CITY OF DARIEN

PLANNING AND ZONING COMMISSION

Wednesday, October 18, 2017 7:00 PM City Hall Council Chambers

AGENDA

- 1. Call to Order
- 2. Roll Call
- 3. Regular Meeting:
 - A. Public Hearing

Case: PZC 2017-04 Evergreen Lane (Carriage Way Unit 6)

Petitioner Brian Broderick seeks approval of an amendment to the Carriage Greens Planned Unit Development that would include a subdivision of a 28 acre parcel to create 2 new single family lots that would front Evergreen Lane southwest of the house at 1524 Evergreen Lane.

- 4. Correspondence
- 5. Old Business
 - A. Citizen Planner Workshop September 20, 2017
- 6. New Business
- 7. Approval of Minutes: June 7, 2017
- 8. Next Meeting: November 1, 2017
- 9. Adjournment

AGENDA MEMO PLANNING AND ZONING COMMISSION October 18, 2017

Case

PZC 2017-04

Evergreen Lane

(Carriage Way West Unit 6)

Issue Statement

Brian Broderick, owner of the Carriage Greens Country Club, seeks approval to subdivide a 28 acre parcel of the golf course into three lots, two of which would become single family home lots that would front Evergreen Lane. The third lot would remain used for golf course. This subdivision would increase the density of the Planned Unit Development that was approved for this property and therefore is designated by the zoning code as a 'major PUD amendment'.

General Information

Petitioner / Owner:

Brian Broderick, manager of Broderick Holdings LLC

Property Location:

Northwest of Evergreen Lane in the Carriage Greens PUD

development, next to the Carriage Way West Unit 3

subdivision and southwest of the house at 1524 Evergreen

Lane.

Parcel Identification # (PIN):

09-33-400-011

Zoning / Land Use:

Site:

R-3 / golf course

Northeast;

R-3 / single family houses

Southeast:

R-3 / single family houses

Southwest;

R-3 / single family houses

Northwest:

R-3 / golf course

Comprehensive Plan:

On site is designated "Parks / Open Space"

Around the site is designated "Low Density Residential"

Size of Property:

Parent parcel is 27.854 acres

Existing Conditions:

The parent parcel is currently used as part of the golf course. There is an elevated area in the rear of Lot 2 which was a tee off pad that is no longer used as such. There is an elevated area in the rear of Lot 1, which is currently used as a golf tee off pad. There were some large shade trees recently removed and the site is now mowed turf grass. There is water main parallel to Evergreen Lane in the north parkway and a sanitary sewer main parallel to Evergreen Lane in the south parkway. There is a storm sewer on the site with three catch basins. There is a

mapped floodplain area approximately 20' by 20' at the far north corner of Lot 2 which is drained by a catch basin. There is an isolated low area that is approximately 350 square feet and near the center of Lot 1. It is lower than the floodplain elevation and is drained by a storm sewer catch basin. The State IDNR advised there may be some Blanding's turtles and northern long-eared bats in the area which are endangered species.

Transportation:

The two lots would have frontage and driveway access to Evergreen Lane, which is a low-volume local public street.

Site History:

The entire Carriage Greens development was annexed in 1972 and a mixed-use PUD was approved by a series of ordinances to include single family, multi-family, golf course, recreation, and commercial.

<u>Documents - Submitted by Petitioner</u>

- 1. Petition form accepted 9.21.17
- 2. Authorization letter for the manager 8.9.17
- 3. Final Plat of Subdivision revised 10.11.17
- 4. Site Improvement Plans revised 10.11.17
- 5. Storm water authorization letter from DuPage County 6.9.17
- 6. Consultation letter from Illinois Department of Natural Resources 9.26.17
- 7. Land Use Opinion letter from Soil and Water Conservation District 2.29.17

Development Plan Description

Each of the two home lots would be approximately 119 feet wide in front by 130 feet deep by 146 feet wide in back = 16,903 square feet. The proposed grading plan would add fill to the center of the two proposed lots to elevate the two building pads. There would be no fill added to the floodplain area in the north corner of Lot 2. The golf tee off pad that is now partially on Lot 1 would be relocated northwest of lot 1. Fill would be added to the low area on Lot 1. The proposed utility plan would add to catch basins to Lot 1 and the newly created swales in the easements on the front, sides, and rear of both lots that would convey storm water runoff to the storm sewer catch basins. The proposed grading plan would also excavate an area northwest of Lot 1 to provide 'compensatory storage' for the fill added to Lot 1.

Documents - Submitted by Staff

- 1. Development Ordinance list and Development Standards Comparison
- 2. Site photos (2)

- 3. Aerial photos (2)
- 4. Plat map for lot sizes
- 5. City Engineer letter 10.6.17
- 6. Email to neighbor Glen Markowski, 1521 Evergreen Lane 10.11.17
- 7. Email to neighbor Richard Marchese, 1525 Evergreen Lane 10.11.17

Plan Review Comments

The size of the proposed two lots would be larger than the adjacent single family lots. The proposed lot sizes and setbacks would meet or exceed the standards for R-3 and Ordinance O-31-72. The 'cut and fill' method for compensatory storage is an accepted planning practice and grading plan for this proposed development has been approved by the County. The City Engineer has reviewed the plat and plans and advised they do conform to City Codes. The stormwater management plan with BMP for each lot has been prepared and the City Engineers review and approval is expected by the hearing on October 18. The State IDNR recommended the area be fenced during construction with live traps and if any endangered species or other wildlife are trapped, and then they should be relocated to a safe area.

One of the concerns that have been raised by neighbors is the compatibility of the new houses with the existing houses. The idea for making the new lots subject to homeowner's association architectural standards similar to surrounding lots has been forwarded to the petitioner and his attorney. Such HOA covenants, standards, and procedures would be separate from City regulation and beyond City control.

