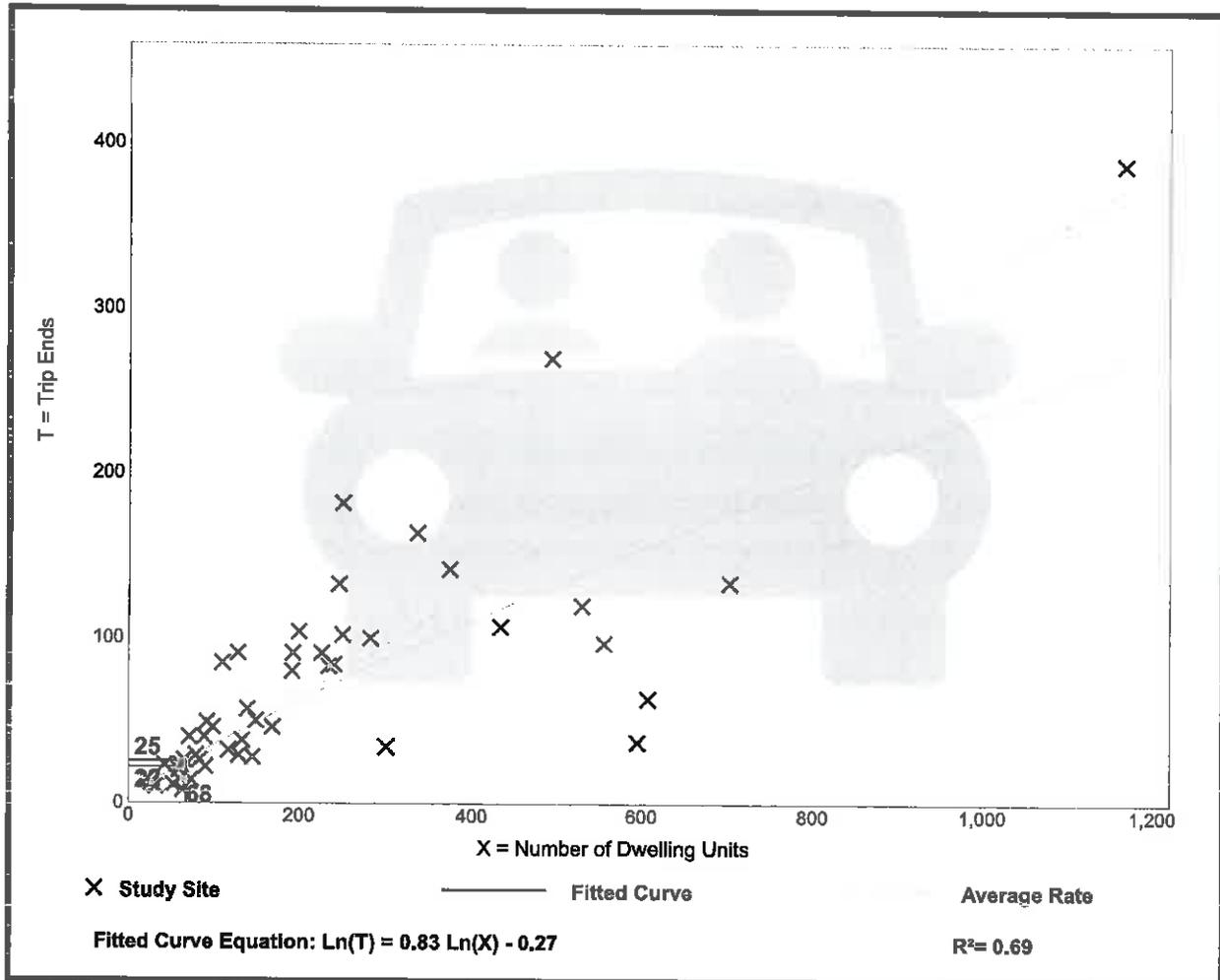
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
AM Peak Hour of Generator

Setting/Location: General Urban/Suburban
Number of Studies: 48
Avg. Num. of Dwelling Units: 225
Directional Distribution: 27% entering, 73% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.32	0.06 - 0.77	0.17

Data Plot and Equation



Trip Gen Manual, 10th Edition • Institute of Transportation Engineers

Multifamily Housing (Mid-Rise) (221)

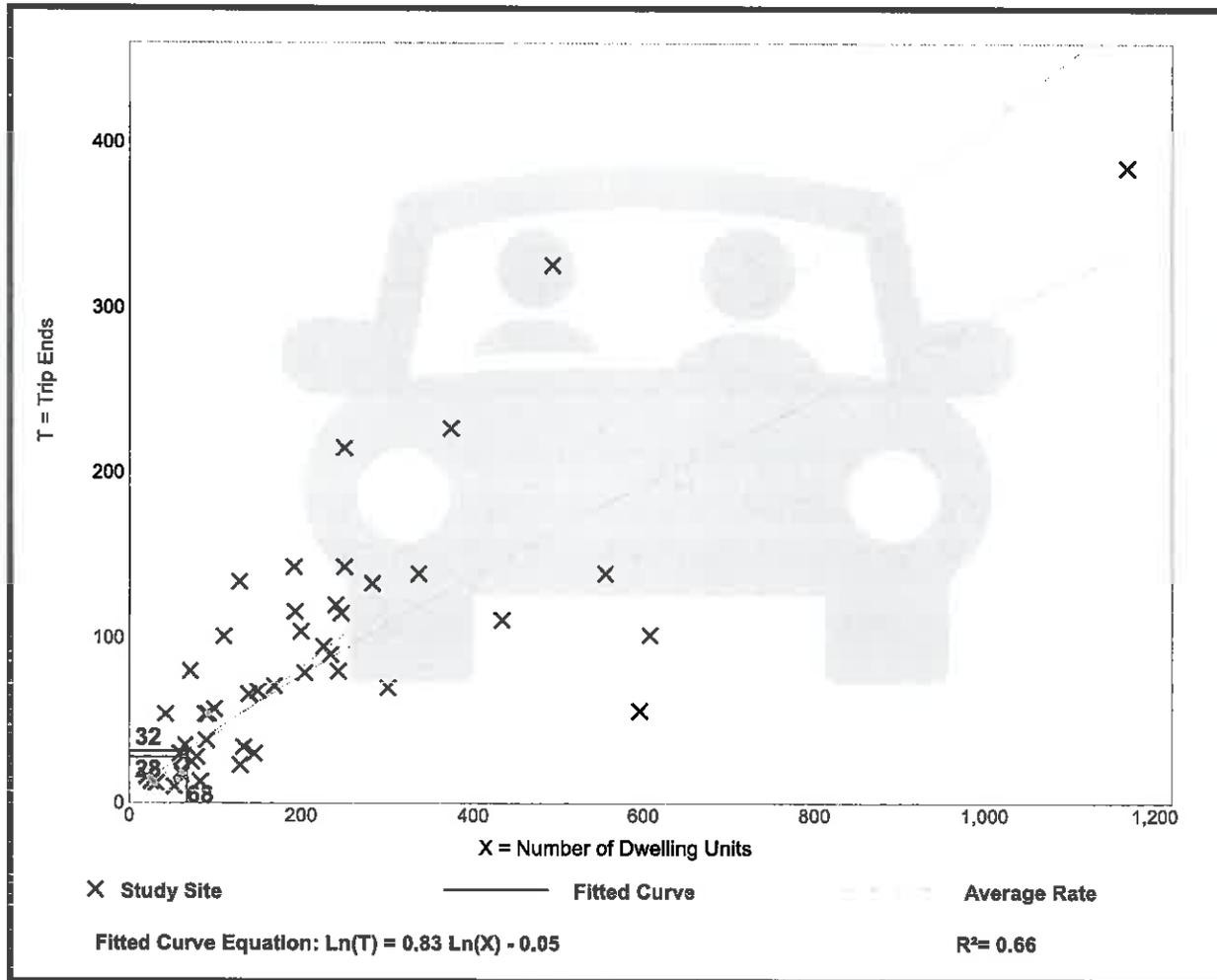
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban
Number of Studies: 47
Avg. Num. of Dwelling Units: 211
Directional Distribution: 60% entering, 40% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.41	0.09 - 1.26	0.22

