

**CITY OF DARIEN**  
**PLANNING, ZONING, AND ECONOMIC DEVELOPMENT COMMISSION**

Wednesday, February 19, 2025

7:00 PM

Darien Police Department Training Room

1710 Plainfield Road

**AGENDA**

1) Call to Order

2) Roll Call

3) Regular Meeting – New Business

**a. PZC2025-01**

**7409 Cass Avenue – Investia Darien, LLC**

A petition for a one-year extension of time for a special use permit and variations for the construction of a quick service drive-through eating establishment offering retail food items for consumption. The Property is located within the B-2 Community Shopping Center Business District.

4) Regular Meeting – Old Business

**a. PZC2024-15**

**1005 75<sup>th</sup> Street – Basia Janke c/o Smoke Bank**

A request for a Special Use Amendment request pursuant to Section 5A-8-3-4 of the Zoning Ordinance. The petition specifically requests to amend a Special Use Permit for a drive-through Tobacco Shop/Food Store to allow additional signage consisting of a small electronic display/menu sign proposed to be mounted in the drive-through window. The Property is located within the B-2 Community Shopping Center Business District.

(Application withdrawn by petitioner)

5) Staff Updates & Correspondence

6) Approval of Minutes                      February 5, 2025

7) Next Meeting                                March 5, 2025

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

9) Adjournment

**AGENDA MEMO**  
**PLANNING, ZONING, AND ECONOMIC DEVELOPMENT COMMISSION**  
**FEBRUARY 19, 2025**

**CASE**

PZC2025-01

Special Use, & Variations – Time Extension  
(Indvestia Darien, LLC – 7409 Cass Avenue)

**ISSUE STATEMENT**

Petition from Indvestia Darien LLC for a one-year extension of time for a special use permit and variations for the construction of a quick service drive-through eating establishment offering retail food items for consumption at 7409 Cass Avenue. The Property is located within the B-2 Community Shopping Center Business District.

**GENERAL INFORMATION**

Petitioner: Indvestia Darien, LLC c/o Vick Mehta  
Property Owner: Indvestia Darien, LLC  
Property Location: 7409 Cass Avenue  
PIN Numbers: 09-27-108-029; 09-27-108-033  
Existing Zoning: Community Shopping Center Business District (B-2)  
Existing Land Use: Shopping Center  
Comprehensive Plan: Commercial (Existing); Commercial (Future)  
**Key Development Area #3:** Recommended for infill development, including additional retail and shopping uses, pedestrian-oriented and mixed-use design, and outdoor dining.

Surrounding Zoning & Uses

North: Community Shopping Center Business District (B-2); Jewel-Osco Center

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

South: Multi-Family Residence District (R-3); Colonial Manor Apartments

West: Community Shopping Center Business District (B-2); Taco Bell and Buona Beef

Size of Property: 4.74 Acres  
Floodplain: N/A  
Natural Features: N/A  
Transportation: The petition site gains access from 75<sup>th</sup> Street via multiple ingress/egress points and from Cass Avenue via one ingress/egress point.

**PETITIONER DOCUMENTS (ATTACHED TO MEMO)**

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN
- 4) FINAL PLAT OF SUBDIVISION (FOR REFERENCE)
- 5) BUILDING RENDERINGS
- 6) TRAFFIC STUDY

**CITY STAFF DOCUMENTS (ATTACHED TO MEMO)**

- 7) ORDINANCE O-02-04**
- 8) LOCATION MAP & AERIAL IMAGE**
- 9) SITE PHOTOS**
- 10) SPECIAL USE AND VARIATION CRITERIA**

**BACKGROUND/OVERVIEW**

This case was renumbered from PZC2024-01-TE-01 to PZC2025-01. The subject property is located off the northeastern corner of the 75<sup>th</sup> Street and Cass Avenue intersection. The petition site totals 4.74 acres in size and is zoned Community Shopping Center Business District (B-2). It is part of an overall larger shopping center with outlots which is commonly known as the Jewel-Osco Center. While the overall center is comprised of several parcels and businesses, the petition site for this case is the property including Chuck E. Cheese, the former American Freight, World Star Nails, and Concentra Urgent Care.

On March 4, 2025, the Darien City Council adopted Ordinance O-02-04, approving PZC2024-01, a request for a final plat of subdivision, a special use permit and variations for the construction of a speculative quick service drive-through eating establishment offering retail food items for consumption at 7409 Cass Avenue. The final plat of subdivision does not expire; however the underlying entitlements require an extension of time if they are to remain valid.

**ANALYSIS**

**A) Special Use and Variations**

Given the project layout with new lot lines and building construction, the petitioner previously requested variations as part of the entitlement application. Below is a list of applicable code sections applicable:

- Zoning Sections 5A-5-5(A) & 5A-8-3-6  
Minimum Lot Area (2 Acres Min.) and Principal Buildings/Uses on One Lot
- Zoning Section 5A-8-3-8  
Front, Side, and Rear Yard Requirements (B-2 District)
- Zoning Section 5A-8-3-9  
FAR and Lot Coverage (Existing Conditions)
- Zoning Sections 5A-11-2-2 & 5A-11-5  
Minimum Parking Requirements and Drive-Through Stacking Spaces (15 Space Min.)

For a summary on parking counts, setbacks, and other ordinance standards, please refer to the the site plan, which includes a code compliance table. The site plan also illustrates the building with drive-through circulation including the stacking spaces, and the renderings show the speculative building’s appearance, and the plat of subdivision details the new lot layout.

*Site Plan Review & Findings of Fact:* City staff has reviewed the petitioner submitted documents. The petitioner will be required to submit engineering plans and a building permit if the case is approved, with architect stamped and signed plans.

The petitioner submitted a *Justification Narrative* with a detailed description of the project and requested relief, in addition to *Findings of Fact* that would support the application request. As mentioned above, those items are attached to this memo along with the proposed plat, site plan, building renderings, and traffic impact study. For reference, the sets of criteria the Planning, Zoning, and Economic Development Commission and City Council votes on for the special use and variation requests are included in the attachments.

**B) Extension of Time Request**

In accordance with Sections 5A-2-2-3(H)(2) and 5A-2-2-6(I)(4) of the Zoning Code, the Planning, Zoning and Economic Development Commission and the City Council shall consider changed circumstances or experience derived from the exercise of the variation previously granted that would indicate that the continuation of the variation does not carry out the goals of the Code, the effect of changed conditions, if any, upon the property, and whether on account of such conditions and other circumstances, the variation/special use shall be granted an extension of time or revoked.

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**DECISION MODE**

The Planning, Zoning, and Economic Development Commission will consider this item at its meeting on February 19, 2025.

**MEETING SCHEDULE**

Planning, Zoning, and Economic Development Commission	February 19, 2024
Municipal Services Committee	February 24, 2025
City Council	March 3, 2025

# ATTACHMENT (1): ZONING APPLICATION



## ZONING APPLICATION

**CITY OF DARIEN**  
1702 Plainfield Road, Darien, IL 60561  
[www.darienil.us](http://www.darienil.us) 630-852-5000

### CONTACT INFORMATION

Vick Mehta  
Applicant's Name  
718 Ogden Ave. - Downers Grove, IL - 60515  
Address, City, State, Zip Code  
630-850-0500  
Telephone  
vm@investia.com  
Email

Indvestia Darien, LLC  
Owner's Name  
Same as applicant  
Address, City, State, Zip Code  
Same as applicant  
Telephone  
Same as applicant  
Email

### PROPERTY INFORMATION

7409 S. Cass Ave.  
Property address  
B-2, Community Shopping Center Business Dist.  
Zoning District  
09-27-108-033  
PIN Number(s)  
09-27-108-029  
Current Land Use(s)  
Pizza Restaurant and Arcade, Nail Salon, Vacant, and Medical Office (Immediate Care)

(Attach additional information per the Submittal Checklist.)

### REQUEST

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

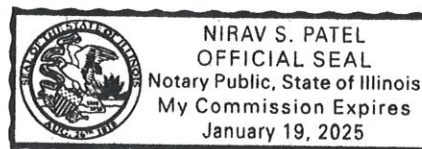
REQUEST TIME EXTENSION OF ONE YEAR TO ORDINANCE # 0-02-24  
TO ALLOW ADDITIONAL TIME TO PROCURE BUILDING PERMITS AS REQUIRED

Vick Mehta  
Applicant Signature

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that Vick Mehta 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 16 day of January 2025.

Nirav S. Patel  
Notary Public

For office use only
Date Received:
Case Number:
Fee Paid:
Hearing Date:





**To:** City of Darien, IL  
Community Development Dept. - Planning and Zoning Division  
1702 Plainfield Road - Darien, IL 60561  
ATTN: Mr. Jordan Yanke, Senior Planner

**RE:** 7409 S. Cass Ave.  
Variations, Special Use, and Plat of Re-subdivision review petition

**DATE:** 18 January 2024

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**INTRODUCTION and PROJECT DESCRIPTION:**

The intent of this project is to subdivide an existing property to split off one large parcel with two buildings into two parcels, and then to improve an underutilized area of parking lot with a small, quick-service, outbuilding with a drive-thru and pickup window. The property is currently zoned in the B-2, Community Shopping Center Business District.

The original property was two parcels that were consolidated previously in the past, and this would provide to reverse that. The larger north parcel would contain an existing 43,842sf mixed-use building with a pizza restaurant and arcade, a nail salon, and a retail appliance store. After subdivision, this parcel would be left with 134 parking spaces, with two previous spaces being converted to accessible space and side aisle. The south parcel to be subdivided contains a 6,934sf urgent-care facility. The proposed drive-thru facility would convert 30 original parking spaces (striped asphalt only, no curbs or other improvements) into a 1,000sf building with an 8-car drive-thru lane, outdoor patio, raised curb landscape areas, curb ramp, and 5 parking spaces, including one accessible space. The remaining lot would stay as-is, and in all this parcel would contain 46 parking spaces, with 3 being accessible.

While the 1,000sf outbuilding is currently speculative (without a tenant), it is intended to be a pre-order pick-up concept in the quick-service, fast-casual restaurant space; however, on-site ordering will be available. Parking and a walk-up window will be provided; therefore, some outdoor seating will be available. The interior of the building is not intended to be occupied by customers or the public. The space would be used solely for the operation and function of order preparation and servicing to the drive-thru and walk-up windows. There would be no actual food prep or cooking involved in this facility, as it would be done off-site and delivered to the building regularly. The exterior design of the building is intended to be contextual to the fabric of the surrounding architecture in materials, scale, and proportion, but not to emulate exactly any one other building style in the entire development.

In order to provide this facility, there are some administrative entitlements that are being requested here within. First, the Plat of Re-Subdivision seeks to remove the Concentra Building from the main parcel as it once was. This new outbuilding will then be part of that parcel, and when combined as such, these two newer buildings will then be able to be serviced better to existing tenants and marketed better to prospective tenants regarding management and leases. Second, both the re-subdivision and the new development trigger a few minor variances that are being requested, in order to maximize lot use with the least disturbances. Findings of fact for each are provided here within, as follows.



**SPECIAL USE CRITERIA:**

*1. That the special use is deemed necessary for the public convenience at the location specified.*

This development is being proposed expressly as a matter of public convenience, to allow a small business to provide a desirable service in a post-pandemic society. It is intended to convert one strip of under-utilized surface parking into functional use.

*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.*

The proposed use will not cause a nuisance to the general public, to its users, nor to those of the current surrounding uses. It is designed to provide the safest routing and traffic flow as possible with marked, curbed drive aisles and immediately adjacent on-site parking with accessible aisle and curb ramp.

*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.*

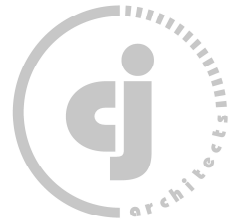
This use will not lessen nor diminish the uses of the surrounding properties or neighbors. In fact, it will provide an additional service and convenience for users to patronize and support the surrounding businesses and vice-versa.