Another concern that has been raised by neighbors is flooding within the Evergreen Lane parkway and pavement. The City Municipal Services Department has determined the storm sewer is open and functioning as designed. Previous flooding may have been caused by irregular functioning of sump pumps. The City is now working with neighbors to help them correct sump pump functionality. The proposed development is designed to not contribute to flooding.

Motion

The Planning and Zoning Commission should make a finding that the proposed development meets the PUD standards in the City Zoning Code, including;

- 1. Size total PUD remains over 3 acres
- 2. Compatibility single family land use not detrimental to surrounding neighborhood
- 3. Natural features appropriate provision is made for floodplain and other features
- 4. Density not exceeding density standards set for this PUD
- 5. Parking adequate provision is made for the single family units
- 6. Subdivision conforms to code standards for plat and plans
- 7. Traffic potential congestion is minimized

- 8. Open Space sufficient open space remains in the total PUD
- 9. Yards proposed setbacks conform to the standards set for this PUD
- 10. Exceptions no variations are proposed
- 11. Signs no signs are proposed
- 12. Performance standards no business uses are proposed
- 13. Landscaping no landscaping variations are proposed
- 14. Utilities appropriate provision is made for storm water management
- 15. Ownership the site is under single ownership or unified control.

After making findings, the motion for a vote can be to recommend approval or denial or approval with conditions of the petition to be in substantial conformance with the final plat of subdivision, site improvement plans, the storm water authorization letter from DuPage County, the consultation letter from IDNR, and the City Engineer letter as presented.

Meeting Schedule

Planning and Zoning Commission:

October 18, 2017

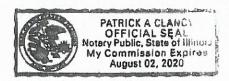
Municipal Services Committee:

November 27, 2017

City Council:

December 4, 2017

City of DARIEN, ILLINOIS, Community Development (Jepartment Staff Use Only
Plot of Subdivision petition to the	Carro No.: PZC 2017-04
Mayor and City Council of the City of Darlen:	Date Received: 9/2-1/17
And are any commen or the city of Dauest.	Fee Palet: \$665
PETITIONER INFORMATION	Check No.: 1802, 1803
Description to the table	Hearing Date: 10/18/17
Broderick Holdings LLC Pétitioner's Name	Broderick Holdings LLC
Leonarial 2 Malufa	Owner's Name
Brian Broderick	ATIAN
Contact Name	8700 Cerriage Green Drive, Darlen, N. 80581 Address, City, State, Zip Code
8700 Cardage Green Drive, Darien, IL 60561	(PDO) 200 A 454
Address, City, State, Zip Code	(630) 390-0478 Phone #
(RGO) 200 P 472	I TOPICE ST
(6S0) 390-0478	carriegegreen@gmail.com
· PILANI W	Email
Fax #	
_cardagegreen@gmall.com	
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PROPERTY INFORMATEON	
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8700 Carriage Green Drive, Darien IL 60561 Property address	21.854 screa
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09-33-400-011	Pa m (hu ma
PIN(s)	R-3 PUD Zordna
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REQUEST	
Check the following: a Preliminary Plat	- Phot M
· · · · · · · · · · · · · · · · · · ·	□ Final Plac
Camiage Green Subdivision	
Subdivision Name	Minimum Lot Size: 86 Acra
Number of Lots: 3	Average Lot Size: 66 acro
Right-of-way (in miles):	Average Lot Size: 66 acre
0	obeu sbece: 0
T. D. MIL.	
Patitioner Broderick Holdings II C do he record of the aforestid described pro	reby certify that I am the owner of record for one of the owner.
record or the alternative furnishing for the efformation described pro-	sporty) and I heraby make application as such.
Signature	
Subscribed and seam to before this day of Aug	ust 20_17
Mahara Buday	
Notary Public	



August 9, 2017

City of Darien - Planning Department Steve Manning, City Planner 1702 Plainfield Rd. Darien, IL 60561

RE:

Carriage Greens Subdivision

8700 Carriage Green Drive

Darien, IL 60561

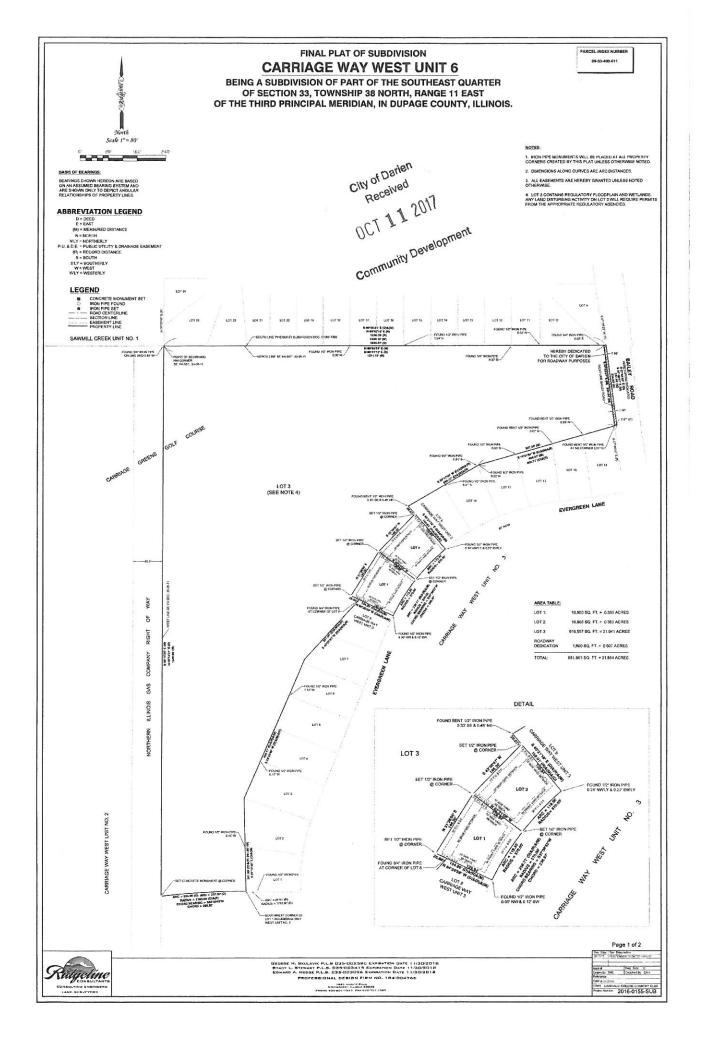
PIN: 09-33-400-011

Dear Mr. Manning,

Please be advised that the undersigned is an authorized representative of the Bank of Lyons Trust #2389, which holds the property located at 8700 Carriage Green Drive, Darien, DuPage County, Illinois, PIN 09-33-400-011. As such, the undersigned authorizes Brian Broderick, as Manager of Broderick Holdings, LLC to file a petition for subdivision on this property, and has the authority to act on behalf of the trust for the purposes of developing the two new lots.

Sincerely,

Brian Broderick



FINAL PLAT OF SUBDIVISION

CARRIAGE WAY WEST UNIT 6

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

City of Darien Received

OCT 11 2017

Community Development

OMNER'S CERTIFICATE	Commo
STATE OF ILLINOIS)) 95	
COUNTY OF DU PAGE)	STATE LETTER REQUIREMENT
THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED	STATE OF ILLINOIS)
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	DATED AT DARIEN, DUPAGE COUNTY, ILLINOIS, THISDAY OF, 20
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	STATE OF ILLINOIS
MAYOR'S CERTIFICATE	COUNTY OF DU PAGE)
STATE OF ILLINOIS)	THIS IS TO CERTIFY THAT I, EDWARD A. HEDGE, REGISTERED ILLINOIS PROFESSIONAL LAND SURVEYOR NO.
COUNTY OF DU PAGE)	3026, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING PROPERTY:
APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS THIS	THAT PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 38 NOTH IS TAKE 11 EAST OF THE THIRD PROCEPUL MERIONAL DESCRIBED AS FOLLOWS: RECOMMON AT THE NORTHWEST CONNER OF SAUD THE TOWN OF THE SECTION OF THE SECTIO
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DAY OF	
CHAIRMAN	
COUNTY CLERK'S CERTIFICATE	
STATE OF ILLINOIS) SS	
COUNTY OF DU PAGE	
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OWNER'S CERTIFICATE

Page 2 of 2 County TMI Common by Lard Reference:
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Come Carthold United County Califf Page 18-05-054
Come 230-054
Come Carthold United County Califf Page 18-05-055
County County Calif

RIDGELINE CONSULTANTS, LLC SYMBOL LEGEND THE THE REACH PAGEN C - CATCH BASIN C - CONCRETE S = SANTARY MANHOLE LINE TYPE LEGEND SMITARY SENER = STORM SENER = WATER LINE F SOURCE BENCHMARE, DIPAGE COUNTY 2008 RECYSTIC SURGE COUNTY AND RECYSTIC SURGE COUNTY ON RECYSTIC SURGE COUNTY ON THE SURGE AND AND AUTHOR SURGE AND AND AUTHOR SURGE AND AUTHOR SURGE AND AUTHOR SURGE OF LEAVANT ROAD ON THE DARRIEN TANTER TOWER PROPERTY ELEVATION # 2764.03 (MAYO 88) SITE BENCHMARK, NORTHWEST FLANCE BOLT ON THE FIRE HYDRIANT AT THE SOUTHEASTERLY CORNER OF LOTIS, CARRIAGE WAY WEST UNITIS, AS SHOWN HEREON, ELEVATION = 731.70 INVIVID 88) OLIFICE REMOCHANIE (DUPAGE COMPTY 2000 CIECUTES, SIRVEY COMPTO) MORNIMERT PO DOCAS ENVANUENT MANEE DOCASCO, BEING AN NOS 3D LIRREY COMPTO, IMPAULINITY COMPED AT THE NOTHINKES COMPER OF PER N. TERRECTION OF IMADISON STIENZY AND SIRVE STREET. SLEAKTION + 722, 16 (MAD 38) 17. TAYON ON THE T CARRIAGE WAY WEST UNIT 6 Site Improvements Plans DARIEN, ILLINOIS \$ 3×3 = 1 Dept. 54 (22) Bes. 2000 Dept. 54 (22) Dept. Committee of the Committee of CONTACT JULIE AT 811 OR 800 802-20123 CONTACT JULIE AT 811 OR 800 802-20123 CONTACT JULIE AT 811 OR 800 802-20123 CONTACT JULIE AT 800 800 802-20128 Option of the Contact Section of the Section of DART OF THE SOUTHERST IN A SECTION IN COMMAND AND THE SHADE IN COMMAND AND THE SHADE AND THE COMMAND AND THE SHADE LOCATION MAP N.T.S. Our Lady of Mt. Carriel A CARRIAGE WAY WEST UNIT 6 EVERGREEN LANE, DARIEN, ILLINOIS SHEET NO. DESCRIPTION STATE OF BLEWOR) SS MAN 11th Community Development OCT 1 1 2017 City of Darlen Received and October TITLE SHEET SPECIFICATIONS TOPOGRAPHE EXHIBIT TOPOGRAPHE EXHIBIT UTILITY AND SITE PLAN GRACHING AND FROSION CONTROL PLAN CONSTRUCTION DETAILS CUT AND FILL CALCULATION—1 CUT AND FILL CALCULATION—2 PLANS PREPARED FOR. BRIAN BRODERICK CARRIAGE GREENS DOUNTRY CLUB 8700 CARRIAGE GREENS DRIVE DARREN, ILLINOIS 80581 2016-0155 SHEET