Data Plot and Equation



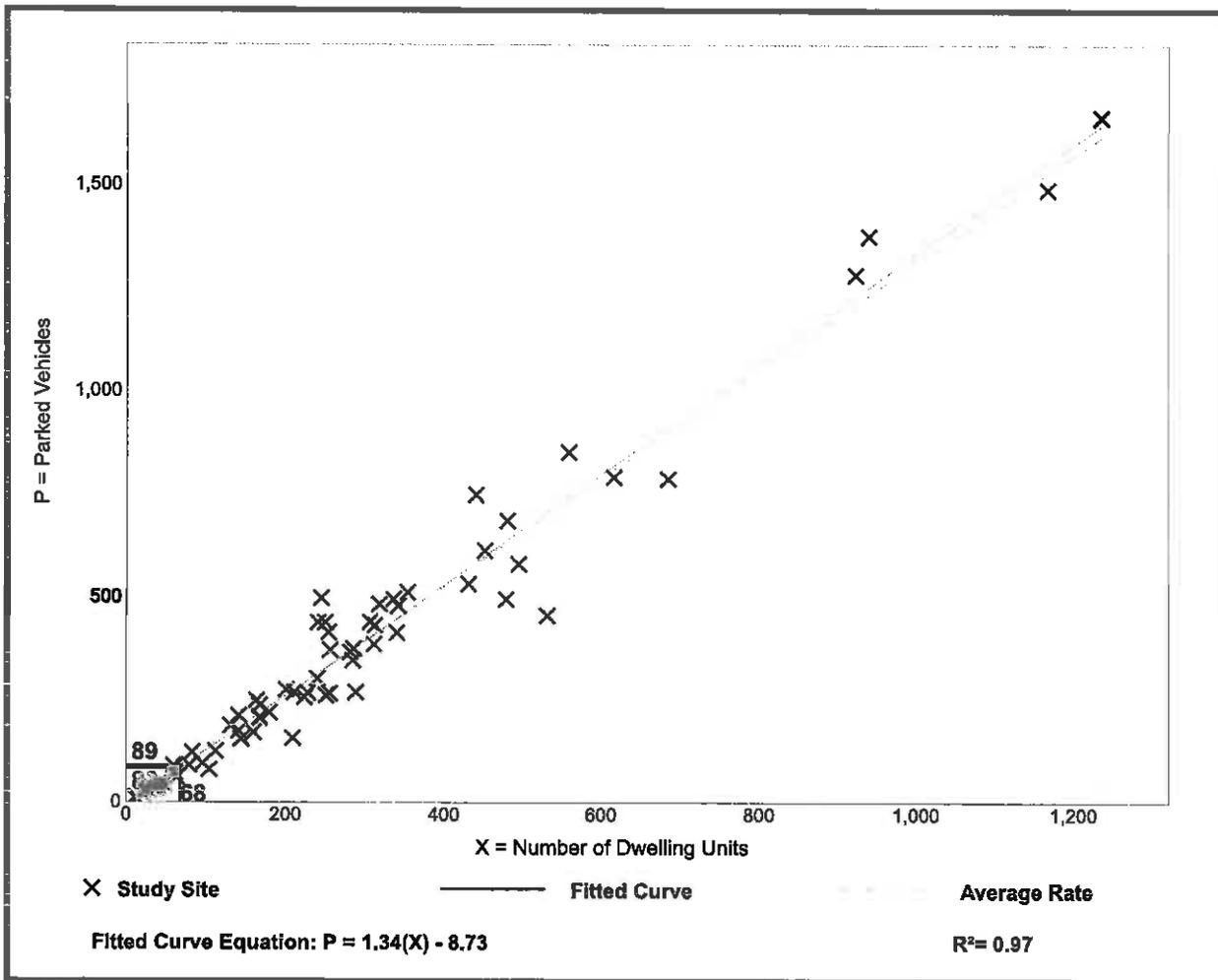
Multifamily Housing (Mid-Rise) (221)

Peak Period Parking Demand vs: Dwelling Units
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban (no nearby rail transit)
Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.
 Number of Studies: 73
 Avg. Num. of Dwelling Units: 261

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.31	0.75 - 2.03	1.13 / 1.47	1.26 - 1.36	0.22 (17%)

Data Plot and Equation



Multifamily Housing (Mid-Rise) (221)

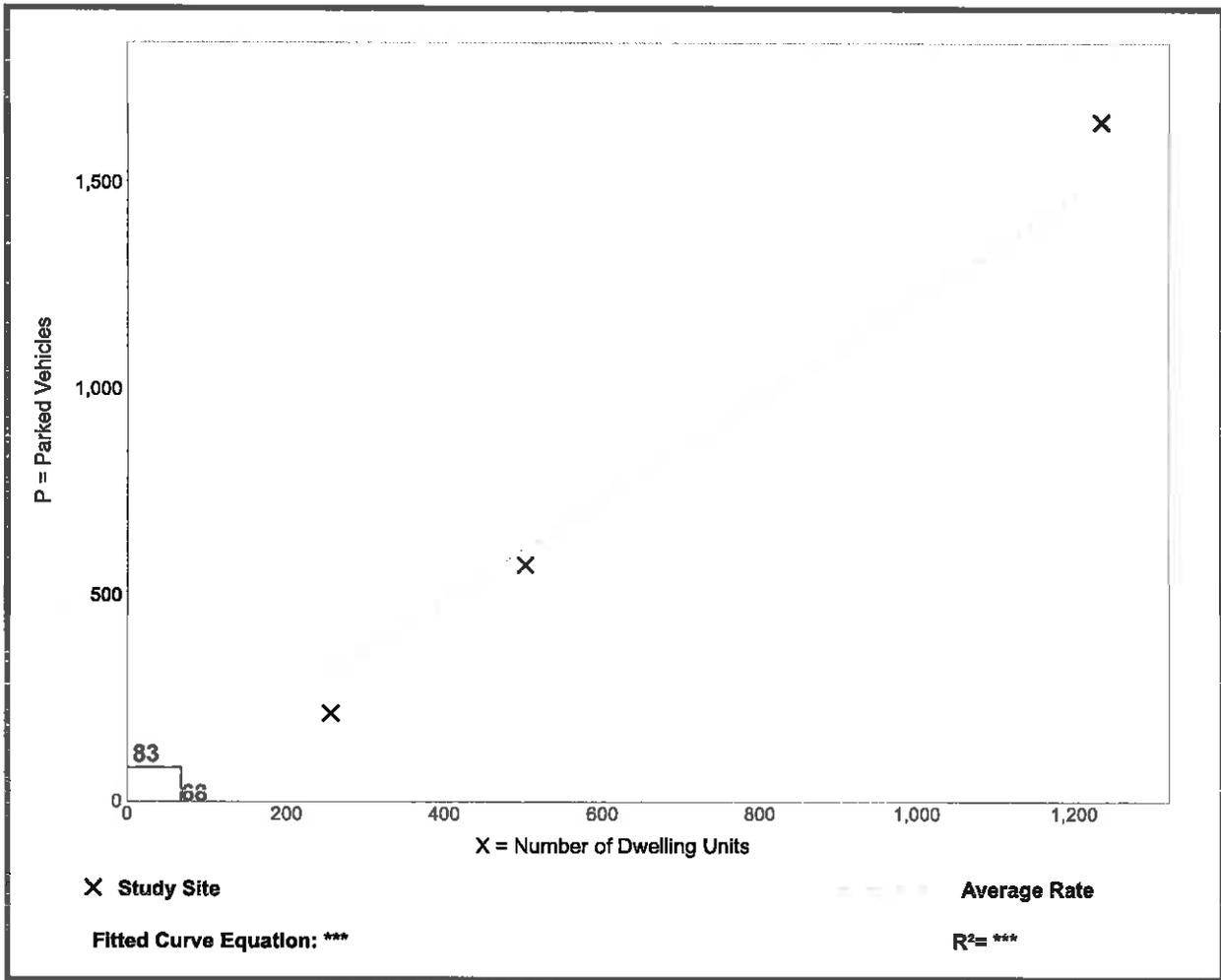
Peak Period Parking Demand vs: Dwelling Units
On a: Saturday
Setting/Location: General Urban/Suburban (no nearby rail transit)
Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.
 Number of Studies: 3
 Avg. Num. of Dwelling Units: 665