*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.*

This proposed use in and of itself is contiguous with allowed uses in this district. The special use request for a drive-thru facility is being designed to seamlessly flow with the current flow of traffic and circulation, so as not to disrupt the uses or future development of the surrounding properties. This area of the parking lot is currently under-utilized and rarely has any parked cars for the current businesses.

*5. That the exterior architectural design, landscape treatment, and functional plan of any proposed structure will not be a 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.*

The exterior design of the building will seek to harmonize with the surrounding development, without replicating or emulating any one style. With the building being slightly smaller in scale than its surroundings, the details will be proportioned accordingly, with a mix of materials, fenestration, and undulation to correlate. The proposed location of the improvements as similar to an out-lot are easy to segregate from the day-to-day operations of other businesses, such that construction will not adversely impact them other than a minor inconvenience.



*6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*

The development is being proposed inside an existing improved property with adequate access and utilities. No right-of-way revisions will be necessary. Utilities will be pulled from sources adjacent to and running through this property. The existing surface lot will be re-graded and paved as needed to provide proper storm drainage.

*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.*

Ingress and egress are being provided through existing improvements to the right-of-way, and thus no right-of-way modifications are necessary. Traffic flow into and through this out-building and the drive-thru have been designed to maximize stacking, circulation, and decongestion, while keeping intact existing circulation patterns within the existing parking lot. A traffic memo has been prepared to substantiate this design proposal.

*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 planning and Zoning Commission and the Planning and Development Committee.*

This proposed use in and of itself is contiguous with allowed uses in this district. The special use request for a drive-thru facility will seek to meet all applicable regulations to the nearest extent possible. Any variations will be described here within, with support by an enclosed traffic memo. Similar drive-thru facilities currently exist nearby to serve the neighboring properties at the Taco Bell and Buona Beef locations to the west. These special uses are of similar scale and function as this proposed use, but of even higher intensity, and appear to work seamlessly with their main uses, and have not appeared to cause any nuisance or undesirable affects to date.

**ZONING VARIATIONS - JUSTIFICATION NARRATIVE:**

*2a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.*

The current area of the proposed redevelopment is a surface parking lot with no curb islands or other improvements, and otherwise no usable space. This project will substantially increase the value and marketability of this property.

*2b. The plight of the owner is due to unique circumstances.*

In an effort to integrate this project so seamlessly into the existing parking lot, some unique circumstances have presented themselves that require a minor amount of relief.





*2c. The variation if granted will not alter the essential character of the locality.*

Due to its relatively smaller size and scale, the impact of these variations on the overall character of the area and comparison to surrounding lots and buildings would be hardly noticeable. In fact, this type of infill is in the very spirit of the City's Comprehensive Plan and Key Development Areas.

*3a. Essential Need? The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.*

The proposal seeks to leave intact several existing lanes of parking and curbing, while only converting one row of striped parking with no curbs, landscaping, or lighting. This is an effort to minimally impact the surrounding businesses and parking, and not "snowball" into more areas of required relief. If strict conformance to the ordinances was required or upheld, then the project would need to be constructed in a location that would have too much impact on that surrounding area, and thus would not be viable.

*3b. Problem with Property? There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with the Zoning Code. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.*

As noted above, the proposal seeks to leave intact several existing lanes of parking and curbing, while only converting one row of striped parking with no curbs, landscaping, or lighting. Additionally, the applicant would not need to change any existing improvements to the right-of-way with this proposal, as adequate ingress and egress already exists. Therefore, in order to work around these existing conditions, the requested variations from the ordinance are necessary.

*3c. Smallest Solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.*

As noted above, the proposal seeks to leave intact several existing lanes of parking and curbing, and ingress/egress at the right-of-way. In doing so, the proposed development location requires a lesser amount of relief than may otherwise be required if shifted elsewhere. Regarding the drive-thru stack space specifically, this is novel use and its efficiency no longer aligns with current City standards in the ordinance.

*3d. Create Neighbor Problem? The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.*

The granting of these variations will have no financial or physical impact on the surrounding properties. If anything, this will be an added value to those businesses and the residential neighborhood alike.



*3e. Create Community Problem? The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.*

Due to its unique nature, this proposed development would be an asset to the community, and could be used as a model for similar future development once proof of concept is established.

*3f. Net Benefit? The positive impacts to the community outweigh the negative impacts.*

With no notable negative impact and the aforementioned benefits to the community, this use and acceptance of its ordinance variations would be a positive improvement for this location.

*3g. Sacrifice Basic Protections? The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A) and summarized as follows; to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.*

This proposal seeks to integrate this redevelopment into the existing nature of the property as seamlessly as possible. As such, it is necessary to request some relief so as not to disrupt the current use and value of the property, but rather to convert something unsightly and under-used into something very positive, useful, and gainful for the property owner and the City of Darien, its residents, and visitors.



**CONCLUSION:**

As discussed, the re-subdivision and the new drive-thru establishment will make this property more energized and seek to infill a vacancy to continue the development fabric along the central corridor of 75<sup>th</sup> street at Cass Ave, the City of Darien's unofficial "downtown" and a Key Development Area. Provided the evidence supplied in these findings of fact that fully support the use and the need for administrative relief, the applicant respectfully requests a favorable recommendation from Staff and its recommending bodies to the City Council for the project as proposed here within.

Respectfully Submitted-

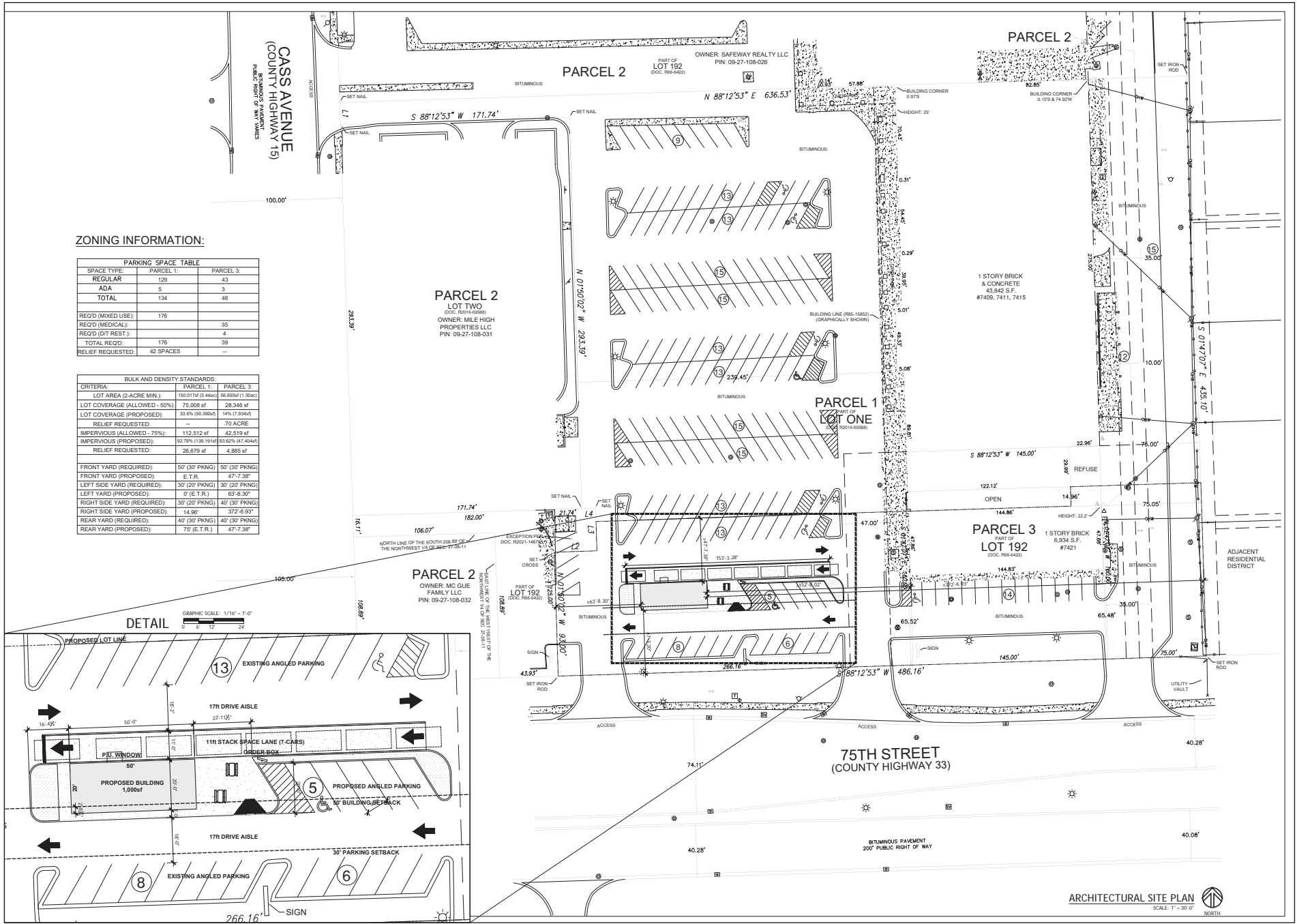
**Christopher A Jackson, Architect** - NCARB, LEED-AP  
President and Principal - CJ Architects, Inc.

CC: Vick Mehta

**Attachments:**

Boundary Survey with Topo and Utilities  
Plat of Re-subdivision  
Proposed Architectural Site Plan  
Proposed Exterior Design Sketches  
Traffic Memorandum  
Kane-DuPage SWCD Application and Receipt  
IDNR Consultation Review

# ATTACHMENT (3): SITE PLAN



**ZONING INFORMATION:**

PARKING SPACE TABLE		
SPACE TYPE:	PARCEL 1:	PARCEL 3:
REGULAR	129	43
ADA	5	3
TOTAL	134	46
REQ'D (MIXED USE):	176	
REQ'D (MEDICAL):		35
REQ'D (DT REST.):		4
TOTAL REQ'D:	176	39
RELIEF REQUESTED:	42 SPACES	--

BULK AND DENSITY STANDARDS		
CRITERIA:	PARCEL 1:	PARCEL 3:
LOT AREA (2-ACRE MIN.):	150,017sf (3.44ac)	96,697sf (1.30ac)
LOT COVERAGE (ALLOWED - 50%):	75,008 sf	28,340 sf
LOT COVERAGE (PROPOSED):	33.6% (50,380sf)	14% (7,934sf)
RELIEF REQUESTED:	--	70 ACRE
IMPERVIOUS (ALLOWED - 75%):	112,512 sf	42,519 sf
IMPERVIOUS (PROPOSED):	92.78% (138,191sf)	63.25% (47,454sf)
RELIEF REQUESTED:	28,679 sf	4,885 sf
FRONT YARD (REQUIRED):	50' (30' PKNG)	50' (30' PKNG)
FRONT YARD (PROPOSED):	E.T.R.	47'-7.38"
LEFT SIDE YARD (REQUIRED):	30' (20' PKNG)	30' (20' PKNG)
LEFT SIDE YARD (PROPOSED):	0' (E.T.R.)	63'-8.30"
RIGHT SIDE YARD (REQUIRED):	30' (20' PKNG)	40' (30' PKNG)
RIGHT SIDE YARD (PROPOSED):	14.96'	372'-6.93"
REAR YARD (REQUIRED):	40' (30' PKNG)	40' (30' PKNG)
REAR YARD (PROPOSED):	75' (E.T.R.)	47'-7.38"



SUBMITTAL HISTORY:	
DATE	REV.
JAN 19, 2024	P&C SUBMITTAL

**J. J. ARCHITECTS, INC.**

Darien, IL  
773.383.6556  
DESIGN FIRM PROF. REG. #: 184.005807

**NEW SPECULATIVE BUILDING**  
**O.S.R. WITH DRIVE-THRU**

DARIEN, IL 60541  
PROJECT CODE: NC-23.02

SHEET NAME  
**ARCHITECTURAL SITE PLAN**

ISSUED FOR REVIEW  
**SA-1.1**  
1.18.2024

ARCHITECTURAL SITE PLAN  
SCALE: 1" = 30'-0"  
NORTH

# ATTACHMENT (4): FINAL PLAT OF SUBDIVISION

## FINAL PLAT OF INVESTIA SUBDIVISION

BEING A RESUBDIVISION OF PART OF LOT ONE IN DARLEN ASSOCIATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JULY 8, 2016 AS DOCUMENT R2016-69588, IN DUPAGE COUNTY, ILLINOIS AND A PART OF LOT 192 IN HINSBROOK, UNIT #2, A SUBDIVISION OF PART OF THE NORTH WEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

### SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 I, \_\_\_\_\_, DO HEREBY CERTIFY THAT THE REQUIRED LETTER OF CREDIT IS POSTED FOR THE COMPLETION OF THE IMPROVEMENT COVERING SANITARY SEWERAGE SYSTEM AND/OR SEWER LINES AND DOMESTIC WATER SUPPLY SYSTEM AND/OR DISTRIBUTION LINES UNDER MY JURISDICTION BASED ON APPROVED ENGINEER'S PLAN AND SPECIFICATIONS PREPARED BY A REGISTERED ENGINEER.