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City of Darien Received

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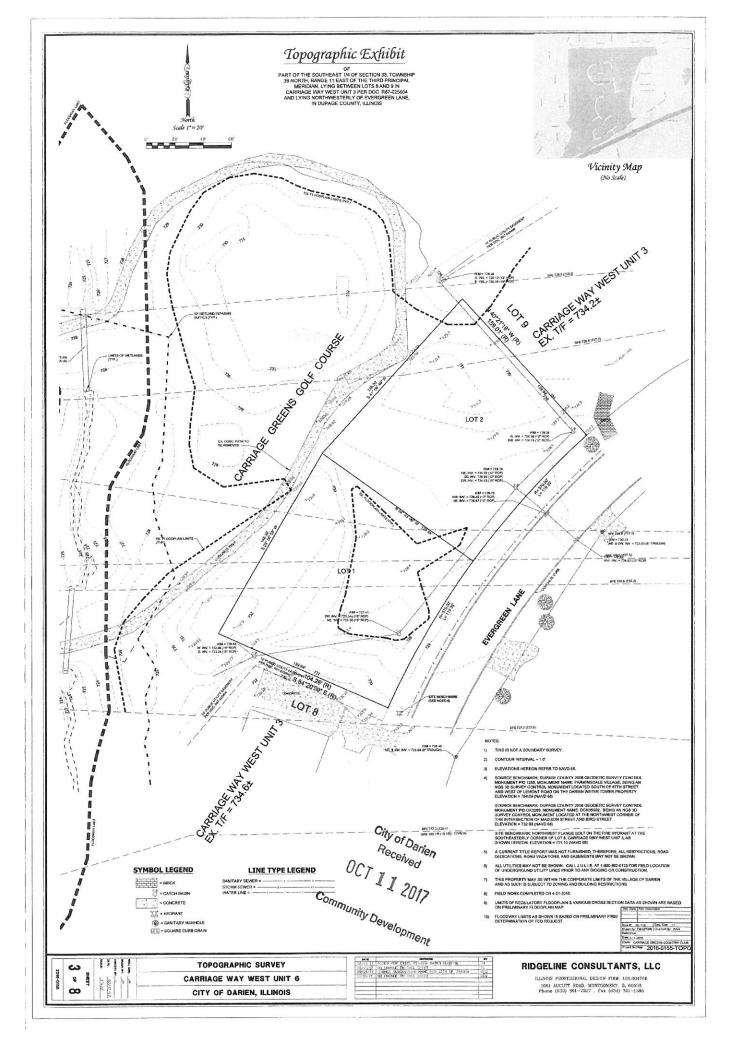
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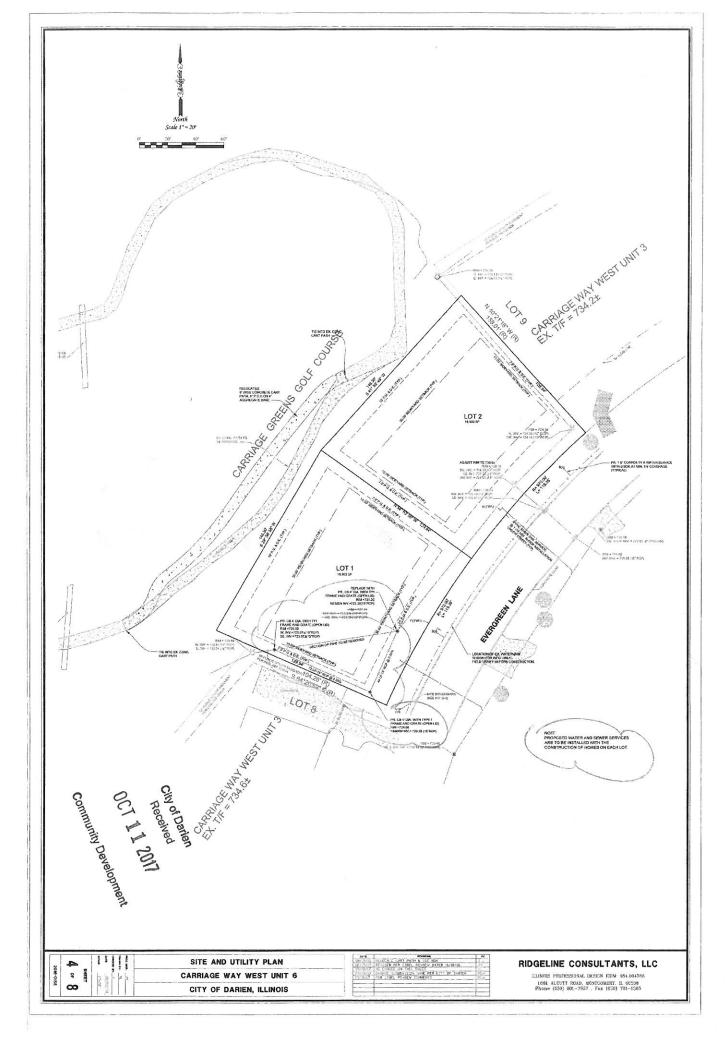
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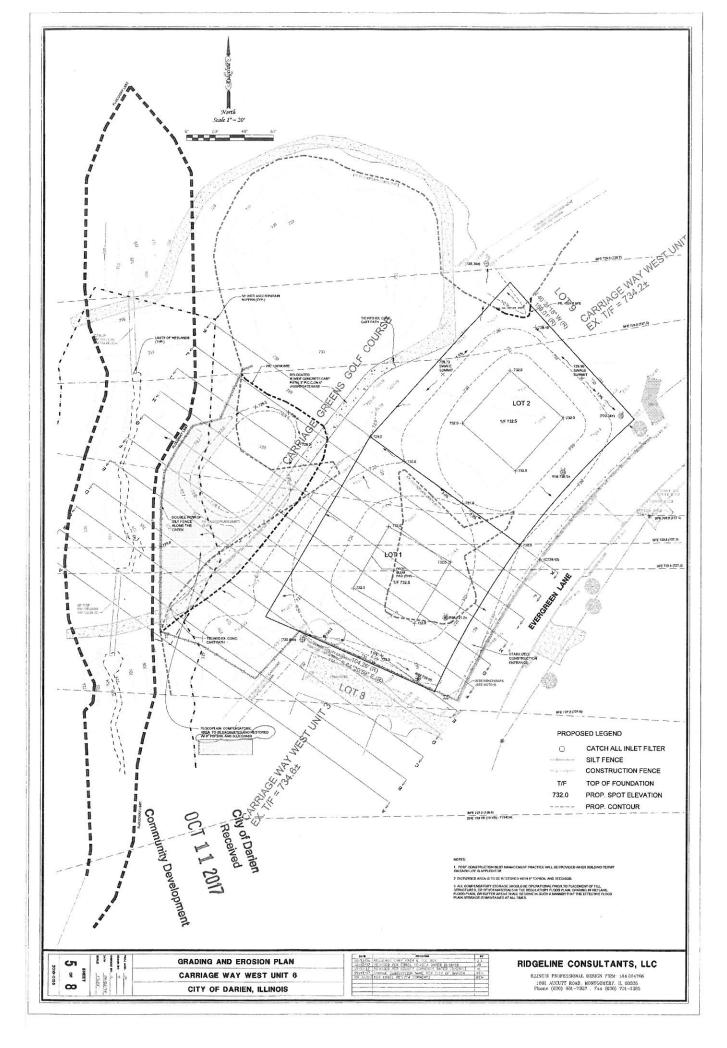
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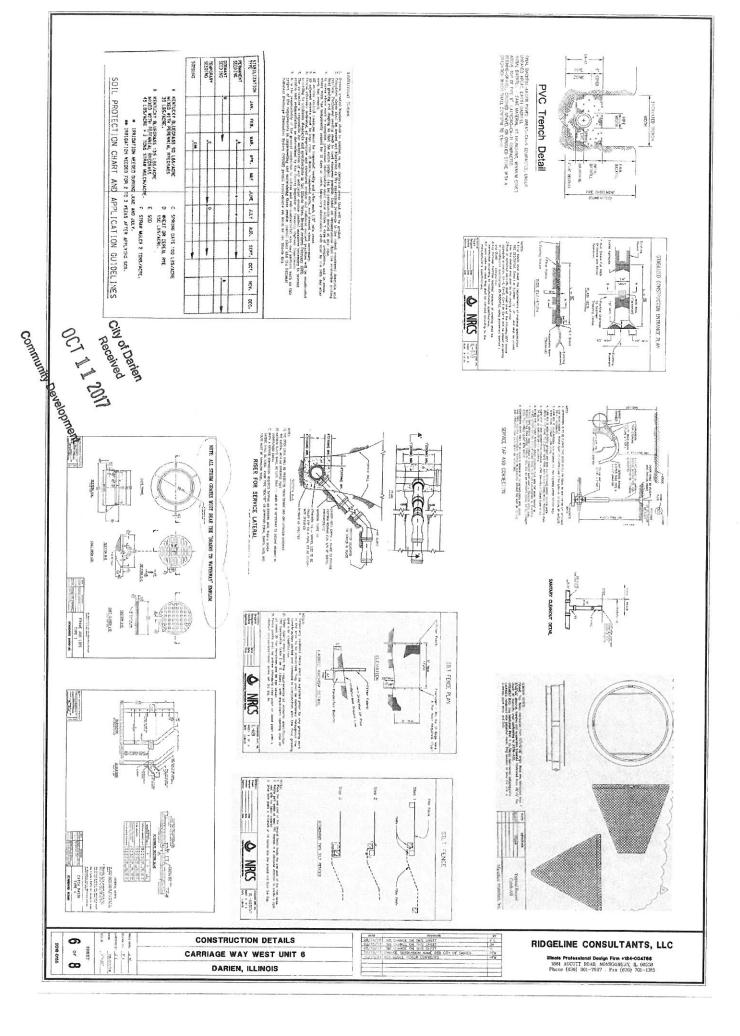