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.22	0.84 - 1.33	0.94 / 1.33	***	0.20 (16%)

Data Plot and Equation

Caution – Small Sample Size



MEMORANDUM TO: Jordan Yanke
City of Darien

FROM: Michael A. Werthmann, PE, PTOE
Principal

DATE: March 29, 2021

SUBJECT: Review of Traffic Evaluation
Darien Heights Residences
Darien, Illinois

On behalf of the City of Darien, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) has reviewed the traffic and parking analysis for the proposed Darien Heights Residences to be located in Darien, Illinois. As part of this evaluation, KLOA, Inc. reviewed the following documents:

- The traffic memorandum dated March 10, 2021, prepared by Haeger Engineering
- The proposed site plan dated January 19, 2021, prepared by Arthur Swanson and Associates, Ltd.

The traffic memorandum estimated the traffic and parking to be generated by the development and provided a brief discussion of the internal circulation. Based on our review, the estimate of the traffic to be generated by the development and the parking demand analysis were determined based on established methods within the industry and have been calculated correctly. However, we offer the following comments regarding the traffic memorandum and the proposed site plan.

Peak Hour Trip Generation

The traffic memorandum provides a comparison of the traffic to be generated by a previously approved residential development for the subject site and the current proposed development plan. Estimates of the traffic to be generated by the previously approved development were based on the traffic study performed for the development, which assumed the development was to consist of 104 units. However, it is our understanding that the previously approved development was only approved to contain 66 units as opposed to 104 units. As such, the trip generation comparison in the traffic memorandum should be corrected based on the 66 approved units.

Parking Demand Analysis

The parking analysis has shown that the 201 parking spaces to be provided by the development exceeds both (1) the City of Darien's parking requirements (136 parking spaces) and (2) the estimated peak parking demand (112 parking spaces) based on the parking rates published by the Institute of Transportation Engineers (ITE).

Internal Circulation

It should be noted that the site plan that was reviewed has one dead end parking aisle on the surface parking lot and the parking aisle in the basement also has dead end parking. In addition, it may be difficult to exit the two easternmost parking spaces along the southern parking aisle.

⁵ Additional Information, Data, and Analysis

To ensure City staff and the reviewing boards have an understanding of the existing and projected traffic conditions, consideration should be given to including the following additional information, data, and analysis within the traffic memorandum:

- A brief description of the frontage road and its intersection with Sokol Court, including number of lanes, speed limits, daily traffic volumes (see IDOT web page), traffic control, crash data, etc.
- The traffic estimated to be generated by the existing extended stay hotel as it also has access via Sokol Court.
- Based on the existing and projected conditions, provide an analysis/statement of opinion as to how the frontage road/Sokol Court intersection is projected to operate and the impact the development will have on the intersection.

**CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS**

ORDINANCE NO. 0-30-05

**FIRST AMENDMENT TO ANNEXATION AGREEMENT
(2305 SOKOL COURT/ "THE HIGHLAND" CONDOMINIUM
DEVELOPMENT FORMERLY KNOWN AS "THE RESERVE")**

(PZC 2005-09: 2305 Sokol Court, The Highland)

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 3rd DAY OF OCTOBER, 2005.

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
5th day of October, 2005.**

ORDINANCE NO. 0-30-05

**FIRST AMENDMENT TO ANNEXATION AGREEMENT
(2305 SOKOL COURT/ "THE HIGHLAND" CONDOMINIUM
DEVELOPMENT FORMERLY KNOWN AS "THE RESERVE")**

(PZC 2005-09: 2305 Sokol Court, The Highland)

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU
PAGE COUNTY, ILLINOIS, IN EXERCISE OF TIS HOME RULE POWERS, as follows:**

SECTION 1: The Mayor and Clerk are hereby authorized to execute and attest respectively a certain "First Amendment to Annexation Agreement," a copy of which is attached hereto and made a part hereof.

SECTION 2: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

ORDINANCE NO. 0-30-05

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN,
DU PAGE COUNTY, ILLINOIS, this 3rd day of October, 2005.

AYES: 6-Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

NAYS: 0-NONE

ABSENT: 1-Durkin

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this 3rd day of October, 2005.



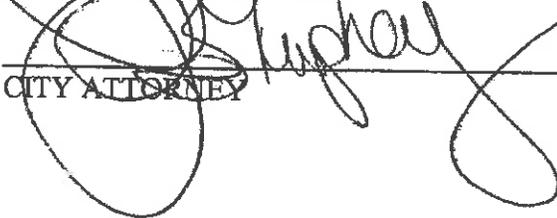
CARMEN D. SOLDATO, MAYOR

ATTEST:



JOANNE F. COLEMAN, CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

**FIRST AMENDMENT TO ANNEXATION AGREEMENT
(2305 SOKOL COURT/ "THE HIGHLAND" CONDOMINIUM
DEVELOPMENT FORMERLY KNOWN AS "THE RESERVE")**

The First Amendment to Annexation Agreement is entered into by and between the City of Darien, DuPage County, Illinois (the "City"), Sokol Chicagoland Building Association ("Owner") and Darien Highlands, LLC, an Illinois Corporation ("Developer").

RECITALS

WHEREAS, pursuant to Ordinance No. O-32-96 the City entered into a certain Annexation Agreement (the "Annexation Agreement") with the Owner and certain other developers of the property described therein; and

WHEREAS, pursuant to the Annexation Agreement a portion of the Subject Property (the "Sokol Parcel") was approved for and zoned for a recreational facility, consisting of a 2-story building containing approximately 43,000 square feet; and

WHEREAS, Owner has not developed the Sokol Parcel for its permitted use; and

WHEREAS, Developer has proposed to amend the Annexation Agreement in order to allow the development of the Sokol Parcel for 66 condominium units in two separate buildings; and

WHEREAS, pursuant to notice required by law the City's Planning and Zoning Commission has conducted a public hearing on the proposed Amendment and has forwarded its report and recommendation to the City Council; and

WHEREAS, pursuant to notice as required by law the City Council has conducted a public hearing on the proposed Amendment to the Annexation Agreement; and

WHEREAS, the City Council has determined that amending the Annexation Agreement in the manner described hereinbelow is reasonable and will promote the sound growth and planning of the City; and

WHEREAS, Developer and Owner agree to be bound by all the terms, conditions and limitations of this Amendment, along with any implementing ordinances adopted pursuant to this Amendment;

NOW, THEREFORE, IT IS HEREBY AGREED BY AND AMONG THE PARTIES HERETO AS FOLLOWS:

SECTION 1: Incorporation of Recitals. The recitals set forth above are incorporated herein.

SECTION 2: Amendment to Annexation Agreement. Notwithstanding anything to the contrary appearing in the Annexation Agreement, the City agrees to take all action necessary to allow for the Sokol Property to be developed for no more than 66 condominium units in two separate buildings.

SECTION 3: Agreement to Abide by Conditions. Owner and Developer agree to abide by all conditions, terms and restrictions set forth in the Zoning Ordinance adopted pursuant to this Agreement. A copy of said Zoning Ordinance is attached to this Agreement as **Exhibit 1**.

SECTION 4: Other Terms; Other Ordinances. Except as specifically provided for in this Agreement and the implementing Zoning Ordinance, Owner and Developer agree to be bound by all terms, conditions, limitations and restrictions set forth in the Annexation Agreement as well as the Zoning Ordinance adopted pursuant hereto, and all other Codes and Ordinances of the City. Developer shall specifically comply with the school impact fee contributions set forth in Section 10A of the Annexation Agreement, and the mid-rise unit South Frontage Road impact

fee contributions set forth in Section 10B of the Annexation Fee. The up to 66 condominium units contained in two separate buildings on the Sokol Property are classified as mid-rise units. All contribution amounts required for mid-rise units under the Annexation Agreement shall apply to those condominium units.