DATED THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### CITY SUPERINTENDENT OF PUBLIC WORKS DEPARTMENT

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 APPROVED BY THE PLAN COMMISSION OF THE CITY OF DARLEN, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### CHAIRMAN

### PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 APPROVED BY THE PLAN COMMISSION OF THE CITY OF DARLEN, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) S.S.  
 I, \_\_\_\_\_, CITY ENGINEER OF THE CITY OF DARLEN, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ANNEXED PLAT AND THE PLANS AND SPECIFICATIONS THEREFOR MEET THE MINIMUM REQUIREMENTS OF SAID CITY AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREIN.

DATED AT DARLEN, DUPAGE COUNTY, ILLINOIS THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### OWNER'S CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) S.S.  
 THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY KNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATED FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES; AND HEREBY ALSO RESERVES AND GRANTS EASEMENTS FOR PUBLIC USE AND FOR THE INSTALLATION OF VARIOUS PUBLIC UTILITIES AS DESIGNATED AND/OR AS STATED IN THE UTILITY EASEMENT PROVISIONS STATED HEREON.

ALL EASEMENTS INDICATED AS PUBLIC UTILITY EASEMENTS ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE CITY OF DARLEN AND TO ANY ENTITY OPERATING UNDER FRANCHISE FROM THE CITY INCLUDING, BUT NOT LIMITED TO, ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, A CABLE TELEVISION OR COMMUNICATIONS COMPANY AND THEIR SUCCESSORS AND ASSIGNS FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS TRANSMISSION DISTRIBUTION AND COLLECTION SYSTEMS AND ALL NECESSARY LINES, NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES, NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE APRESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF DARLEN AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF DARLEN.

ADDRESS \_\_\_\_\_  
 DATED THIS \_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_.

NOTARY'S CERTIFICATE  
 STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) S.S.

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY OF \_\_\_\_\_, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND SEVERALLY ACKNOWLEDGED THAT THEY SIGNED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL  
 THIS \_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_.

NOTARY PUBLIC SIGNATURE  
 PRINT NAME \_\_\_\_\_  
 MY COMMISSION EXPIRES ON \_\_\_\_\_ MONTH \_\_\_\_\_ DATE \_\_\_\_\_, A.D., 20\_\_.

### STATE LETTER REQUIREMENT

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### OWNER OR ATTORNEY

### REGISTERED PROFESSIONAL ENGINEER

### CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 I, \_\_\_\_\_, CITY TREASURER OF THE CITY OF DARLEN, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OF ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED AT DARLEN, DUPAGE COUNTY, ILLINOIS THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### CITY TREASURER

### RECORDER'S CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF WINNEBAGO ) S.S.  
 FILED FOR RECORD THIS \_\_\_ DAY OF \_\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., RECORDED IN BOOK \_\_\_\_\_ OF PLATS, PAGE \_\_\_\_\_ AND EXAMINED.

LORI GUMMOW, WINNEBAGO COUNTY RECORDER

### COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 I, \_\_\_\_\_, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, DUPAGE COUNTY, ILLINOIS THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### COUNTY CLERK

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF WILL ) S.S.  
 THIS IS TO CERTIFY THAT I, JAMES L. HARPOLE, REGISTERED ILLINOIS LAND SURVEYOR NO. 3190, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING PROPERTY:  
 LOT ONE IN DARLEN ASSOCIATES 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 JULY 8, 2016 AS DOCUMENT R2016-69588, IN DUPAGE COUNTY, ILLINOIS.

AND  
 THE WEST 145.0 FEET OF THE EAST 220.0 FEET OF THE SOUTH 160.0 FEET OF LOT 192 IN HINSBROOK, UNIT #2, A SUBDIVISION OF PART OF THE NORTH WEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

EXCLUDING THAT PORTION FALLING WITHIN THE FOLLOWING PROPERTY CONVEYED TO MCCUE FAMILY, LLC - FARMS, PURSUANT TO TRUSTEES DEED RECORDED OCTOBER 4, 2021, AS DOCUMENT R2021-146795:

THE WEST 150.0 FEET OF THE SOUTH 208.89 FEET OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART HERETOFORE DEDICATED FOR PUBLIC ROADWAY BY INSTRUMENT RECORDED OCTOBER 11, 1971 AS DOCUMENT R71-54639.

AS SHOWN BY THE ANNEXED PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. I FURTHER CERTIFY THAT ALL REGULATIONS ENACTED BY THE MAYOR AND CITY COUNCIL, OF THE CITY OF DARLEN RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN PREPARATION OF THIS PLAT. I FURTHER CERTIFY THAT THE LAND IS WITHIN THE CITY OF DARLEN (OR WITHIN ONE AND ONE-HALF (1 1/2) MILES OF THE CORPORATE LIMITS OF THE CITY OF DARLEN WHICH HAS ADOPTED A CITY COMPREHENSIVE PLAN AND MAP AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED. I FURTHER CERTIFY THAT THE LANDS SHOWN ON THIS PLAT ARE NOT SITUATED WITHIN 500 FEET OF ANY SURFACE DRAIN OR WATERCOURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE AND THIS PLAT HAS BEEN REVIEWED BY THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS FOR THE PURPOSE OF DETERMINING, FOR THE PROTECTION OF PERSONS AND PROPERTY, THE FLOOD HAZARDS INVOLVED AND A REPORT THEREON FILED BY THAT DEPARTMENT WITH THE RECORDER OF DEEDS.

CONTAINING 56,692.89 SF. FT., OR 1.30 ACRES.  
 DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT.

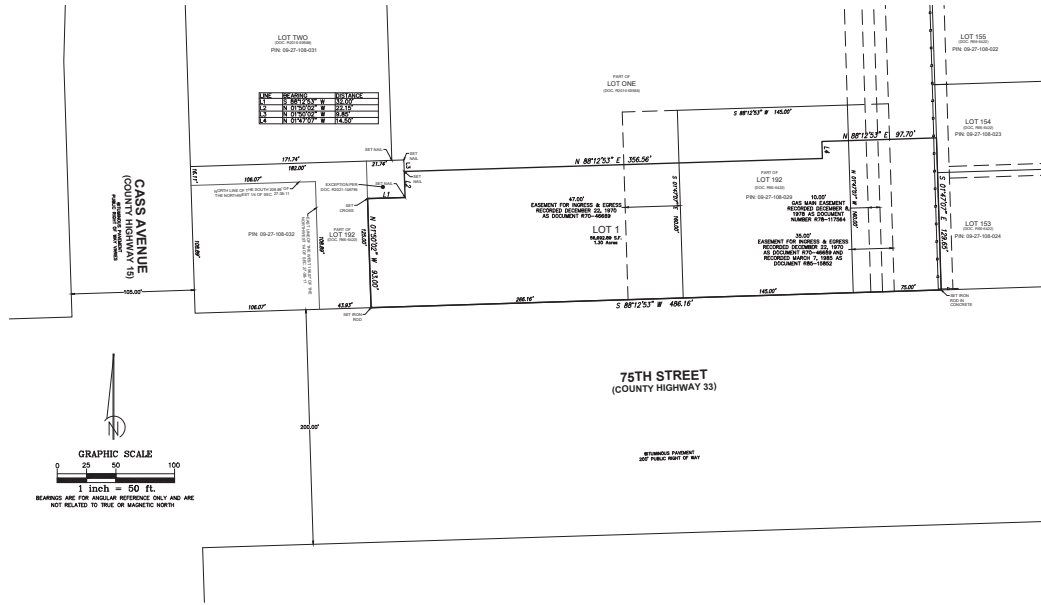
I HEREBY CERTIFY THAT NONE OF THE PROPERTY COVERED BY THIS PLAT IS SITUATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF DARLEN ON PANEL NO. 17043C018AD, DATED AUGUST 1, 2019.

THE BASIS FOR ALL BEARINGS ARE ILLINOIS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM (NAD) 1983, EAST ZONE.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_ AT SHOREWOOD, IL.

### PRELIMINARY

JAMES L. HARPOLE  
 ILLINOIS PROFESSIONAL LAND SURVEYOR # 035-0406  
 LICENSE EXPIRES NOVEMBER 30, A.D., 2024.



### MAYOR'S CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 APPROVED BY THE MAYOR OF THE CITY OF DARLEN, DUPAGE COUNTY, ILLINOIS THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### MAYOR

### CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) S.S.  
 I, \_\_\_\_\_, CITY CLERK OF THE CITY OF DARLEN, ILLINOIS, HEREBY CERTIFY THAT THE ANNEXED PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL OF SAID CITY AT ITS MEETING HELD ON \_\_\_/\_\_\_/20\_\_ AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID CITY.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND THE SEAL OF THE CITY OF DARLEN, ILLINOIS, THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### CITY CLERK

**JLH LAND SURVEYING INC.**  
 Illinois Professional Design Firm No. 08-007-20  
 910 Geneva Street, Shorewood, Illinois 60404  
 615-228-8000 www.jlhlsw.com