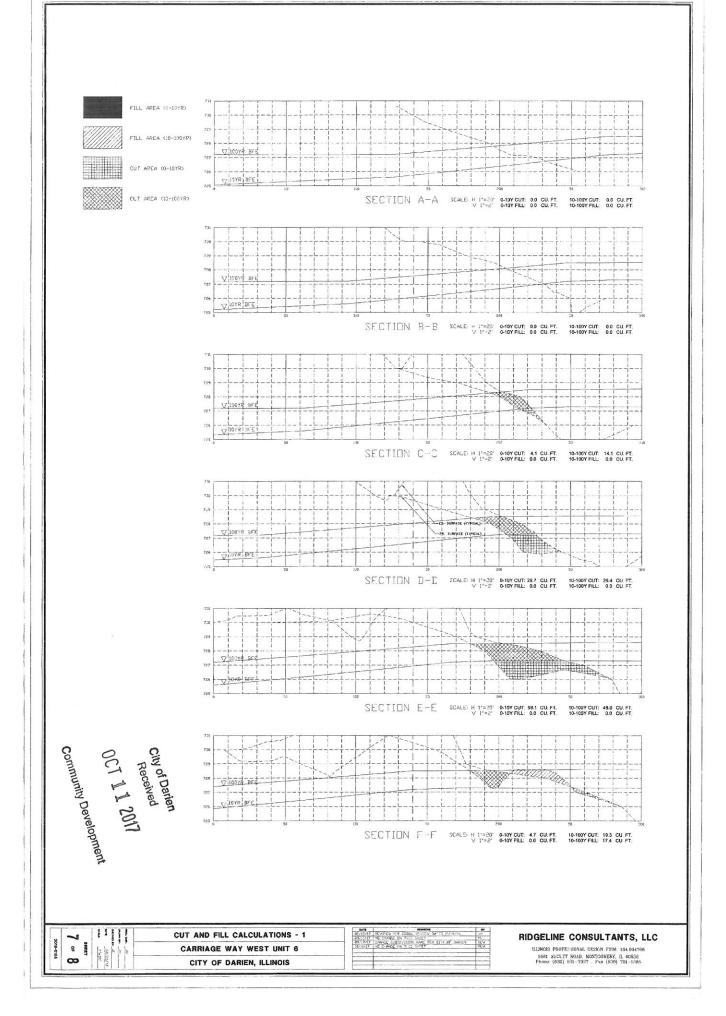
RIDGELINE CONSULTANTS, LLC
PHONE (630) 801-7927. Pax (630) 701-1385
1661 AUGUITI ROAD, MONTGOMERY, IL (9538)
ILLIMOS PROFESSIONAL DESIGN FIRM: 124 004756