SECTION 5: Successors and Assigns. This Agreement shall be binding upon the parties and their respective successors and assigns.

SECTION 6: Term. The term of this Annexation Agreement remains unaffected by this Amendment.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives effective as of the day, month and year first above written.

City of Darien, Darien, DuPage County, Illinois

By: C. Soldati

Attest:

James Calverton
City Clerk

Sokol Chicagoland Building Association

By: _____

Darien Highlands, LLC,
an Illinois Corporation

By: _____

**CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS**

ORDINANCE NO. 0-31-05

**AN ORDINANCE APPROVING A SUBSTANTIAL CHANGE
TO AN APPROVED PLANNED UNIT DEVELOPMENT
AND GRANTING PRELIMINARY PUD APPROVAL
(2305 SOKOL COURT/ "THE HIGHLAND" CONDOMINIUM
DEVELOPMENT FORMERLY KNOWN AS "THE RESERVE")**

(PZC 2005-09: 2305 Sokol Court, The Highland)

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 3rd DAY OF OCTOBER, 2005.

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
5th day of October, 2005.**

ORDINANCE NO. 0-31-05

**AN ORDINANCE APPROVING A SUBSTANTIAL CHANGE
TO AN APPROVED PLANNED UNIT DEVELOPMENT
AND GRANTING PRELIMINARY PUD APPROVAL
(2305 SOKOL COURT/ "THE HIGHLAND" CONDOMINIUM
DEVELOPMENT FORMERLY KNOWN AS "THE RESERVE")**

(PZC 2005-09: 2305 Sokol Court, The Highland)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, the property identified on **Exhibit 1**, attached hereto and made a part hereof, (the "Subject Property"), is part of a Planned Unit Development (PUD), approved pursuant to an Annexation Agreement authorized by Ordinance No. O-32-96; and

WHEREAS, pursuant to the Annexation Agreement and approved PUD, the Subject Property was to be developed as the "Sokol Facility," a structure, two stories in height, containing approximately 43,000 square feet, and to be owned and operated by Sokol; and

WHEREAS, the Owner and Developer of the Subject Property have petitioned to amend the Annexation Agreement and for approval of a substantial change to the approved PUD; and

WHEREAS, said proposal seeks a substantial change in the approved PUD to eliminate the "Sokol Facility" as defined therein and to construct 66 condominium units contained in two buildings on the Subject Property; and

ORDINANCE NO. 0-31-05

WHEREAS, pursuant to notice, as required by law, the Planning and Zoning Commission of the City of Darien conducted a public hearing on the proposal; and

WHEREAS, the City, the Owner and the Developer have entered into an Amendment to the Annexation Agreement, authorizing development of the 66 condominium units to be contained in two buildings; and

WHEREAS, the City Council finds that amending the previously approved PUD as provided for hereinbelow is reasonable and will promote the sound growth and planning of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Substantial Change to PUD Approved. The final PUD plan for the Subject Property is hereby amended to allow the development of the Subject Property for 66 condominium units contained in two buildings.

SECTION 2: Preliminary Amended PUD Plan Identified; Preliminary Amended PUD Plan Approved. The Amended Preliminary PUD Plan is hereby approved. For purposes of this Ordinance, the "Amended Preliminary PUD Plan" is identified as follows:

- A. Preliminary Plat of Resubdivision, 1 sheet, prepared by Associated Surveying Group, P.C., latest revision dated August 31, 2005.
- B. Preliminary Engineering Plan, 1 sheet, prepared by P&D Consultants, latest revision dated August 15, 2005.
- C. Ground Floor Parking Plan, 1 sheet, prepared by Built Form Architecture, latest revision dated August 15, 2005.
- D. Typical Floor Unit Plan, 1 sheet, prepared by Built Form Architecture, latest revision dated August 9, 2005.
- E. Landscape Plan, 1 sheet, prepared by Williams Design Group, latest revision

ORDINANCE NO. 0-31-05

- dated August 9, 2005.
- F. Photometric plan, 1 sheet, prepared by P&D Consultants, latest revision dated June 30, 2005.
 - G. Building Elevations, 2 sheets, prepared by Built Form Architecture, latest revision dated August 9, 2005.

SECTION 3: Departures Approved. The following departures from the underlying Zoning Ordinance, Subdivision and PUD Regulations are hereby granted:

- A. Section 5A-3-3-4: PUD Regulations, Residential Density: To allow an increase in the number of dwelling units within the residential portion of the PUD, from an existing 8 to 9.6 dwelling units per acre.
- B. Section 5A-7-3-7: Height Limitations, Bulk Regulations: To allow an increase in the maximum height from 35 feet to 47.9 feet.

SECTION 4: Conditions of Approval: The following conditions of approval apply:

- A. Water pressure calculations are to be submitted with building permit applications.
- B. Roof mounted equipment, on the south side of the buildings, are to be screened.

SECTION 5: Final PUD Plan. The Final PUD Plan for the Subject Property shall be reviewed and approved in accordance with all applicable provisions of the City's Zoning Ordinance.

SECTION 6: Home Rule. This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

ORDINANCE NO. 0-31-05

SECTION 7: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN,
DU PAGE COUNTY, ILLINOIS, this 3rd day of October, 2005.**

AYES: 6-Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

NAYS: 0-NONE

ABSENT: 1-Durkin

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this 3rd day of October, 2005.**

ATTEST:



JOANNE F. COLEMAN, CITY CLERK



CARMEN D. SOLDATO, MAYOR

APPROVED AS TO FORM:



CITY ATTORNEY

Exhibit 1

PARCEL 1: LOT 2 IN BURNISDE'S PRESERVES OF WATERFALL GLEN RESUBDIVISION UNIT 1, BEING A SUBDIVISION OF PART OF THE SOUTHEAST AND THE SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 25, 1998, AS DOCUMENT R98-125986, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF HOMER ANDRUS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 25, 1959 AS DOCUMENT 916621, IN DUPAGE COUNTY, ILLINOIS, SAID SOUTHWEST CORNER BEING ALSO THE NORTHWEST CORNER OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, AND RUNNING THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS EAST ALONG THE SOUTH LINE OF LOT 1 OF HOMER GLEN SUBDIVISION, BEING ALSO THE NORTH LINE OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 369.80 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF HOMER ANDRUS SUBDIVISION; THENCE NORTH 33 DEGREES 36 MINUTES 05 SECONDS WEST ALNG THE EASTERLY LINE OF SAID LOT 1 OF HOMER ANDRUS SUBDIVISION, A DISTANCE OF 578.33 FEET TO THE SOUTH LINE OF FORMER ROUTE 66 PER DOCUMENT NO. 931792 AND DOHLMAN'S RESUBDIVISION (DOCUMENT NO. 967060), BEING ALSO THE SOUTH LINE OF FEDERAL AID HIGHWAY ROUTE 98 PER DOCUMENTS 524869 AND 524870; THENCE NORTH 56 DEGREES 45 MINUTES 57 SECONDS EAST, A DISTANCE OF 19.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 56 DEGREES 45 MINUTES 57 SECONDS EAST ALONG SAID SOUTH LINE OF FORMER ROUTE 66, A DISTANCE OF 373.00 FEET; THENCE SOUTH 33 DEGREES 14 MINUTES 03 SECONDS EAST, A DISTANCE OF 320.00 FEET; THENCE SOUTH 56 DEGREES 45 MINUTES 57 SECONDS WEST A DISTANCE OF 297.48 FEET; THENCE NORTH 33 DEGREES 14 MINUTES 03 SECONDS WEST A DISTANCE 160.50 FEET; THENCE NORTH 84 DEGREES 18 MINUTES 21 SECONDS WEST A DISTANCE OF 97.08 FEET; THENCE NORTH 33 DEGREES 14 MINUTES 03 SECONDS WEST A DISTANCE OF 98.50 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

A/K/A LOT 31 BURNISDE'S PRESERVES OF WATERFALL GLEN, BEING A SUBDIVISION OF PART OF THE SOUTHEAST AND THE SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 10, 1997 AS DOCUMENT R97-99748 IN DUPAGE COUNTY, ILLINOIS.