SURVEY PREPARED FOR:  
**INVESTIA DARLEN LLC**  
 718 OGDEN AVENUE  
 DOWNERS GROVE, IL 60515

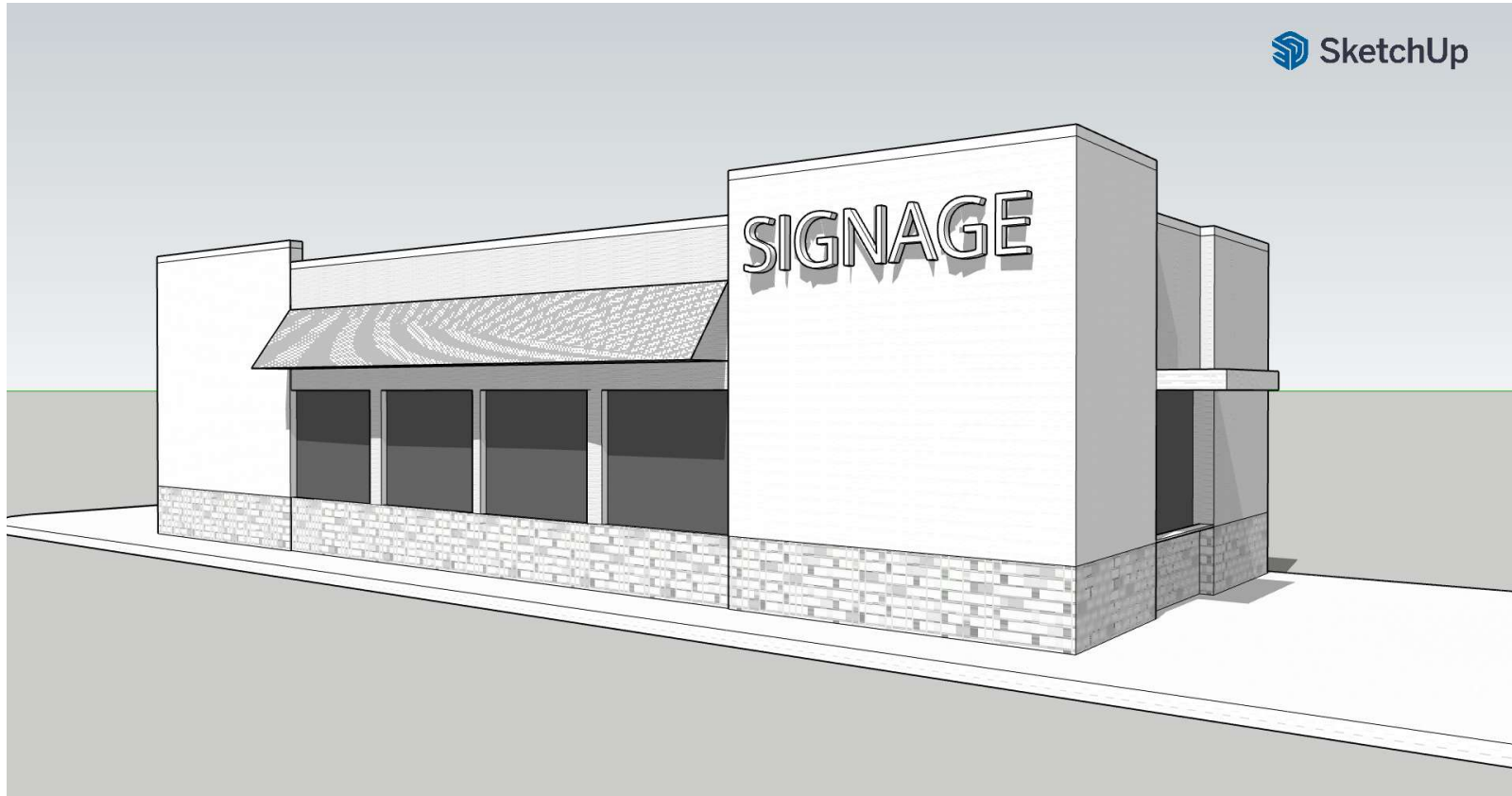
NO.	REVISIONS	DATE

PLAT OF SUBDIVISION  
**7409 CASS AVENUE**  
**DARLEN, ILLINOIS**

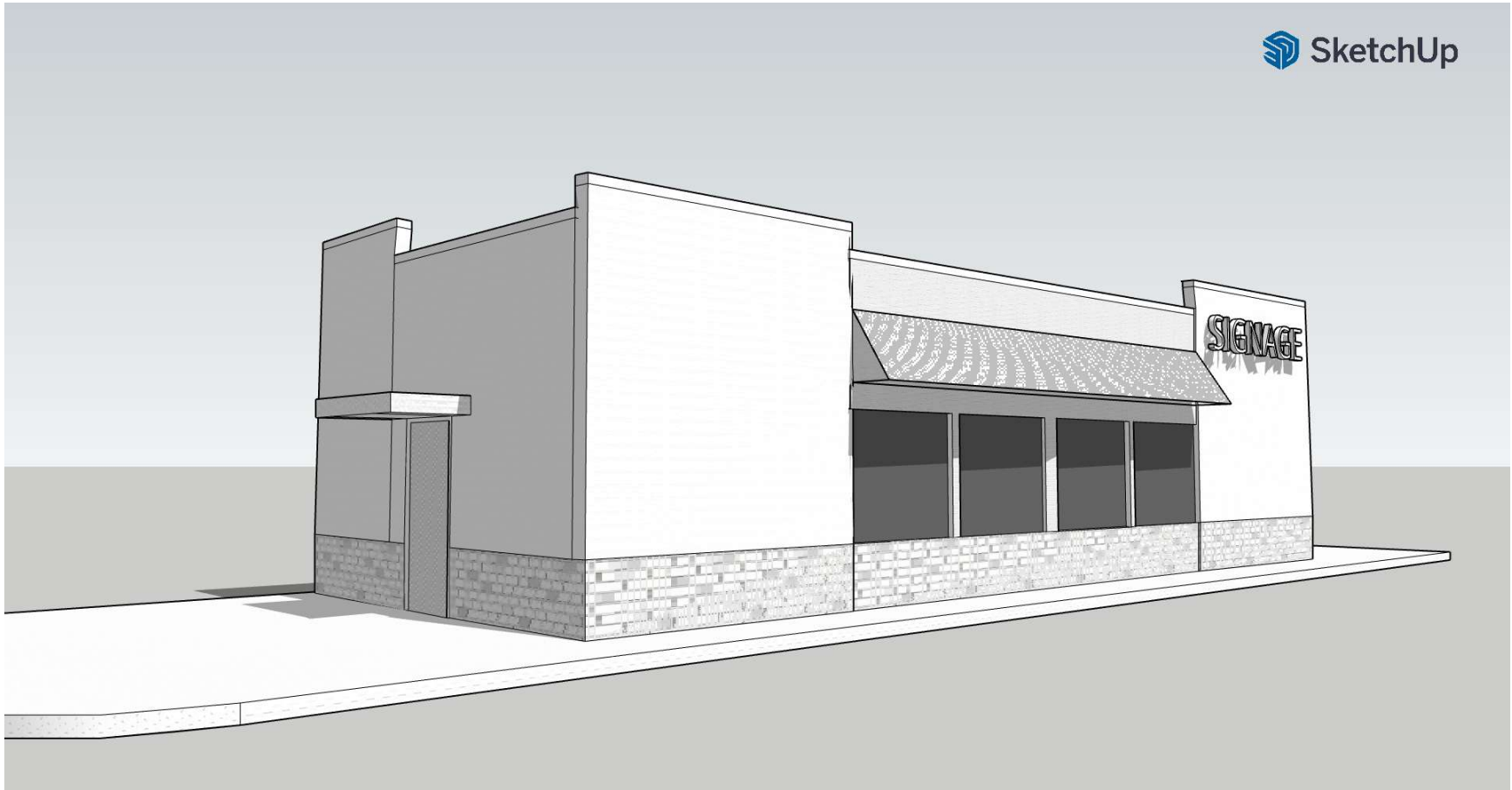
PROJ. MGR. **JLH**  
 DRAWN BY **JAH**  
 CHECK BY **JLH**  
 FIELD DATE **03/22/23**  
 SCALE: **1" = 60'**

SHEET  
**1 OF 1**

23-1239-100A



SOUTH / EAST FAÇADES



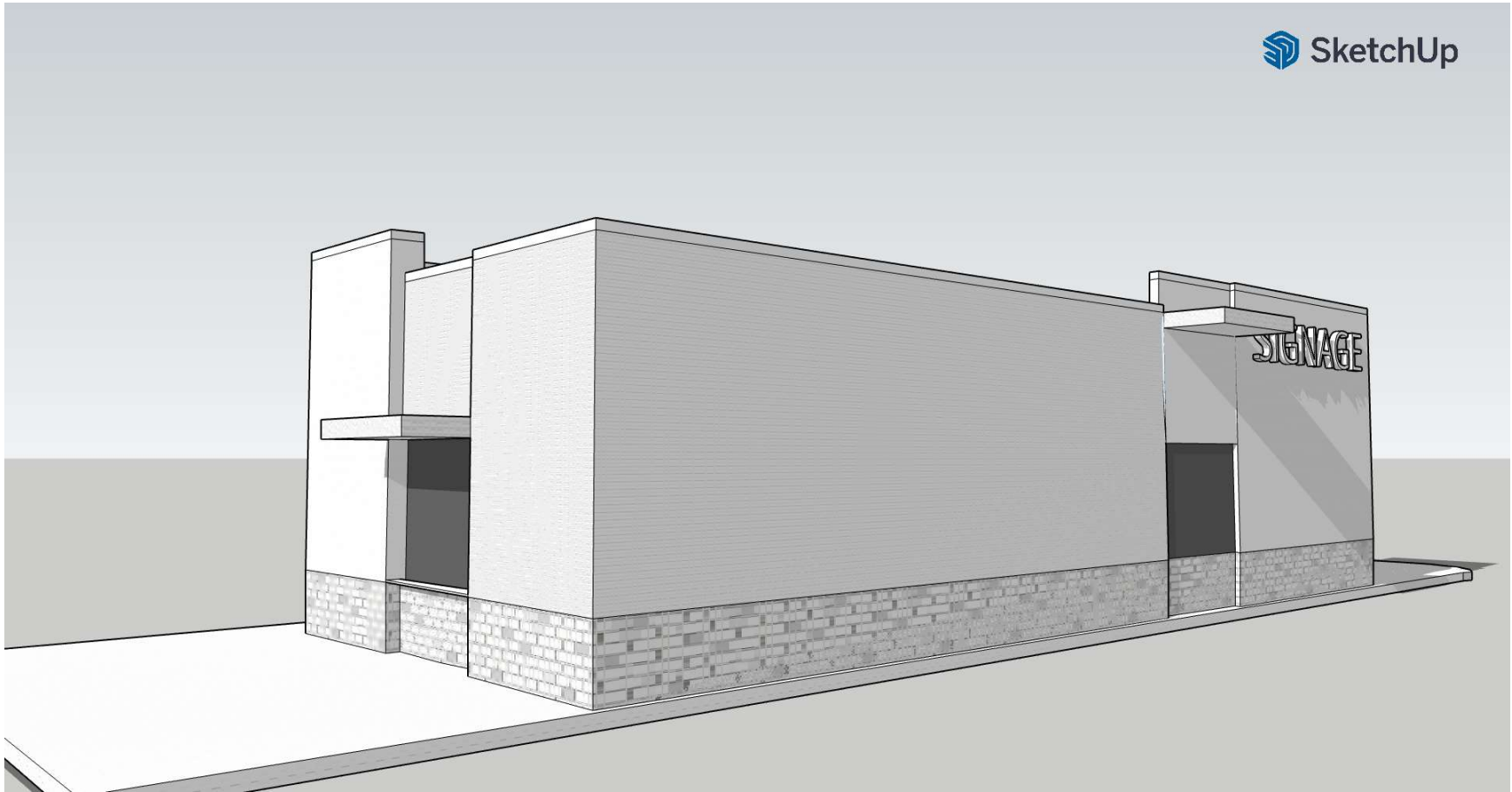
SOUTH / WEST FAÇADES





NORTH / WEST FAÇADES





NORTH / EAST FAÇADES



## TECHNICAL MEMORANDUM

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**DATE:** January 16, 2024  
**TO:** Christopher A. Jackson, CJ Architects, Inc.  
**FROM:** Peter Reinhofer, P.E., V3 Companies  
**RE:** **Proposed Quick-Service Facility Technical Memorandum**  
**75<sup>th</sup> Street & Cass Avenue, Darien Illinois**

---

V3 Companies has been retained by CJ Architects to conduct a trip generation study for a proposed quick-service restaurant with a drive-through and no indoor seating located in the existing parking lot at the northeast corner of the intersection of 75<sup>th</sup> Street and Cass Avenue in Darien, Illinois. The site currently consists of a multiple building retail center with outlots and surface parking lots. The proposed development will replace 30 surface parking stalls with a 1,000 square foot building intended to be a pre-order pick-up concept in the quick service, fast casual restaurant space. A drive through window and an outdoor patio will also be provided with five parking spaces.

There are currently five access driveways to the retail center, two full access driveways and one right in/right out driveway on Cass Avenue and three right in/right out driveways on 75<sup>th</sup> Street. The proposed building would be accessible from all three driveways. A site location map and conceptual site plan are attached.

The purpose of this Technical Memorandum is to evaluate the potential traffic impacts of the proposed quick-service outbuilding. This Technical Memorandum will evaluate the existing conditions around the site and estimate the number of vehicle trips generated by the proposed development.