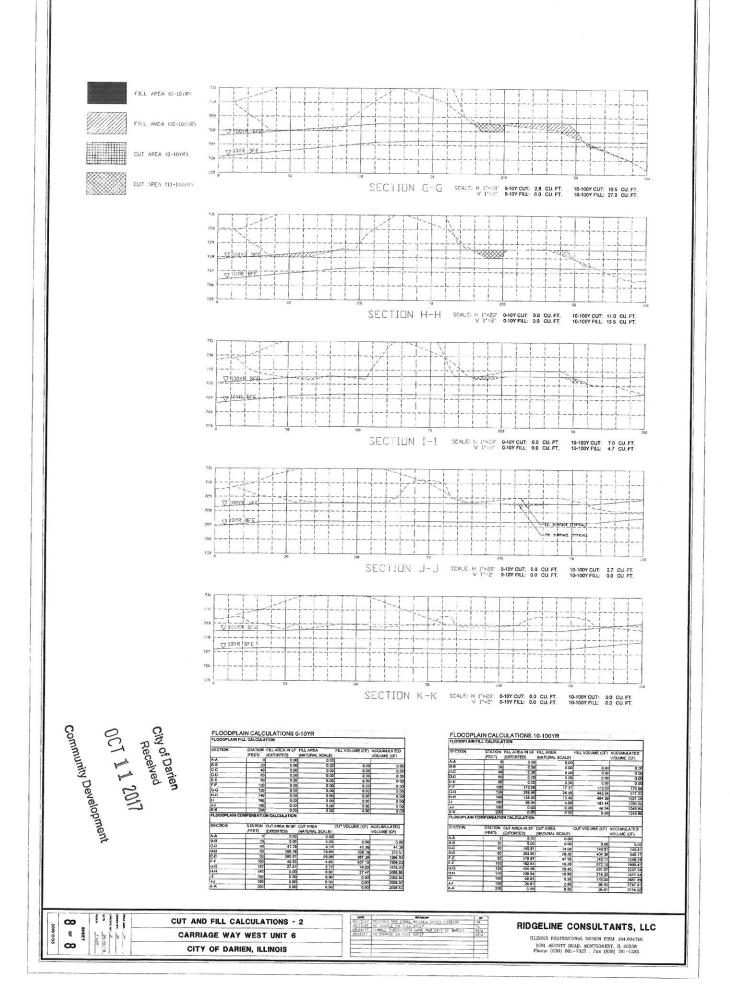


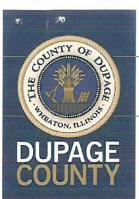












STORMWATER MANAGEMENT

630-407-6700 stormwatermgmt@dupageco.org

www.dupageco.org/swm

June 9, 2017

Watershed Managemen

Water Quality

Floodplain Mapping

Regulatory Services

Flood Operations & Maintenance

Mr. Steve Manning and Mr. Dan Gombac City of Darien 1702 Plainfield Road Darien, IL 60561

RE: Authorization for Stormwater Management Certification Application No. 17-12-0001 DuPage County Tracking No. T52705 Carriage Greens Country Club – Two Lot Subdivision Incorporated Darien, DuPage County, Illinois

PPN: 09-33-400-011

Dear Mr. Manning and Mr. Gombac:

DuPage County Stormwater Management (DCSM) received a stormwater certification application/submittal from Ridgeline Consultants, LLC for the construction of a two lot subdivision in an area currently used as a golf course at Carriage Greens Country Club, located north of Interstate I-55, south of Plainfield Road, east of Kearney Road, and west of Cass Avenue within the corporate limits of the City of Darien, DuPage County, Illinois. Work includes the placement of fill in the regulatory flood plain in order to construct residential housing in the future, compensatory storage, sediment and erosion control measures, and all associated grading and restoration.