PIN: 10-05-404-002 and -024

The property is located at 2305 Sokol Court, Illinois 60561.

CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 0-33-05

**AN ORDINANCE GRANTING FINAL PUD
AND FINAL PLAT OF RESUBDIVISION APPROVAL
(2305 SOKOL COURT/"THE HIGHLAND" CONDOMINIUM DEVELOPMENT
FORMERLY KNOWN AS "THE RESERVE")**

(PZC 2005-17: 2305 Sokol Court, The Highland Condominiums)

ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS 7th DAY OF NOVEMBER, 2005

**Published in pamphlet form by authority of the
Mayor and City Council of the City of Darien,
DuPage County, Illinois, this 8th day
of November, 2005.**

ORDINANCE NO. 0-33-05

**AN ORDINANCE GRANTING FINAL PUD
AND FINAL PLAT OF RESUBDIVISION APPROVAL
(2305 SOKOL COURT/"THE HIGHLAND" CONDOMINIUM DEVELOPMENT
FORMERLY KNOWN AS "THE RESERVE")**

(PZC 2005-17: 2305 Sokol Court, The Highland Condominiums)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6;

WHEREAS, the City has previously adopted Ordinance O-30-05, "First Amendment to an Annexation Agreement (2305 Sokol Court/"The Highland Condominium Development Formerly known as "The Reserve"), October 3, 2005, which amended the Burnside/Lemont Road Mixed Use PUD; and

WHEREAS, the City has previously adopted Ordinance O-31-05, "An Ordinance Approving a Substantial Change to an Approved Planned Unit Development and Granting Preliminary PUD approval (2305 Sokol Court/"The Highland Condominium Development Formerly known as "The Reserve"), on October 3, 2005; and

WHEREAS, said Ordinances granted preliminary approval for 66 condominium units contained in two buildings on the Subject Property; and

WHEREAS, the Developer has submitted Final PUD plans for The Highland Condominiums; and

WHEREAS, the Planning and Zoning Commission at its regular meeting of October 19, 2005, reviewed the petition and forwarded its recommendation of approval to the City Council; and

ORDINANCE NO. 0-33-05

WHEREAS, the Planning and Development Committee at its regular meeting of October 24, 2005, reviewed the petition and forwarded its recommendation of approval to the City Council; and

WHEREAS, the City Council reviewed the findings and recommendations described above and now determines to grant the petition subject to the terms, conditions and limitations described below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Final Plat of Resubdivision Approved: The City Council hereby approves the Final Plat of Resubdivision for "The Highland Condominiums". The Mayor and City Clerk are hereby authorized and directed to execute and attest respectively the Final plat of Resubdivision. The City Clerk is hereby authorized and directed to cause the Final Plat of Resubdivision to be recorded in the Office of the DuPage County Recorder of Deeds.

SECTION 2. Plat of Vacation Approved. The City Council hereby approves the Plat of Vacation. The Mayor and City Clerk are hereby authorized and directed to execute and attest respectively the Plat of Vacation. The City Clerk is hereby authorized and directed to cause the Plat of Vacation to be recorded in the Office of the DuPage County Recorder of Deeds.

SECTION 3. Final PUD Plan Approved. The City hereby approves the Final PUD Plan for 66 condominium units contained in two buildings on the Subject Property. For purposes of this approval, the Final PUD Plan consists of the following elements:

1. ALTA/ACSM Land Title Survey, 1 sheet, prepared by Associated Surveying Group, P.C., dated December 16, 2004.
2. Final Plat of Resubdivision, 1 sheet, prepared by Associated Surveying Group, P.C., with a received date of August 31, 2005.
3. Final Plat of Vacation, 1 sheet, prepared by Associated Surveying Group, P.C., dated November 29, 2004.

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4. Final Engineering Plan, 1 sheet, prepared by P&D Consultants, latest revision dated October 20, 2005.
5. Landscape Plan, 1 sheet, prepared by Williams Design Group, latest revision dated August 9, 2005.
6. Photometric Lighting Plan, 1 sheet, prepared by P&D Consultants, latest revision dated June 30, 2005.
7. Ground Floor Parking Plan, 1 sheet, prepared by Built Form Architecture, dated October 7, 2005.
8. Typical Floor Unit Plan, 1 sheet, prepared by Built Form Architecture, dated October 7, 2005.
9. Building Elevations, 2 sheets, prepared by Built Form Architecture, dated October 7, 2005.

SECTION 4: Other Applicable Ordinances. Except as provided herein or in Ordinances O-30-05 and O-31-05, development of the Subject Property shall conform to all applicable Codes and Ordinances of the City of Darien.

SECTION 5: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supercede state law in that regard within its jurisdiction.

SECTION 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

ORDINANCE NO. 0-33-05

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN,
DUPAGE COUNTY, ILLINOIS, this 7th day of November, 2005.

AYES: 7 - Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

NAYS: 0 - NONE

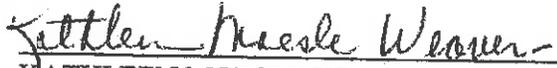
ABSENT: 0 - NONE

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY,
ILLINOIS, this 7th day of November, 2005.

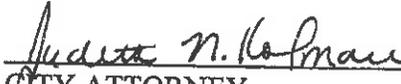
ATTEST:


JOANNE F. COLEMAN, CITY CLERK




KATHLEEN MOESLE WEAVER, MAYOR

APPROVED AS TO FORM:


CITY ATTORNEY

AGENDA MEMO
PLANNING AND ZONING COMMISSION
APRIL 7, 2021

CASE

PZC2021-03

Zoning Text Amendment to City Code Section 5A-9A-5(A) to add an additional property/address (2019 75TH Street; Former Steak n' Shake Building) to the List of Permitted Locations for a Cannabis Dispensing Organization.

ISSUE STATEMENT

The City of Darien has petitioned for approval of a text amendment of the Zoning Code regarding Title 5A, Chapter 9A: Cannabis Establishments, Section 5(A): Permitted Locations for Cannabis Dispensing Organizations. This amendment add an additional property/address (2019 75TH Street; Former Steak n' Shake Building) to the List of Permitted Locations for a Cannabis Dispensing Organization.

ATTACHMENTS

- Aerial Image of Petition Site
- City Code Title 5A, Chapter 9A: Cannabis Business Establishments
- City Code Title 5A, Chapter 2, Section 2-5: Standards for Amendments
- Public Comment

BACKGROUND

The State of Illinois enacted the Cannabis Regulation and Tax Act (Act), which pertains to the possession, use, cultivation, transportation, and dispensing of adult-use cannabis, which became effective on June 25, 2019. Subsequent to this action by the State, Darien's City Council approved Ordinance O-34-19 and Ordinance O-09-20 on December 16, 2019 and May 18, 2020 respectively, which created code (Title 5A, Chapter 9A) regulating Cannabis Establishments throughout the City.