### Project Conditions

*Cass Avenue* is a north-south roadway that is classified as a minor arterial and typically provides two travel lanes in each direction with a two-way left turn lanes that provides access to local streets and residential and commercial driveways. Cass Avenue has sidewalks along the east and west side of the roadway and a posted limit of 35 mph. Cass Avenue is under DuPage County jurisdiction.

*75<sup>th</sup> Street* is an east-west roadway that is classified as a Strategic Regional Arterial and provides three travel lanes in each direction separated by a raised landscaped median that provides left turn access to other arterials, local streets, and commercial driveways. 75<sup>th</sup> Street has sidewalks along the north and south side of the roadway, Southern DuPage County Regional Trail is located on south side of 75<sup>th</sup> Street east of Cass Avenue. 75<sup>th</sup> Street has a posted speed limit of 45 mph eastbound and a school zone posted speed limit of 20 mph west of Cass Avenue. 75<sup>th</sup> Street is under DuPage County jurisdiction.

The intersection of *Cass Avenue* and *75<sup>th</sup> Street* is a signalized intersection. The northbound approach consists of one left turn lane, one through lane, and one shared through/right turn lane while the southbound approach consists of one left turn lane, two through lanes, and one right turn lane. The eastbound and westbound approaches of *75<sup>th</sup> Street* consist of two left turn lanes, three through lanes, and one right turn lane. There are marked crosswalks along all approaches with sidewalks and pedestrian signals present.

The existing intersection lane configurations are included in the Exhibits.

Since the development proposes to reduce the parking area, parking observations were conducted during the weekday morning, midday, and evening time periods over several days. The parking observations included collecting the number of occupied parking spaces in the vicinity of the proposed development totaling 205 parking spaces. Overall, the observations indicate that the parking area is not well utilized with the exception of the parking area on the south side adjacent to the immediate care facility. A summary of parking counts and data are attached as well.

### **Proposed Vehicle Trip Generation**

The proposed development consists of a quick-service outbuilding totaling 1,000 square feet with a drive-thru window and no indoor seating. Project traffic is estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11<sup>th</sup> Edition*. The following land use categories are used to determine project traffic:

Coffee/Donut Shop with Drive-Through Window and No Indoor Seating (ITE Land Use Code 938) – This land use includes any coffee and donut restaurant that has only drive-through window service. A patron cannot walk into the shop and purchase items. The restaurant sells freshly brewed coffee (along with coffee-related accessories) and a variety of food/drink products such as donuts, bagels, breads, muffins, cakes, sandwiches, wraps, salads, and other hot and cold beverages. The restaurant marketing and sales may emphasize coffee beverages over food (or vice versa). The coffee/donut shops contained in this land use typically hold long store hours (more than 15 hours) with an early morning opening.

The *Trip Generation Manual, 11<sup>th</sup> Edition* estimates trip generation for each land use based on a peak period and an independent variable. In this case, the applicable variable is drive-through lanes for the quick-service shop. The weekday am and weekday pm peak hour trip generation is calculated using either the average rate or fitted curve equation when available. The am and pm peak hour trip generation equations are selected for weekday, peak hour of adjacent street traffic for one hour from 7:00 am to 9:00 am and 4:00 pm to 6:00 pm.

As documented in the *ITE Trip Generation Manual, 11<sup>th</sup> Edition*, some land uses do not typically generate all new traffic on the roadway system. The total traffic generation is a combination of pass-by trips, or traffic drawn from the existing traffic flow on the adjacent streets, and primary trips, which represent

new traffic drawn to the roadway network. In order to assess the pass-by trips, the data published in the ITE *Trip Generation Handbook, 3<sup>rd</sup> Edition* was utilized to estimate the pass-by percentages for the applicable land uses. It should be noted that pass-by trip reductions do not reduce the total number of trips into and out of the site, but decrease the number of new trips on the roadway network.

The total trip generation for the site consists of the ITE trip generation with the pass-by trip reassignment applied. A summary of trip generation for the proposed development is provided in Table 1.

**Table 1: Trip Generation**

LUC	LAND USE	SIZE	Weekday AM			Weekday PM		
			In	Out	Total	In	Out	Total
938	Coffee/Donut Shop with Drive-Through Window and No Indoor Seating	1 Drive-Through Lanes	18	18	36	8	7	15
	<i>Internal Capture Reduction:</i>		-2	-2	-4	-2	-2	-4
	<i>Pass-By Trips:</i>		-14	-14	-28	-5	-5	-10
<b>Total Trip Generation:</b>			<b>18</b>	<b>18</b>	<b>36</b>	<b>8</b>	<b>7</b>	<b>15</b>
<i>Less Internal Capture:</i>			-2	-2	-4	-2	-2	-4
<i>Internal Capture Rate:</i>			11%			27%		
<b>Total External Trips</b>			<b>16</b>	<b>16</b>	<b>32</b>	<b>6</b>	<b>5</b>	<b>11</b>
<i>Less Pass-by:</i>			-14	-14	-28	-5	-5	-10
<b>Total New Traffic Generated on Network:</b>			<b>2</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>1</b>

It should be noted that the ITE *Trip Generation Handbook* methodology for internal capture is applicable since is very likely that existing trips to the adjacent developments will also stop by the proposed quick-service development. For the purpose of this analysis, it is assumed that an overall internal capture ranges from 11 percent to 27 percent for the weekday peak hours. This results in the proposed development only adding four trips and one trip during the weekday am peak hour and weekday pm peak hour, respectively.

### Access Evaluation

The proposed development will be accessed through the three existing driveways along 75<sup>th</sup> Street and three driveways along Cass Avenue. The proposed development will replace 30 original parking stalls into a 1,000 square feet facility with an eight vehicle drive-through lane, outdoor patio, raised curb landscape areas, and five parking spaces. It is our understanding that there are no other known planned roadway improvements or developments that will impact the existing traffic patterns in the study area. Based on the development only adding four and one vehicle trips during the weekday peak hours and the multiple access points along 75<sup>th</sup> Street and Cass Avenue, it is anticipated that this development will have minimal traffic impact on the local roadway network.

## **Conclusion**

The purpose of this study is to evaluate the traffic generated by a proposed development that will replace 30 original parking stalls into a 1,000 square foot facility with an eight vehicle drive-through lane, outdoor patio, raised curb landscape areas, and five parking spaces located in the northeast corner of 75<sup>th</sup> Street and Cass Avenue. Access to the site will remain in the existing configuration with three access points along 75<sup>th</sup> Street and three access points on Cass Avenue.

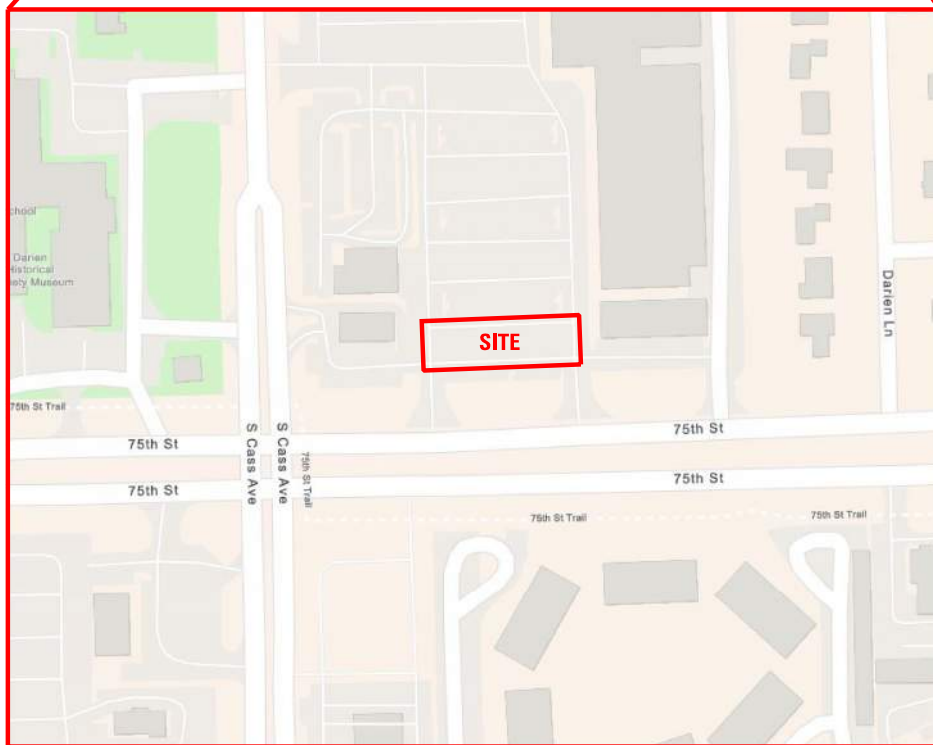
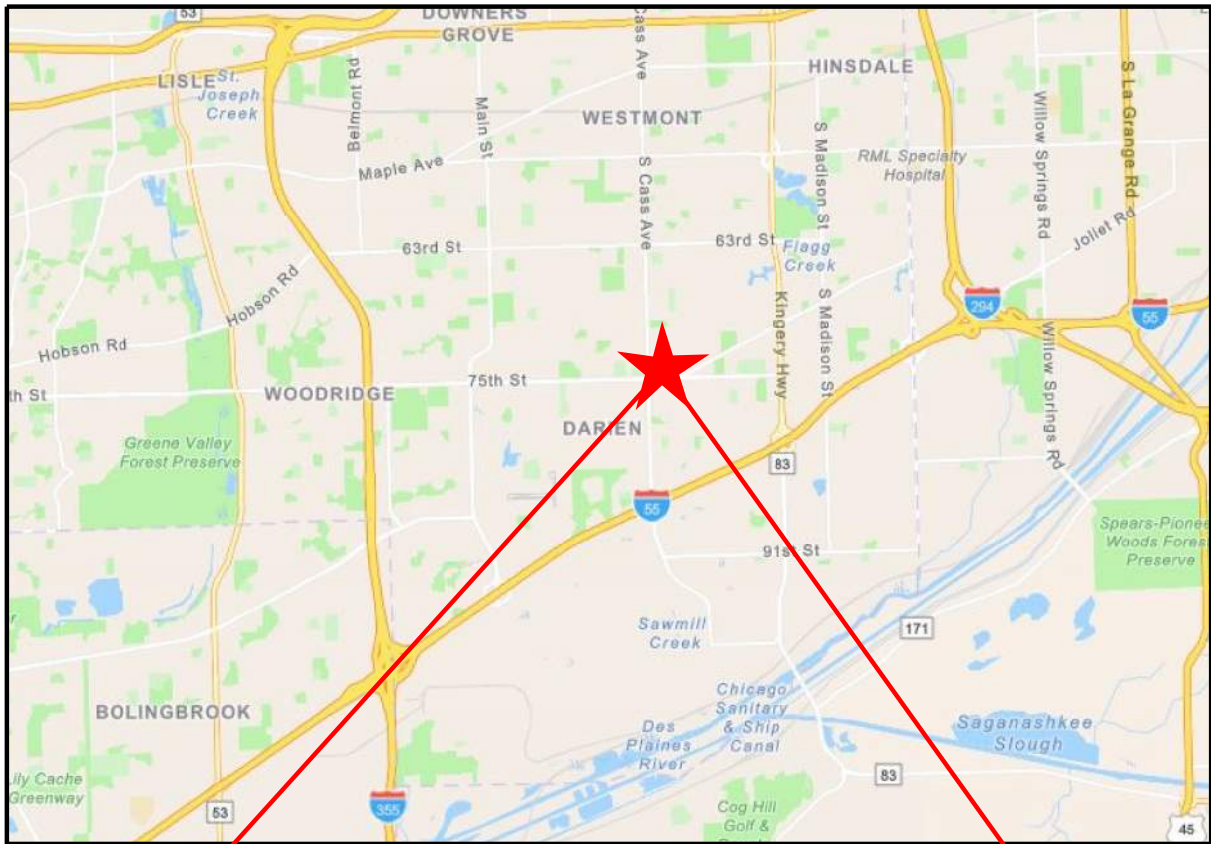
A trip generation evaluation was conducted, and based on the amount of vehicle trips generated by the proposed development, it is our professional opinion that the new traffic generated by the site will have minimal impact to the roadway network.