Staff has completed its review of this application and hereby Authorizes the following documents for compliance with the DuPage County Countywide Stormwater and Flood Plain Ordinance (CSFPO) for a development within a flood plain, wetland, or buffer:

- 1. Stormwater Management Certification Application, as assigned number 17-12-0001 (DuPage County Tracking No. T52705).
- 2. Stormwater report entitled "Stormwater Management Permit Application for Broderick Subdivision, Evergreen Lane, Darien, IL" as prepared by Ridgeline Consultants, LLC, dated February 2017.
- 3. Plan set entitled "Site Improvements Plans, Broderick Subdivision, Darien, Illinois," as prepared by Ridgeline Consultants, LLC, dated August 3, 2016, with latest revision dated May 10, 2017, consisting of eight (8) sheets.



June 9, 2017
RE: SW # 17-12-0001/T52705, Carriage Greens Golf Club – Two Lot Subdivision Incorporated Darien, DuPage County, Illinois
Page 2 of 3

Be advised the City of Darien holds a partial waiver of enforcement status from the DuPage County Countywide Stormwater and Flood Plain Ordinance. As such, the City of Darien is responsible to review and approve applications for stormwater management issues. Therefore, for the above referenced development project, our office has only reviewed and provided Authorization relating to the floodway, flood plain, wetland, or buffer. All approvals pertaining to the stormwater management facilities and post construction best management practices shall be done by the City of Darien, unless requested otherwise

Based upon our Authorization of the above referenced documents, the City of Darien may commence issuance of Certifications for the above referenced development. As a reminder, it is the City of Darien's responsibility to enforce the provisions of the CSFPO, including, but not limited to, the following conditions:

GENERAL CONDITIONS:

- Per Section 15-58.B of the CSFPO, temporary erosion and sediment control measures shall be functional and consistent with Article VII of the CSFPO and the NPDES Stormwater Permit in effect prior to land disturbance activities. Therefore, the developer shall notify the City of Darien and request/receive a site inspection of all required sediment and erosion control devices, prior to the commencement of construction activities.
- 2. Per Section 15-47.C of the CSFPO, an informational note acknowledging the presence of on-site wetlands, buffers, flood plains, or PCBMPs with drainage areas 1 acre or greater, shall be recorded against the title to alert all future owners and shall reference the Stormwater Management Certification number. This note shall be carried forward to titles on all affected properties in the event that the original property is subdivided.
- 3. Per Section 15-54.A.5, the developer shall grant the County, or Waiver Community, a temporary easement which authorizes, but does not obligate, the County, or Waiver Community, to access the development site to perform or complete any act or work the developer is required to do by the Stormwater Certification.
- 4. Per Section 15-27.C.3, site runoff storage and compensatory storage facilities shall be either constructed before or concurrently with general construction. The facilities shall be functional prior to or concurrent with any building construction that increases a site's total impervious area.
- 5. Per Section 15-40.A of the CSFPO, the requirement for Record Drawings (Section 15-47.B) applies to all developments that construct stormwater facilities, or include wetland, buffer or flood plain onsite. Therefore, upon construction of the development, as-built drawings of the site must be submitted to the City of Darien for review and approval. The as-built drawings must be prepared, signed and sealed by an Illinois registered land surveyor or professional engineer.

June 9, 2017

RE: SW # 17-12-0001/T52705, Carriage Greens Golf Club - Two Lot Subdivision Incorporated Darien, DuPage County, Illinois

Page 3 of 3

6. Per Article VI "Performance Security and Easements", Section 15-54.A "General Security Requirements" of the CSFPO, the developer shall, prior to the issuance of a Stormwater Management Certification and in accordance with Section 15-40.D, post performance security. It is our understanding that the City of Darien will collect and maintain appropriate development securities as required by ordinance for the subject development.

Two (2) copies of the stormwater report and one copy of the plan set, as authorized by our office, are enclosed for your use. Please forward one copy onto the developer at time of permit issuance.

Respectfully,

Clayton Heffter

Stormwater Permitting Manager

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CCH:lc

Brian Broderick, Carriage Greens Country Club, 8700 Carriage Greens Dr, CC: Darien, IL 60561

Jiun-Guang Lin, Ridgeline Consultants, LLC, 1661 Aucutt Rd, Montgomery, IL 60538

Clayton Heffter, Stormwater Permitting Manager, DCSM

Jenna Fahey, Wetland Supervisor, DCSM

Angela Levernier, Wetland Specialist, DCSM

Jessica Spurlock, P.E., Project Engineer, DCSM

Kathy Huth-Nicholl, Division Assistant II, DCSM

File SWP #17-12-0001 (DCSM Tracking No. T52705)

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One Natural Resources Way Springfield, Illinois 62702-1271 www.dnr.illinois.gov

Bruce Rauner, Governor Wayne A. Rosenthal, Director

September 26, 2017

Mr. Patrick Clancy 8700 Carriage Greens Drive Darien, IL 60561-5313

RE:

Carriage Way West Unit 6, DuPage County Endangered Species Consultation Program EcoCAT Review #1802456

Dear Mr. Clancy:

The Department has received your submission for this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, *et seq.*]; the *Illinois Wildlife Code* [520 ILCS 5, *et seq.*]; and the *Herptiles-Herps Act* [510 ILCS 69].

The proposed action consists of a petition for a finish plat of subdivision involving Carriage Greens Golf Course subdividing its property so that two additional residential lots will be created. EcoCAT indicates the project is near known Blanding's Turtle and Northern Long-eared Bat populations. If the two additional lots will be developed, potential exists to adversely affect each species.