During its February 16, 2021 meeting, the City Council discussed amending the previously adopted code section (Title 5A, Chapter 9A). The discussion pertained to adding one (1) address/location to the list of properties that permit a *Cannabis Dispensing Organization* by right. On March 1, 2021, the City Council voted in favor for the City to initiate a zoning text amendment in accordance with the above-mentioned. Therefore, this item is appearing before the Planning and Zoning Commission to obtain a recommendation on the ordinance revision (i.e. text amendment) to add the following property to the list of permitted locations for a *Cannabis Dispensing Organization*:

- **2019 75TH Street – Vacant/Former Restaurant Building (Steak 'n Shake)
(B-2 Community Shopping Center Business District)
PIN: 09-29-409-021 – (Aerial Image)**

For reference, the list of current locations that permit a *Cannabis Dispensing Organization* by right are shown below, in addition to the definition of use. If the proposed text amendment is approved by City Council, the Zoning Ordinance (Section 5A-9A-5(A)) would be amended to include the petition site as a location on the following list:

1. 75TH Street and Lemont Road-Chestnut Court Shopping Center
(B-3 General Business District)
PINs: 09-29-300-008, -22/024
2. 75TH Street east of Lyman Avenue in 2100 Block (Darien Towne Center)
(B-3 General Business District)
PINs: 09-29-400-032/033
3. 6800-6818 Route 83 (Darien Center)
(B-2 Community Shopping Center Business District)
PINs: 09-23-304-032/033, 035/036
4. 7900 S Cass Avenue – Existing Office Building
PIN: 09-28-412-009
5. 8100 S Cass Avenue – Outlot
PIN: 09-34-102-018
6. 8100 S Cass Avenue
PIN: 09-34-102-019
7. Mid 8100 Block of Cass Avenue (PINS 3 & 4)
PINs: 09-34-102-022/024
8. 8100 Block of Lemont Road
PINs: 09-32-106-007/008, 023/024, 035/036, 09-32-115-005/008

CANNABIS DISPENSING ORGANIZATION (DEFINITION):

A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers.

NOTE: Amendments (i.e. text amendment) to the zoning ordinance are subject to action by the Plan Commission and final action by the City Council. If the above-mentioned motion is approved by City Council, it should be noted that the proposed ordinance revision/text amendment would be subject to City Council Action pursuant to City Code Section 5A-2-2-5 (F). Under this section and given specific circumstances, Subsection No. 3 calls for two-thirds (2/3) majority vote by the City Alderman in order for passage of an Amendment. In other words, there would need to be five (5) favorable votes in this instance. The subsection is highlighted via the attachment and in italicized text below:

In case a written protest against any proposed amendment of the regulations or districts, signed and acknowledged (i.e., notarized) by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, is filed with the City Clerk, the amendment shall not be passed except by a favorable vote of two-thirds (2/3) of the City Aldermen then holding office.

Under the above section and specifically underlined portion, staff has determined that any one of the following properties would trigger the two-thirds (2/3) vote requirement if the property owner(s) filed a written protest in accordance with City Code Section 5A-2-2-5 (F)(3):

1. 2013 75TH Street (First American Bank)
PIN: 09-29-409-022

2. 2189 75TH Street (Home Depot/Darien Towne Center)
PIN: 09-29-400-033

3. 2016 Harper Road (Single Family Residence)
PIN: 09-29-409-017

4. 2020 Harper Road (Single Family Residence)
PIN: 09-29-409-018

ZONING STANDARDS

The Cannabis Business Establishments code has been attached for reference.

DECISION MODE

The Planning and Zoning Commission is requested to forward a recommendation on the proposed text amendment as presented.

MEETING SCHEDULE

Planning and Zoning Commission	April 7, 2021
Municipal Services Committee	April 26, 2021
City Council	May 3, 2021

ARTICLE A. CANNABIS BUSINESS ESTABLISHMENTS

SECTION:

5A-9A-1: Purpose And Intent

5A-9A-2: Definitions

5A-9A-3: Compliance With Applicable Laws

5A-9A-4: Certificate Of Zoning Compliance/State Law

5A-9A-5: Permitted Locations For Cannabis Dispensing Organizations

5A-9A-6: Use Standards/Regulations

5A-9A-7: Parking Requirements

5A-9A-8: Signage

5A-9A-1: PURPOSE AND INTENT:

(A) The intent of this chapter is to protect the public health, safety and welfare of the City and its residents by establishing regulations in regard to the cultivation, processing, dispensing and transportation of cannabis within the corporate limits of the City of Darien.

(B) The purpose of this chapter is to ensure new cannabis business establishments are integrated with surrounding uses and are compatible in character with the surrounding neighborhood or area of the zoning district in which they are located.

(C) The zoning and regulations contemplated herein shall only apply to cannabis business establishments licensed and operating under state law. (Ord. 0-34-19, 12-16-2019)

5A-9A-2: DEFINITIONS:

The following words and terms, wherever they appear in this chapter, shall be construed as herein defined. Additionally, the City adopts all other definitions set forth in the Cannabis Regulation and Tax Act and the Compassionate Use of Medical Cannabis Program Act, as if fully set forth herein.

CANNABIS:	Marijuana, hashish, and other substances that are identified as including any parts of the plant <i>Cannabis sativa</i> and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means cannabis flower, concentrate and cannabis-infused products.
CANNABIS BUSINESS ESTABLISHMENT:	A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.
CANNABIS CRAFT GROWER:	A facility operated by an organization or business that is licensed by the Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization. A craft grower may contain up to five thousand (5,000) square feet of canopy space on its premises for plants in the flowering state. The Department of Agriculture may authorize an increase or decrease of flowering stage cultivation space in increments of three thousand (3,000) square feet by rule based on market need, craft grower capacity, and the licensee's history of compliance or noncompliance with a maximum space of fourteen thousand (14,000) square feet and shall not be located within one thousand five hundred feet (1,500') of another craft grower or cultivation center.

CANNABIS CULTIVATION CENTER:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishment(s). A cultivation center may not contain more than two hundred ten thousand (210,000) square feet of canopy space for plants in the flowering stage for cultivation of cannabis as provided in state law.
CANNABIS DISPENSING ORGANIZATION:	A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers.
CANNABIS INFUSER ORGANIZATION OR INFUSER:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulations to produce a cannabis-infused product.
CANNABIS PROCESSING ORGANIZATION OR PROCESSOR:	A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product.
CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER:	An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Program.
CONSUME, CONSUMING OR CONSUMPTION:	Smoking, eating, drinking, chewing, applying topically or otherwise ingesting.
MEDICAL CANNABIS DISPENSING ORGANIZATION:	A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients, individuals with a provisional registration for qualifying patient cardholder status, or an Opioid Pilot program participant as set forth in the Compassionate Use of Medical Cannabis Program Act, 410 Illinois Compiled Statutes 130/1, et seq., and as it may be amended from time to time, and the regulations promulgated thereunder.
MEDICAL CULTIVATION CENTER:	A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis as set forth in the Compassionate Use of Medical Cannabis Program Act, 410 Illinois Compiled Statutes 130/1, et seq., and as it may be amended from time to time, and the regulations promulgated thereunder.
STATE LAW/STATUTE:	The Cannabis Regulation and Tax Act, 410 Illinois Compiled Statutes 705/1, et seq., and the Compassionate Use of Medical Cannabis Program Act, 410 Illinois Compiled Statutes 130/1, et seq., and as they be amended from time to time, and the regulations promulgated thereunder. (Ord. 0-34-19, 12-16-2019)

5A-9A-3: COMPLIANCE WITH APPLICABLE LAWS:

Cannabis business establishments shall comply with all regulations provided in the Cannabis regulation and Tax Act, 410 Illinois Compiled Statutes 705/1, et seq., and the Compassionate Use of Medical Cannabis Program Act, 410 Illinois Compiled Statutes 130/1, et seq., and as they may be amended from time to time, and the regulations promulgated thereunder, and the regulations provided below. In the event that either or both of the Acts are amended, the more restrictive of the state or local regulations shall apply; however, in the event the local regulations conflict with state law, state law shall prevail. (Ord. 0-34-19, 12-16-2019)

5A-9A-4: CERTIFICATE OF ZONING COMPLIANCE/STATE LAW:

A City-issued certificate of zoning compliance, state-issued license for the specific cannabis business establishment, and a City-issued business license are required prior to any cannabis business establishment is allowed to open for business. (Ord. 0-34-19, 12-16-2019)

5A-9A-5: PERMITTED LOCATIONS FOR CANNABIS DISPENSING ORGANIZATIONS:

(A) Cannabis dispensing organizations shall be a permitted use in the following locations:

75th Street and Lemont Road-Chestnut Court Shopping Center (B-3 General Business District)	PINs: 09-29-300-008, 022/024
75th Street east of Lyman Avenue in 2100 Block (Darien Towne Center) (B-3 General Business District)	PINs: 09-29-400-032/033
6800-6818 Route 83 (Darien Center) (B-2 Community Shopping Center Business District)	PINs: 09-23-304-032/033, 035/036
7900 S. Cass Avenue – Existing office building	PIN: 09-28-412-009
8100 S. Cass Avenue – Outlot	PIN: 09-34-102-018
8100 S. Cass Avenue	PIN: 09-34-102-019
Mid 8100 Block of Cass Avenue (PINS 3 & 4)	PINs: 09-34-102-022/024
8100 Block of Lemont Road	PINs: 09-32-106-007/008, 023/024, 035/036, 09-32-115-005/008

(B) Cannabis dispensing organizations shall be permitted only as a special use in the following location:

1. 7800 Lemont Road (OR & I Office, Research and Light Industry District), PIN: 09-29-302-065, subject to the following conditions:

(a) If there is a mixed use within one structure, the cannabis dispensing organization shall not be allowed if the other business establishments cater to children under the age of twenty-one (21).