## **Exhibits**

Site Location Map

Conceptual Site Plan

Existing Lane Configuration



**PROPOSED COFFEE SHOP**

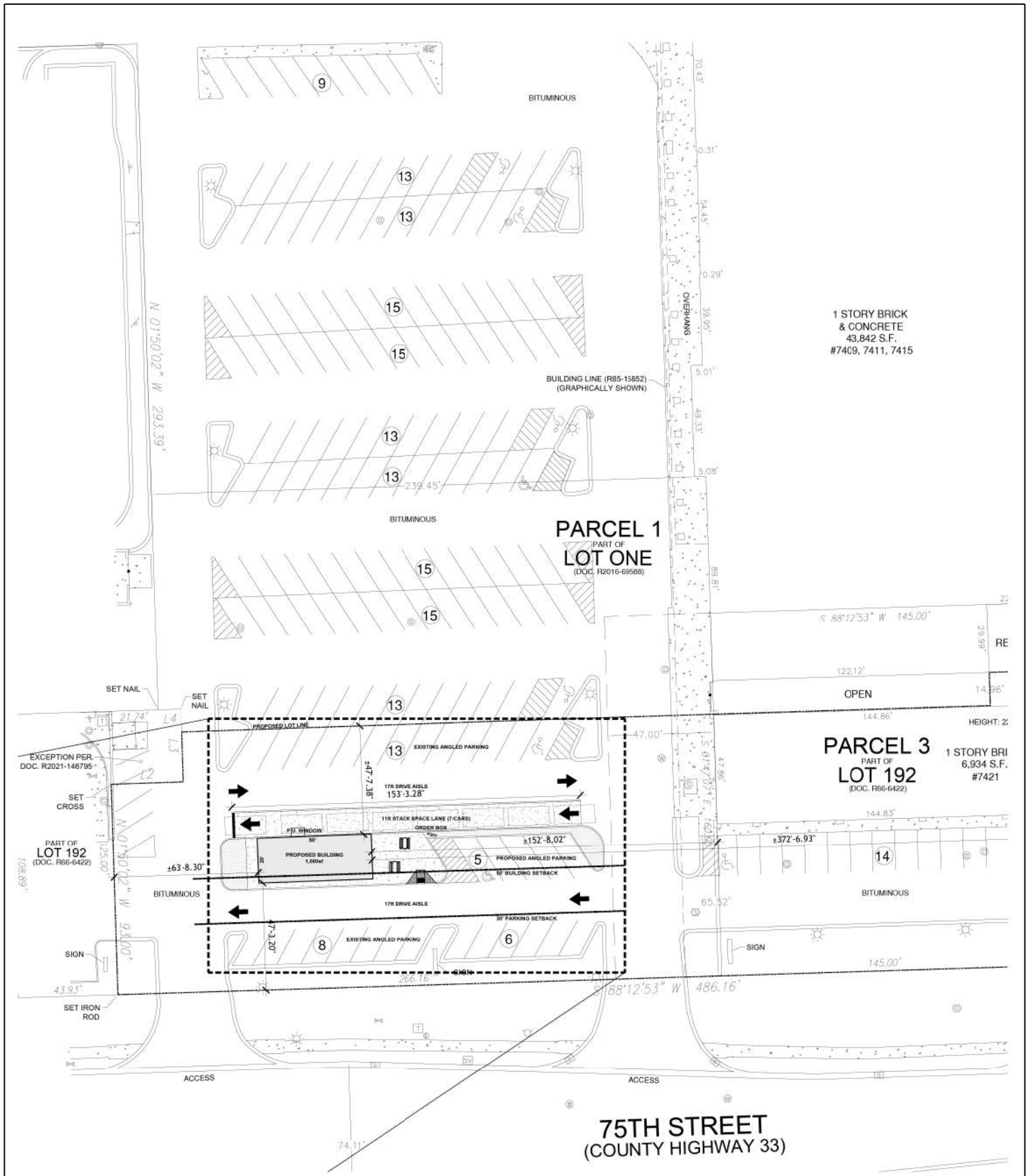
**FIGURE 1  
SITE LOCATION MAP**

DARIEN

ILLINOIS







1 STORY BRICK  
& CONCRETE  
43,842 S.F.  
#7409, 7411, 7415

**PARCEL 1**  
PART OF  
**LOT ONE**  
(DOC. R2016-69588)

**PARCEL 3**  
PART OF  
**LOT 192**  
(DOC. R66-6422)

1 STORY BRI  
6,934 S.F.  
#7421

**75TH STREET**  
(COUNTY HIGHWAY 33)

NOT TO SCALE

**PROPOSED COFFEE SHOP**


**FIGURE 2  
CONCEPTUAL SITE PLAN**

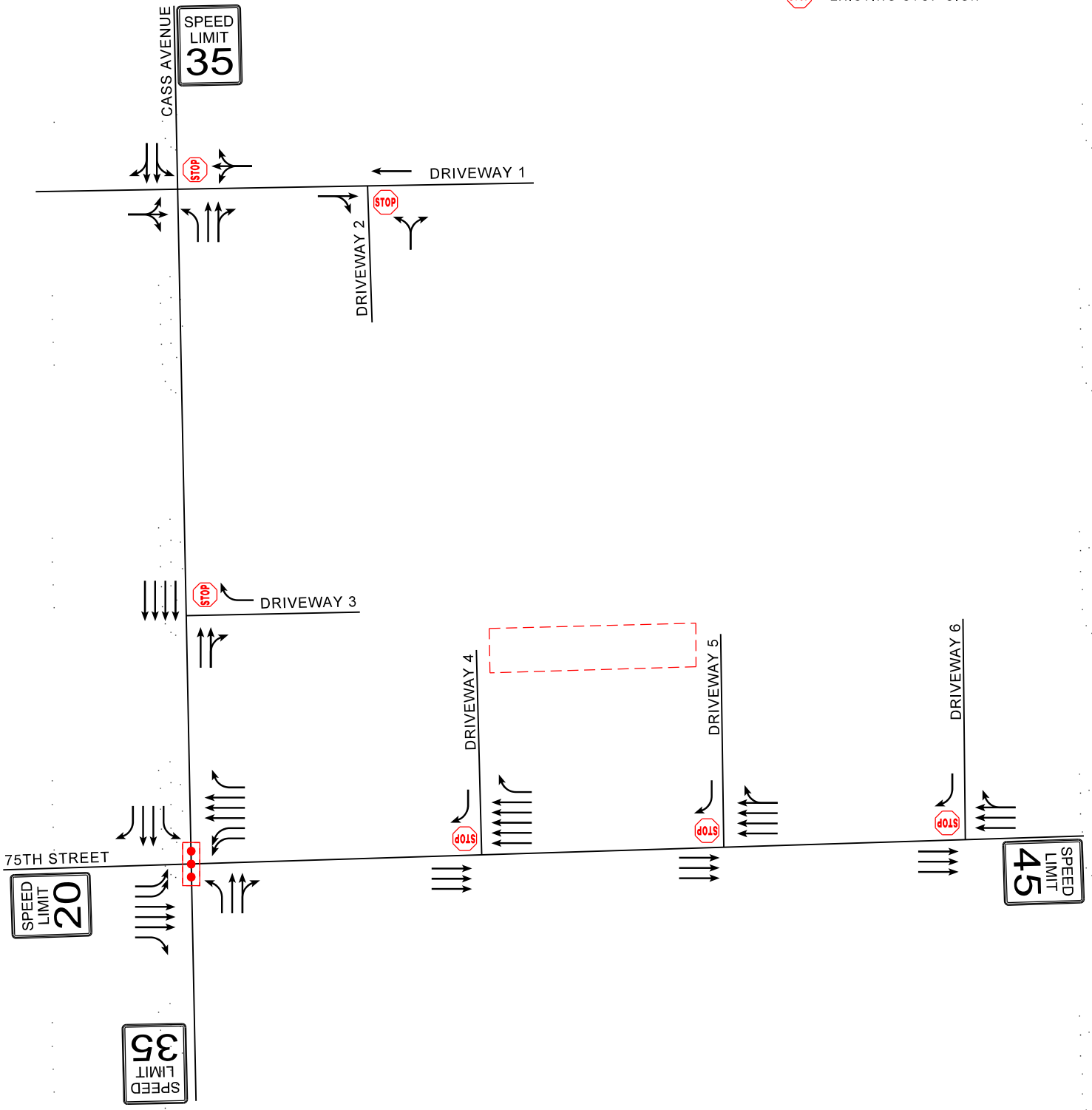


DARIEN

ILLINOIS

LEGEND

-  - EXISTING TRAFFIC SIGNAL
-  - EXISTING STOP SIGN



PROPOSED COFFEE SHOP

FIGURE 3  
EXISTING LANE CONFIGURATION





Proposed Quick-Service Facility  
 Parking Count Summary at 7409 S. Cass Ave.

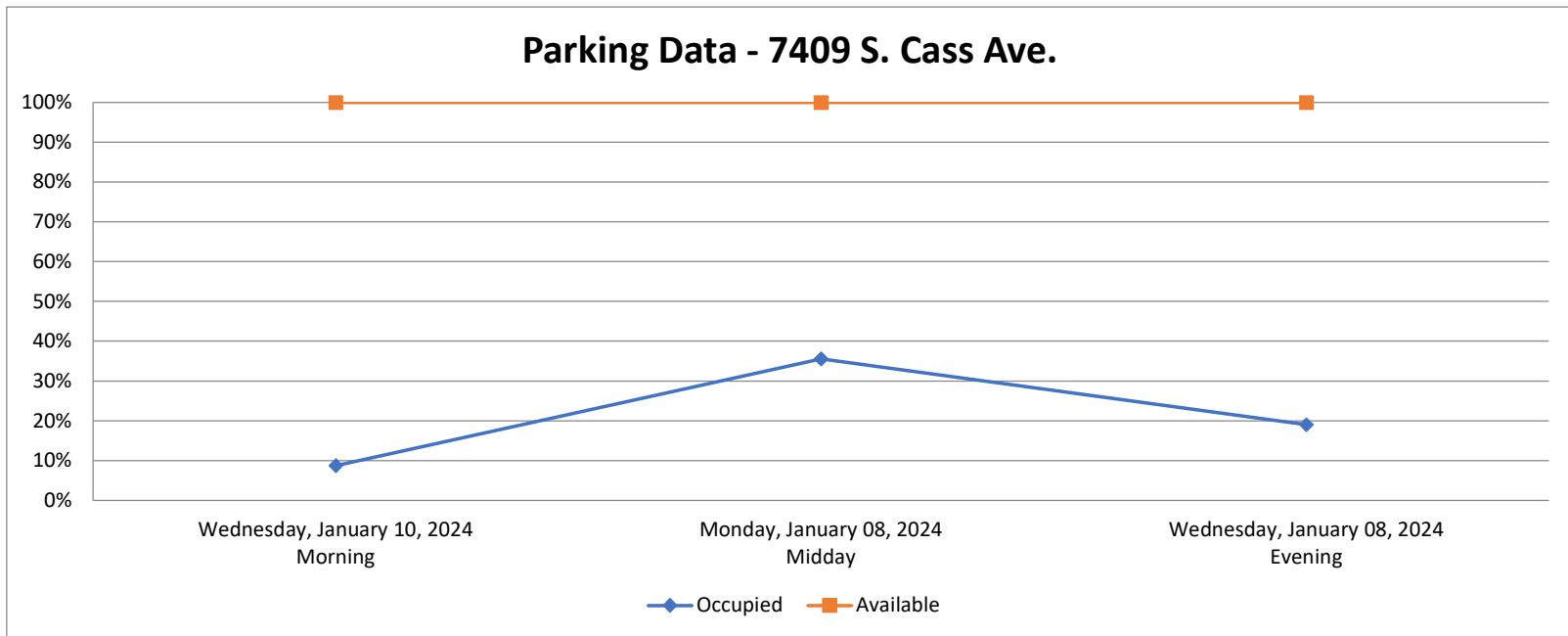


Zone	Total Spaces		Morning	Midday	Afternoon
1	14	Occupied	6	13	3
		Available	8	1	11
2	29	Occupied	4	12	4
		Available	25	17	25
3	28	Occupied	4	5	2
		Available	24	23	26
4	28	Occupied	2	7	4
		Available	26	21	24
5	28	Occupied	0	4	3
		Available	28	24	25
6	28	Occupied	0	6	4
		Available	28	22	24
7	28	Occupied	1	10	7
		Available	27	18	21
8	22	Occupied	1	16	12
		Available	21	6	10