(b) The petition for special use must meet the criteria for a special use set forth in section 5A-2-2-6 of the Zoning Ordinance.

(C) Cannabis Dispensing Organizations shall not be allowed in the following locations as either a permitted or special use:

75th Street, west of Lyman Avenue (2400 block of Market Place of Darien)	PIN: 09-29-301-034
Brookhaven Plaza – Existing Walgreens	PIN: 09-28-402-021
Brookhaven Plaza – Interior	PIN: 09-28-402-026
Brookhaven Plaza – Existing Grocery Store	PINs: 09-28-402-024/025
1225 Plainfield Road	PINs: 09-28-410-001, 043
7300 Block of Route 83 between 73rd and 74th Streets	PINs: 09-26-115-009, 018/019
2600 Block of 83rd Street	PIN: 09-32-116-008
8200 Block of Lemont Road	PIN: 09-32-106-030
Southwest Quadrant of Lemont Road and 83rd Street	PINs: 09-31-402-016/018, 09-31-415-002, 004/016, 018/020

(D) Cannabis dispensing organizations shall be permitted as a special use in all non-residential districts having properties not listed in subsections (A) through (C), above, and subject to meeting the criteria for a special use set forth in section 5A-2-2-6 of the Zoning Ordinance.

(E) The following cannabis business establishments shall be allowed as permitted uses in the locations set forth below: cannabis craft grower; cannabis cultivation center, including medical cannabis cultivation center; cannabis infuser organization or infuser; processing organization or processor; and transporting organization or transporter:

1. 7800 Lemont Road (OR&I Office, Research and Light Industrial District), PIN: 09-29-302-065.

2. Any property in the I-1 General Industrial District. (Ord. 0-34-19, 12-16-2019; amd. Ord. 0-09-20, 5-18-2020)

5A-9A-6: USE STANDARDS/REGULATIONS:

(A) Cannabis Dispensing Organizations: No more than one (1) license shall be issued for a cannabis dispensing organization. This licensing limitation does not apply to a medical cannabis dispensary that does not sell recreational cannabis. The cannabis dispensing organization shall comply with the following:

1. The hours of operation may be between six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.
2. Operation of the dispensary is prohibited when video surveillance equipment is inoperative.
3. Operation of the dispensary is prohibited when point-of-sale equipment is inoperative.
4. Operation of the dispensary is prohibited when the State of Illinois' cannabis electronic verification system is inoperative.
5. Operation of the dispensary is prohibited when there are fewer than two (2) employees working.

6. No lounges or other methods of onsite consumption of cannabis shall be allowed within a dispensary or smoke shop.

7. No cannabis lounges or cafes shall be allowed as a cannabis business establishment within the City of Darien.

8. Cannabis may not be consumed within a cannabis dispensary for any purpose and in any form including, but not limited to, samples, tastings, edible products or by-products or by smoking or in the public right-of-way within twenty five feet (25') of a cannabis dispensary. Signage must be posted near the entrances and exits of the cannabis dispensary providing notice of this policy.

(B) There are no business license restrictions in the OR&I Office, Research and Light Industrial Zoning District and I-1 General Industrial Zoning District for the following cannabis business establishments:

1. Cannabis craft grower;
2. Cannabis cultivation center, including medical cannabis cultivation center;
3. Cannabis infuser organization or infuser;
4. Processing organization or processor;
5. Transporting organization or transporter. (Ord. 0-34-19, 12-16-2019)

5A-9A-7: PARKING REQUIREMENTS:

The cannabis business establishment shall be required to comply with the parking requirements applicable to the underlying zoning district. (Ord. 0-34-19, 12-16-2019)

5A-9A-8: SIGNAGE:

Signage shall comply with the standards of the underlying zoning district and state law. (Ord. 0-34-19, 12-16-2019)

5A-2-2-5: AMENDMENTS:

(A) Authority; Declaration Of Public Policy: For the purpose of promoting the public health, safety, and general welfare, conserving the value of property throughout the community, and lessening or avoiding congestion in the public streets and highways, the City Council may, from time to time, after a public hearing thereon by the Plan Commission, and subject to the procedure provided in this Section, amend the regulations imposed in the districts created by this Title (a "text amendment"), amend district boundary lines (a "map amendment"), or grant district designations to lands newly annexed; provided, however, that if no specific designation is given to land newly annexed, that land shall automatically be given the R-1 District designation. In all amendatory ordinances adopted under the authority of this Section, due allowance shall be made for existing conditions, the conservation of property values, the direction of building development to the best advantage of the entire community, and the uses to which property is devoted at the time of the adoption of such amendatory ordinance.

(B) Initiation: Amendments may be proposed by any governmental body or any interested person or organization, with the exception of map amendments which may be initiated only by the City Council, Plan Commission, or by a person being the owner, lessee, or contract purchaser of the subject property.

(C) Application: No application for an amendment shall be submitted to the City until a preapplication meeting has been held with the Zoning Enforcement Officer and the applicant has addressed the concerns of the Zoning Enforcement Officer, as advised by the appropriate staff members and other governmental agencies. An application for an amendment shall be filed with the Zoning Enforcement Officer, with a copy to the City Clerk, in such forms and containing such information as the Zoning Enforcement Officer may, from time to time, prescribe. The Zoning Enforcement Officer will review the application for completeness. No application shall be accepted by the City for processing until all the required documentation has been submitted by the applicant. If the application is deemed incomplete, the Zoning Enforcement Officer shall notify the applicant in writing, with a copy to the City Clerk, specifying the information and documentation that must be submitted by the applicant to complete the application. The Zoning Enforcement Officer shall notify the applicant that the City has accepted the application and shall forthwith process and forward the application to the Plan Commission for review and public hearing, with a copy of such application forwarded to the City Council for their information at its next regular meeting. Any changes in the application made by the applicant, whether initiated by the applicant or at the request of the City, shall be submitted to the Plan Commission via the Zoning Enforcement Officer no later than two (2) weeks prior to the scheduled date of the public hearing. Any change not submitted by that time may be accepted by the Plan Commission, at their discretion, by majority vote, or the application may be recommended for continuance.

(D) Action By The Plan Commission: The Plan Commission shall hold a public hearing on the proposed amendment within forty five (45) days from the date the application was forwarded to the Plan Commission by the Zoning Enforcement Officer. Notice of such hearing shall be published at least once not more than thirty (30) nor less than fifteen (15) days before such hearing in a newspaper of general circulation within the City. Provided, however, that in the case of text or map amendments initiated by the City, actual notice by certified mail, not less than ten (10) days prior to the date of the public hearing, shall be given to the person or persons to whom the current real estate tax bills are sent, for each parcel of property affected by the amendment. Actual notice need not be provided for parcels whenever the proposed amendment only makes textual changes in the regulations of the district, nor for parcels in any district if the amendment is a comprehensive amendment to the Zoning Title.