Wednesday, January 10, 2024 Morning	Occupied	18
	Available	187

Monday, January 08, 2024 Midday	Occupied	73
	Available	132

Wednesday, January 08, 2024 Evening	Occupied	39
	Available	166





Cass Avenue

75th Street



Zone 8

Zone 7

Zone 6

Zone 5

Zone 4

Zone 3

Zone 2

Zone 1



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

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**ORDINANCE NO. 0-02-24**

**AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION  
AND GRANTING A SPECIAL USE AND VARIATIONS  
FROM THE DARIEN ZONING ORDINANCE**

**(PZC2024-01: INDVESTIA DARIEN LLC, 7409 CASS AVENUE)**

---

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

**THIS 4<sup>th</sup> DAY OF MARCH, 2024**

---

**Published in pamphlet form by authority  
of the Mayor and City Council of the City  
of Darien, DuPage County, Illinois, this  
5<sup>th</sup> day of March, 2024.**

ORDINANCE NO. 0-02-24

**AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION  
AND GRANTING A SPECIAL USE AND VARIATIONS  
FROM THE DARIEN ZONING ORDINANCE**

**(PZC2024-01: INDVESTIA DARIEN LLC, 7409 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 Business District pursuant to the Darien Zoning Ordinance; and

**WHEREAS**, the petitioner has requested approval of a Final Plat of Subdivision, special use, and variations from the Darien Zoning Ordinance to construct a quick service drive-through eating establishment on a new lot; and

**WHEREAS**, pursuant to notice as required by law, the City’s Planning and Zoning Commission conducted a public hearing on February 7, 2024, and has forwarded its findings and recommendation of approval of this petition to the City Council; and

**WHEREAS**, on February 26, 2024, the City’s Municipal Services Committee reviewed the petition and has forwarded its recommendation 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 herein below;

ORDINANCE NO. 0-02-24

**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, ILLINOIS, 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:

PARCEL 1: LOT ONE IN DARIEN ASSOCIATES SUBDIVISION OF PART OF THE NORTHWEST QUARTER (1/4) OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 8, 2016 AS DOCUMENT R2016-69588, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: NON-EXCLUSIVE IN FAVOR OF PARCEL 1 CREATED BY RECIPROCAL EASEMENT AGREEMENT RECORDED MARCH 7, 1985 AS DOCUMENT R85-15852 AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED JULY 23, 1998 AS DOCUMENT R98-147018 TO USE THE DRIVEWAYS, SERVICE DRIVES AND OTHER PARKING FACILITIES WHICH MAY EXIST FROM TIME TO TIME.

PARCEL 3: THE WEST 145.0 FEET OF THE EAST 220.0 FEET OF THE SOUTH 160.0 FEET OF LOT 192 IN HINSBROOK, UNIT #2, A SUBDIVISION OF PART OF THE NORTH WEST QUARTER (1/4) OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN; IN DUPAGE COUNTY, ILLINOIS. EXCLUDING THAT PORTION FALLING WITHIN THE FOLLOWING PROPERTY CONVEYED TO MCGUE FAMILY, LLC – FARMS, PURSUANT TO TRUSTEES DEED RECORDED OCTOBER 4, 2021, AS DOCUMENT R2021-146795.

PARCEL A: THE WEST 156.07 FEET OF THE SOUTH 208.89 FEET OF THE NORTHWEST QUARTER (1/4) OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, (EXCEPTING THEREFROM THAT PART HERETOFORE DEDICATED FOR PUBLIC ROADWAY BY INSTRUMENT RECORDED OCTOBER 11, 1971 AS DOCUMENT R71-54639.

PARCEL B: THAT PART OF LOT 192 IN HINSBROOK UNIT 2, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER (1/4) 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 R66-6422 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 192; THENCE WEST ALONG THE SOUTH

ORDINANCE NO. 0-02-24

LINE OF SAID LOT 192 A DISTANCE OF 486.16 FEET TO A POINT 43.93 FEET EAST OF THE WEST LINE OF SAID LOT 192 FOR A POINT OF BEGINNING; THENCE CONTINUING WEST ALONG THE SOUTH LINE OF SAID LOT 192 FOR A DISTANCE OF 43.93 FEET TO THE WEST LINE OF SAID LOT 192; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 192 A DISTANCE OF 108.89 FEET TO A CORNER OF SAID LOT 192; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 192 FOR A DISTANCE OF 106.07 FEET TO A POINT ON THE WEST LINE OF SAID LOT 192, BEING ALSO ON THE EAST LINE OF CASS AVENUE; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 192 A DISTANCE OF 16.11 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 192 FOR A DISTANCE OF 182.00 FEET; THENCE SOUTH ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 192 A DISTANCE OF 32.00 FEET; THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 192 FOR A DISTANCE OF 32.00 FEET; THENCE SOUTH ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 192 FOR A DISTANCE OF 93.00 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

AND; EXCEPTING THOSE PARTS TAKEN FOR ROAD PURPOSES.

PINs: 09-27-108-029 & 09-27-108-033

**SECTION 2: Final Plat of Subdivision Approved.** Approval of a Final Plat of Subdivision is hereby granted for Indvestia Subdivision, 1 Sheet, prepared by JLH Land Surveying Inc., latest version dated March 22, 2023. The Final Plat is subject to further review and approval by the City of Darien Community Development Department.

**SECTION 3: Special Use Granted.** Pursuant to Section 5A-8-3-4 of the Darien Zoning Ordinance, a special use is hereby granted to allow for the construction of a quick service drive-through eating establishment offering retail food or drink items for consumption.

**SECTION 4: Variations Granted.** The following variations from the Darien City Code are hereby granted for the subject property:

- A. A variation to allow more than one principal building/use on a lot.
- B. A variation to reduce minimum lot area from 2 acres to 1.30 acres.
- C. A variation to reduce front yard setback from 50' to 47.6'.
- D. A variation to reduce side yard setback from 30' to 0'.
- E. A variation to reduce rear yard setback from 30' to 0'.

**ORDINANCE NO.** 0-02-24

- F. A variation to reduce off-street parking from 176 spaces to 134 spaces.
- G. A variation to reduce the number of drive-through stacking spaces from 15 to 7.

**SECTION 5: Conditions.** The special use is subject to the following conditions:

- 1) **Proper signage (site/building) is placed for customers to enter and exit the establishment, as determined by staff.**
- 2) **The building shall only be used as an eating establishment in conjunction with drive-through facility.**

**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 the terms of this ordinance should be inconsistent with any non-preemptive state law, this ordinance shall supercede state law in that regard within the City of Darien.

**SECTION 7: Effective Date.** This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 4th day of March, 2024.**

AYES                    5 - Belczak, Gustafson, Kenny, Leganski, Stompanato

NAYS:                    0 - NONE

ABSENT:                2 - Schauer, Sullivan

ORDINANCE NO. 0-02-24

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,  
ILLINOIS, this 4<sup>th</sup> day of March, 2024.

Joseph A. Marchese  
JOSEPH A. MARCHESE, MAYOR

ATTEST:

Joanne E. Ragona  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY





STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF DU PAGE     )

I, JoAnne E. Ragona, do hereby certify that I am the duly qualified CITY CLERK of the CITY OF DARIEN of DuPage County, Illinois, and as such officer I am the keeper of the records and files of the City;

I do further certify that the foregoing constitutes a full, true and correct copy of **ORDINANCE NO. O-02-24 “AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND GRANTING A SPECIAL USE AND VARIATIONS FROM THE DARIEN ZONING ORDINANCE (PZC2024-01: INDVESTIA DARIEN LLC, 7409 CASS AVENUE)”** of The City of Darien, Du Page County, Illinois, Duly Passed and Approved by the Mayor and City Council at a Meeting Held on March 4, 2024.

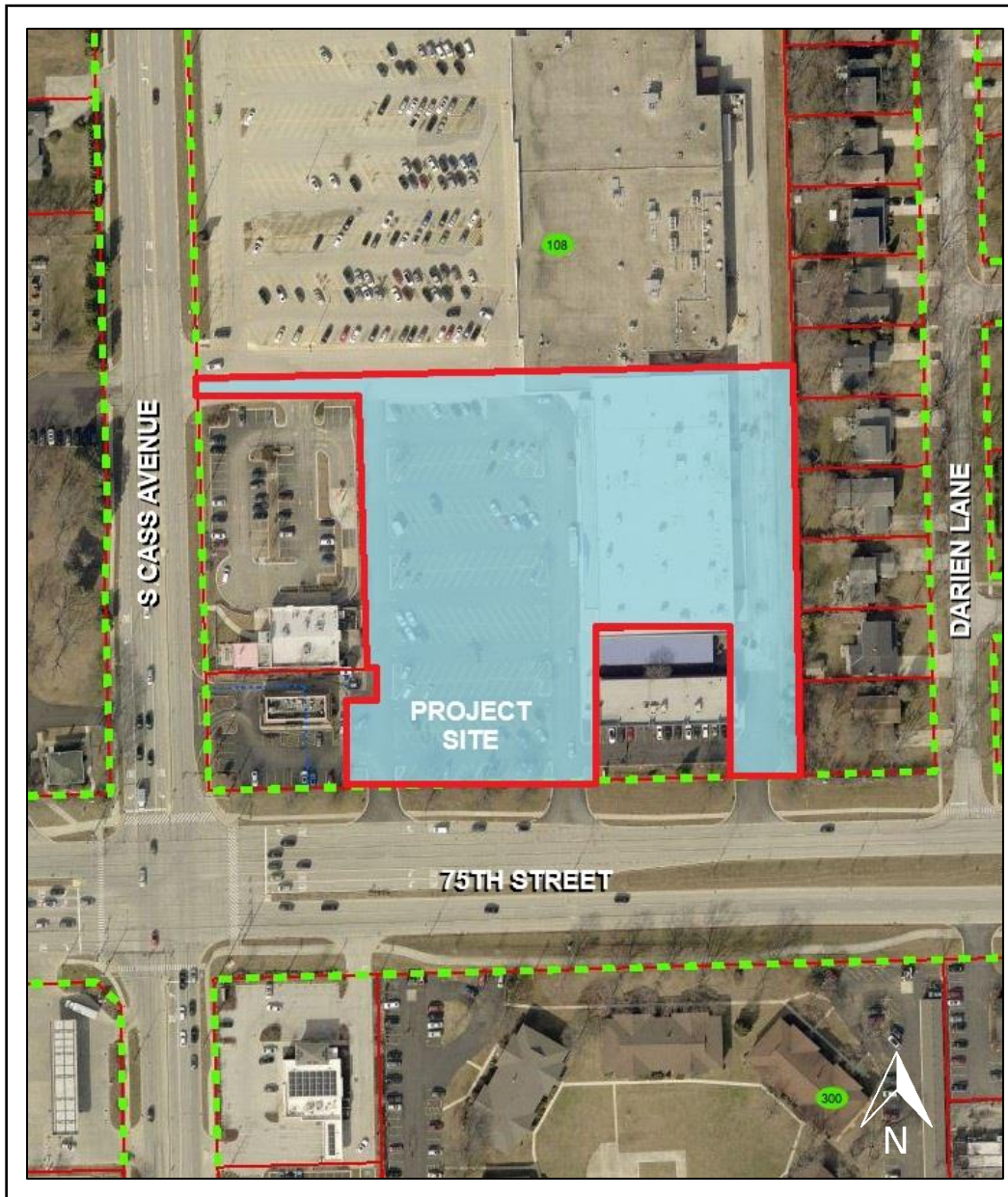
IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal this 4<sup>th</sup> day of March, 2024.