A public hearing, once commenced, may be continued from time to time with the approval of the applicant. Where the date, place, and time of the next hearing is announced at the close of the last hearing, no further notice of the next hearing need be made; otherwise, notice of the date, place, and time of the new hearing must be made in the manner provided by law. Where the applicant objects to a continuance, only one further continuance of not more than fourteen (14) days shall be allowed. The Plan Commission shall, within sixty (60) days after the close of the public hearing, transmit a written report giving its findings and recommendations to the City Council. If no report is filed within this time period and no time extension is granted by the City Council, the application shall be deemed to have received recommendation of denial. Provided, however, that if at any time after the commencement of the public hearing the City Council has required by motion that the Plan Commission close the public hearing and present a written report containing findings and recommendations no later than sixty (60) days from the date of the motion, the Plan Commission shall be so required, and failure to file such report within the sixty (60) days shall be deemed a recommendation to deny the application. The Plan Commission may recommend that the City Council impose such conditions and restrictions upon the premises as may be necessary to comply with the standards established in this Section and the objectives of this Title and other ordinances of the City.

(E) Action By The Planning And Development Committee: Upon receipt of the recommendation of the Plan Commission, the Planning and Development Committee may recommend that the City Council impose such conditions and restrictions upon the premises as may be necessary to comply with the standards established in this Section and the objectives of this Title, and other ordinances of the City.

(F) Action By The City Council:

1. The City Council by motion may require the close of the public hearing and the presentation of a report containing findings and recommendations no later than forty five (45) days after the date of the motion. In the event that no report is filed with the City Council within that forty five (45) days, the application shall be considered as having received a recommendation of denial.

2. The City Council, after receipt of the report from the Plan Commission and Planning and Development Committee, or, if no report is received, after the time period allowed to file such report has elapsed, and without further public hearing, may grant or deny any proposed amendment or may refer it back to the Plan Commission for further consideration. The Plan Commission shall, within the time period stipulated by the City Council in its communication, or if no time period is so stipulated, no later than forty five (45) days from the date of referral by the City Council, transmit a written report to the City Council. If no report is received by the City Council within the stipulated time period and no further time extension is granted, the application shall be deemed to have received a recommendation of denial.

3. In case a written protest against any proposed amendment of the regulations or districts, signed and acknowledged (i.e., notarized) by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, is filed with the City Clerk, the amendment shall not be passed except by a favorable

vote of two-thirds ($\frac{2}{3}$) of the City Aldermen then holding office.

4. If an application for a proposed amendment is not acted upon finally by the City Council within ninety (90) days of the date upon which such application is initially returned to the City Council from the Plan Commission, it shall be deemed to have been denied. However, if the applicant requests the City Council that the ninety (90) day time period be extended, the City Council may postpone its final action on the application until the expiration of the time extension requested if the application is not acted upon within the time extension period and no further extensions are requested by the applicant and used by the City Council, the application shall be deemed to have been denied.

5. No application for a map amendment which has been denied by the City Council shall be resubmitted for a period of one year from the date of denial by the City Council. The City Council may, on the grounds of substantial new evidence or proof of changed conditions, allow a new application to be submitted to the City Clerk prior to the expiration of the one year period.

(G) Standards: The Plan Commission shall consider the following factors and other pertinent factors in developing a recommendation for the City Council:

1. Existing uses of property within the general area of the property in question, and the resulting character of the general area;
2. The zoning classifications of property within the general area of the property in question;
3. The suitability of the property in question to the uses permitted under the existing zoning classification including consideration of the length of time the property has been vacant as zoned;
4. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classifications and the impact to surrounding property likely to result from the proposed use;
5. The reduction in value of the subject property resulting from the particular zoning restriction as compared to the gain to the public if the property remains restricted; and
6. The policies of all current official plans or plan elements of the City.

The Plan Commission may recommend the adoption of an amendment changing the zoning classification of the property in question to a more restrictive classification than that requested by the applicant if said classification is in conformance with the planning policies of the City. For the purpose of this paragraph, the R-1 District shall be considered the most restrictive classification and I-1 shall be considered the least restrictive classification. (Ord. 0-03-00, 4-3-2000)

From: Mary Sullivan
To: Jordan Yanke; Dan Gombac; Bryon Vana; Joe Marchese
Subject: Fwd: Steak and Shake property
Date: Saturday, March 27, 2021 7:17:03 AM

Good day. Wanted you all to have this email below. Also was wondering what he is asking about the Buona Beef Property on 75/Cass.

Thank you and have a good day and weekend! Mary

Mary Coyle Sullivan
City of Darien Alderperson Ward 5
1702 Plainfield Road, Darien, IL 60561
Email: msullivan@darienil.gov
Phone: (630) 606-8664

Begin forwarded message:

From: Kelly Glisan <uhgkglisan@sbcglobal.net>
Date: March 26, 2021 at 4:48:11 PM CDT
To: Mary Sullivan <msullivan@darienil.gov>
Subject: Steak and Shake property

Alderwoman Sullivan,
Foremost, thank you so very much for your tireless advocacy on behalf of your represented district, Carriage and Tara Hill.

Consistent with the proposal before the Council to re-zone the former Steak and Shake property as a Pot Shop it may be a poor choice of location. It may be a much better location for a streamlined, "Quick Portillos". Who doesn't love Portillos, but are inconvenienced by the drive to Weber or to RT 83 to their large brick and mortar and the wait involved!

Driving by there today and surveying the surrounding neighborhood it is readily apparent there is a parochial school less than a quarter block away. Bordering the faith based institution is a grade school, Elizabeth Ide. A city approved private business selling drugs in the immediate proximity may place these children at additional risk of abduction. Have the parishioners of the church been notified and made aware? Has the PTO and BOE of Elizabeth Ide been made aware?

Likewise, these children face an additional risk of getting hit by a driver with tunnel vision as a side effect resulting from the ingestion of narcotics. Simply, it is a poor choice of location and a bad idea. It is my hope you will give thoughtful consideration and express your opinion regarding this location.

Additionally, I observed a zoning change proposed for the Buona Beef location, I was just there two weeks ago, good food, but the sign was not there. What do they want to do with that property that would require a zoning change?

Thank you again for your efforts to keep Darien a "nice place to live".

Kindest Regards.

From: Mary Sullivan
To: Jordan Yanke; Bryon Vana; Dan Gombac; Joe Marchese
Subject: Fwd: Zoning Meeting
Date: Monday, March 29, 2021 10:21:11 AM

Please include the email below as well in the PZC packet for Steak N Shake property.

Regards - Mary

Mary Coyle Sullivan
City of Darien Alderperson Ward 5
1702 Plainfield Road, Darien, IL 60561
Email: msullivan@darienil.gov
Phone: (630) 606-8664

Begin forwarded message:

From: "Lisa N. & Richard J. Hauser" <lisanrich5@gmail.com>
Date: March 28, 2021 at 10:08:35 AM CDT
To: Mary Sullivan <msullivan@darienil.gov>
Subject: Zoning Meeting

Hi Mary,

I hear some talk about a zoning meeting taking place soon regarding the former Steak n Shake property in Darien? I only have second hand information at best, but was told the rezoning vote could determine if a cannabis store could potentially open on the property in the future. If you have any information regarding when this meeting would take place I would appreciate it and would like to attend.

It was my understanding that a cannabis store in Darien would be in a discreet location. I believe the location of that particular property is not "discreet", being located between the Home Depot center and the Downers Delight restaurant. Also, the location is just a short walk away from the residential Gallagher and Henry subdivision, to the south of the property. This can present additional

problems for those nearby residents. In general, I feel because of the small size of Darien, compared to surrounding suburbs like Downers Grove or Naperville, it will be a difficult task to find a discreet location for stores like these.

Please feel free to use this email as evidence of my opposition to the rezoning of the former Steak n Shake property to allow a cannabis store in the location, if the debate is still ongoing. Also, if there will be a meeting open to the public regarding this I am interested in attending. Any further information you can provide would be appreciated.

Thanks so much Mary.

Sincerely,

Lisa Hauser
2221 Dunmore Drive