*JoAnne E. Ragona*  
\_\_\_\_\_  
City Clerk

**CITY OF DARIEN  
PLANNING AND ZONING COMMISSION  
FEBRUARY 19, 2025**

**LOCATION MAP**



**Project No.: PZC2025-01 – 7409 Cass Avenue**

**ATTACHMENT (9): SITE PHOTOS**







# ATTACHMENT (10): SPECIAL USE AND VARIATION CRITERIA

## Special Use and Variation Criteria

The criteria that the Planning, Zoning and Economic Development Commission and City Council must consider when acting on a request for a Special Use and Variation are included below.

### 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:

*The City may grant variations based on the finding-of-fact that supports the following criteria outlined below by the City to be the most relevant to the subject property situation.*

- a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.*
- b) The plight of the owner is due to unique circumstances.*
- c) The variation if granted will not alter the essential character of the locality.*
- d) Essential Need: The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.*
- e) Problem with Property: There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with this*

*title. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.*

- f) Smallest Solution: There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.*
- g) Create Neighbor Problem: The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.*
- h) Create Community Problem: The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.*
- i) Net Benefit: The positive impacts to the community outweigh the negative impacts.*
- j) Sacrifice Basic Protections: The variation, if granted, will comply with the purposes and intent of this title set forth in subsection 5A-1-2(A) of this title and summarized as follows: to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.*

## MINUTES CITY OF DARIEN

### PLANNING, ZONING, AND ECONOMIC DEVELOPMENT COMMISSION

Wednesday, February 5, 2025

**PRESENT:** Lou Mallers – Chairperson, Jonathan Christ, Shari Gillespie, Chris Jackson, Mark Kazich

**ABSENT:** Chris Green, Jonathan Johnson

**OTHERS:** Ryan Murphy - City Planner

Chairperson Lou Mallers called the meeting to order at 7:01 p.m. at the Darien City Hall Council Chambers, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present.

#### **Regular Meeting – New Business**

- a. **PZC2024-15 – 1005 75<sup>th</sup> Street – Basia Janke c/o Smoke Bank – A request for a Special Use Amendment request pursuant to Section 5A-8-3-4 of the Zoning Ordinance. The petition specifically requests to amend a Special Use Permit for a drive-through Tobacco Shop/Food Store to allow additional signage consisting of a small electronic display/menu sign proposed to be mounted in the drive-through window. The Property is located within the B-2 Community Shopping Center Business District.**

Mr. Ryan Murphy, City Planner reported that the petitioner would be requesting additional signage in the form of a digital menu board to be placed in the drive-through window. He reported that the City had engaged in Code Enforcement action in 2024 due to complaints about various outdoor signage and excess window signage; following notice of violation, the owner complied with City Code and reduced window signage to less than 25% of the window area. He reported that the building would be permitted a large number of signs because of its dual frontage to Plainfield Road and 75<sup>th</sup> Street and the expanse of windows. He further reported that the City Plan Code did not have specific guidelines for drive-through signage and that any site plans would be approved on a case-by-case basis.

Mr. Murphy reported that the petitioner proposed to construct an LED display of approximately 13.19 feet in size and would be approximately 3 feet off the ground. He reported that the display would cycle through various promotions and products with pricing information when patrons approach the drive-through. He further reported that the petitioner had provided a list of the approximate 100 products they would display on the proposed sign.

Mr. Murphy reported that when acting an application or petition, the Planning and Zoning Commission must use the following criteria:

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 landscape and architectural design meet the character of the neighborhood and is not injurious to those property values.
6. That there are adequate access and utilities for the facilities provided.
7. That adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion.
8. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Chairperson Lou Mallers swore in any audience members wishing to present public testimony.

The Petitioner, Mr. Pradeep Patel, stated that he took over the business about 10 months ago. He stated that because he has a drive-through, most customers choose that instead of going in store and that he does not have the highest potential of sales possible because of all the products inside the store not being seen. Mr. Patel stated that his idea with the drive-through sign would be that a TV-like screen would tell the customer all that would be available to them and would encourage them to come into the store to shop. He further stated that the screen would only be seen by his customers and would not be visible from the street or distract those driving on the street. Mr. Patel stated that he would only have about 10-15 seconds to showcase more of his products to customers.

Chairperson Mallers questioned if it would be like an order and sell.

Mr. Patel stated that was correct. He stated that the sign would entice customers with new products to increase sales.

Chairperson Mallers questioned what percentage of Mr. Patel's business would be drive-through versus in-store.

Mr. Patel stated that about 70-75% of his business would be drive-through, which would fluctuate based on the weather. He stated that his hope would be that more customers would shop in-store.



Chairperson Mallers questioned if the screen would be high enough so the customer would see it, but it would not be visible if one were to drive down Plainfield.

Mr. Patel confirmed that the sign would not be visible from the road. He stated that it would be a simple TV-like screen with rotating images and no audio.

Commissioner Jonathan Christ questioned if the sign would operate at night.

Mr. Patel stated that the sign would be turned off at 11:00 each night when the store closed.

Commissioner Chris Jackson questioned if the sign would turn off when a car was not present.

Mr. Patel stated that the sign would remain on for the duration of his operating hours.

Commissioner Jackson questioned if the Petitioner could explain the issue he had faced previously with complaints and how it had been resolved.

Mr. Patel stated that there had been a blank wall where the drive-through is where he had placed posters without a permit. He stated that once he had been aware of the violation, he removed the poster to comply with Code.

Commissioner Jackson questioned how long the cycle of products would be.

Mr. Patel stated that each of the 100 products would be displayed in a continuous 5 second loop.

There was some discussion regarding the goal results for the sign.

Commissioner Jackson questioned if the Petitioner had conducted a traffic study.

Mr. Patel stated that he had not conducted a traffic study because the traffic would be contained within his parking lot.

Commissioner Jackson stated that when he had driven past the business, the proposed sign location would be very visible. He questioned if Mr. Patel would put in any screening or landscaping.

Mr. Patel stated that he did not have any plans of screening.

There was some discussion regarding what was visible from the street.

Commissioner Mark Kazich, directed toward Mr. Murphy, questioned if the large sign on the west elevation was part of the 25%.

Mr. Murphy reported that the 25% would be the aggregate amount of window signage utilized.

Commissioner Kazich questioned if Mr. Patel would be willing to reduce the large sign.

Mr. Patel stated that the sign had been designed to draw customers in from 75<sup>th</sup> Street.

Commissioner Kazich questioned if the 2022 ordinance would be modified to allow for this request.

Mr. Murphy stated that there would be an amendment to the ordinance depending on how the Commission voted.

Commissioner Jackson questioned if a variation would be required to appeal to the proposed sign taking up 50% of the drive-through window.

Mr. Murphy stated that the window signage would be added from all faces of the building, and if there was a reduction in window area there would be less space for signage.

There was some discussion regarding the different types of signage.

Commissioner Christ questioned what the precedent for other businesses would be.

Mr. Murphy stated that the proposal was a unique one which is why it would require a special use permit.

Commissioner Jackson stated that he did not believe the intent was a sign that would bring in business but rather would be more like an order box, not a traditional sign.

Commissioner Jackson questioned if CLOA would review based on a previous ordinance.

Mr. Murphy stated that it may not be a requirement if no impacts would be made.

Commissioner Jackson questioned if there had been a lighting ordinance in place.

Chairperson Mallers stated that there had been some precedence for lighting with the digital sign on Plainfield and Cass.

Commissioner Jackson stated that utilizing the proposed sign would be like shopping from a car, during which a potential customer may watch the entire 500 seconds of products to then exit the drive-through to the roadway and re-enter the parking lot to continue shopping.

Chairperson Mallers stated that the sign would likely be distracting to passing motorists.

Mr. Murphy reported that there would be no traffic impact shown if there is no change in square footage.

There was some discussion regarding the access points in and out of the drive-through and how they would be used.

Commissioner Jackson stated that a pharmacy wouldn't operate with a single lane and menu sign to choose from various medicines.

Commissioner Shari Gillespie stated that many people found the business to be unappealing and wouldn't want further advertising.

Commissioner Jackson questioned if there had been any comments since posting the public hearing.

Mr. Murphy stated that he had not received any public comments regarding the proposed signage.

Commissioner Jackson stated that his concerns were the visibility, traffic and the window-shopping opportunity.

Kevin Janke, petitioner support, stated that they would be willing to eliminate any concerns with the sign and comply with City Code.

Commissioner Jackson read through the requirements for a special use and stated his further apprehension.

Chairperson Mallers stated that the size of the sign could pose problems for those traveling east on Plainfield.

Commissioner Jackson stated that he did not see enough to support an approval of the special use but would be open to conditions or a continuance.

There was some discussion regarding going forward with a continuance.

Commissioner Christ stated he would like further information regarding precedence of a menu-like sign.

Commissioner Jackson stated that he would like to see a traffic study as well as a potential landscaping plan for screening.

There was some discussion regarding how the Commission would move forward with the petition.

**Commissioner Kazich made a motion, and it was seconded by Commissioner Jackson to continue PZC2024-15 – 1005 75<sup>th</sup> Street – Basia Janke c/o Smoke Bank with the following comments:**

- 1. Petitioner provide a traffic study or address traffic concerns.**
- 2. Petitioner provides a landscaping plan for screening.**

**Upon roll call vote, the MOTION CARRIED 3-2.**

**AYES: Christ, Jackson, Kazich**

**NAYS: Gillespie, Mallers**

Mr. Murphy reported that this would be continued at the next scheduled meeting on Wednesday, February 19, 2025 at 7:00 p.m.

### **Regular Meeting – Old Business**

There was no old business to discuss.

### **Staff Updates & Correspondence**

Mr. Murphy reported that the Planning, Zoning, and Economic Development Commission would have 2 new responsibilities: review of land development projects and also economic incentives.

Mr. Murphy reported that there had been a special council meeting on Monday regarding Chestnut Court where they had been presented with a tax increment financing. He reported that the City would put out an RFP to develop a TIF. He further reported that he would give a Chestnut Court update with a preliminary plat and overview of the proposal.

Mr. Murphy reported that there would be a request for a time extension for a drive-through on 75<sup>th</sup> Street, but there were no developments.

Mr. Murphy reported that the former Wendy's had gone under contract and would likely be another fast-casual drive-through.

Mr. Murphy reported that the City kickstarted the program to digitize building permits and zoning applications with a timeframe of 7-9 months. He reported that this would open a ton of storage space at City Hall and that nothing will change on the Staff end.

### **Approval of Minutes**

**Commissioner Jackson made a motion, and it was seconded by Commissioner Gillespie to approve the January 15, 2025 Regular Meeting Minutes.**

**Upon voice vote, the MOTION CARRIED 3-2.**

**AYES: Gillespie, Jackson, Mallers**

**ABSTAINS: Christ, Kazich**

### **Next Meeting**

Mr. Ryan Murphy announced that the next meeting is scheduled for Wednesday, February 19, 2025.

### **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 Gillespie made a motion, and it was seconded by Commissioner Jackson. Upon voice vote, the MOTION CARRIED UNANIMOUSLY, and the meeting adjourned at 8:02 p.m.

Respectfully Submitted:

Approved:

X

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Jessica Plzak  
Secretary

X

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Lou Mallers  
Chairperson

DRAFT