Records of the state-endangered **Blanding's turtle**, *Emydoidea blandingii*, are known in the project vicinity. The Department recommends any work on the project occurs during the turtle's inactive season from approximately November 1st to March 1st. If work must occur during the active season, all on-site personnel should be educated about this species and be instructed to contact the Department immediately if they are encountered in the project area. Fliers with photos of adult and juvenile Blanding's turtles, and life-history information, should be distributed to personnel. The flier should also contain contact information for the Department (Dan Kirk, Natural Heritage Division, 630-553-1372). State-listed species may not be handled without the appropriate permits pursuant to the Illinois Endangered Species Protection Act. Exclusionary fencing should be installed around the work area, trenched into the ground, and inspected daily for Blanding's turtles. Excavations should be inspected daily for trapped wildlife and safely covered overnight. Soil or other potential turtle nesting medium stockpiles should also have exclusionary fencing installed around the perimeter to discourage turtle nesting and potential harm.

If tree removal is necessary, the Department recommends no trees be felled from April 1 through October 14 to avoid potential impacts to the state and federally-threatened **northern long-eared bat**, *Myotis septentrionalis*. If these dates cannot be accommodated, a bat habitat assessment

should be conducted and results submitted to the Department and USFWS (as necessary) for review and further guidance.

Given the above recommendations are adopted, the Department has determined that impacts to Blanding's turtle and Northern Long-eared bat are unlikely. Please notify the Department if the project will be modified to include these recommendations.

Consultation on the part of the Department is closed, unless you desire additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

Please contact me with any questions about this review.

Sincerely,

Adam Rawe

Resource Planner

Impact Assessment Section

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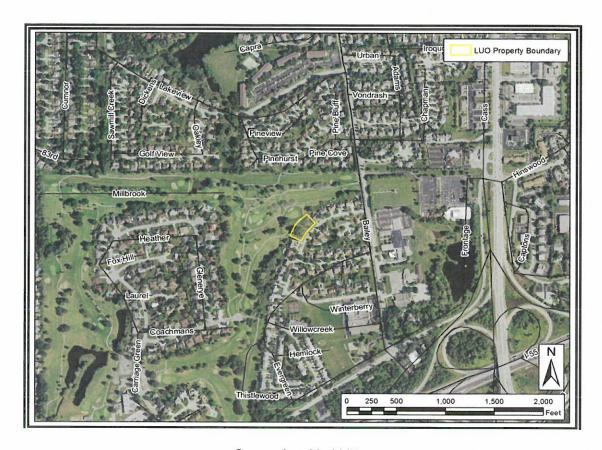
Department of Natural Resources

(217)785-4984

adam.rawe@illinois.gov

KANE-DUPAGE SOIL AND WATER CONSERVATION DISTRICT

LAND USE OPINION 17-078



September 29, 2017

Prepared for: City of Darien

Petitioner: Broderick Holdings, LLC 8700 Carriage Green Drive Darien, IL 60561 17-078

Executive Summary

September 29, 2017

Petitioner: Broderick Holdings LLC, 8700 Carriage Green Drive, Darien, IL 60561

Contact Person: Patrick Clancey, 312-494-1000

Unit of Government Responsible for Permits: City of Darien

Acreage: 0.82

Location of Parcel: Section 33, Township 38 N, Range 11 E

Property Address/PIN#: Two vacant lots on Evergreen Drive between Bailey Rd and Winterberry

Lane

Existing Land Use: Golf Course

Surrounding Land Use: Residential/Golf Course

Proposed Land Use: Residential

Natural Resource Concerns

<u>Land Cover in the Early 1800's:</u> This site is located in an area previously identified as prairie (See page 2 for more information.)

<u>Wetlands</u>: The DuPage County Wetland map does not identify wetland areas on this site. In the event that any indications of wetlands are identified on this site during the proposed land use change, a wetland delineation specialist who is recognized by the U.S. Army Corps of Engineers should determine the exact boundaries and value of any wetlands. (See page 3 for more wetland information.)

Floodplain: There are floodplain areas identified on this site. (See page 4)



Streams: A stream has been identified near this site. There are no streams on this site. (See page 5)

<u>Regulations:</u> Please note that additional permits are required for any development impacting wetlands, streams or floodplain areas. Please see page 6 for regulation information.

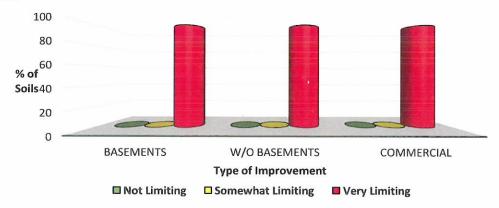
Aquifer Sensitivity: This site is classified as having very limited potential for aquifer contamination. (See page 7)

<u>Topography and Drainage:</u> Please refer to page 8 for information regarding site topography and drainage.

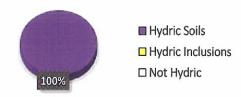
Stormwater: See page 9 for information regarding stormwater management.

<u>Soil Erosion</u>: Any development on this site should include a soil erosion and sediment control plan. (See page 9)

<u>Building Limitations</u>: Soils at this site do contain limitations for dwellings with basements, dwellings without basements, and small commercial buildings. See page 12 and attached <u>Soils Tables</u> located on the final pages this report. All information is from the Soil Survey of DuPage County, Illinois.



Hydric Soils: There are hydric soils identified on this site. (See page 13)



LAND USE OPINION

Land Use Opinion: The most current natural resource data indicates the following concerns for this site: Floodplain, Soil Limitations, Soil Erosion and Sediment Control, and Stormwater Management. Based on the information in this report, it is the opinion of the Kane-DuPage Soil and Water Conservation District Board that this site is not suited for the proposed use unless the previously mentioned concerns are addressed.

SITE INSPECTION

A site inspection was conducted by Resource Assistant, Jennifer Shroder on September 26, 2017. The following photos were taken during this inspection and reflect the site conditions at that time.



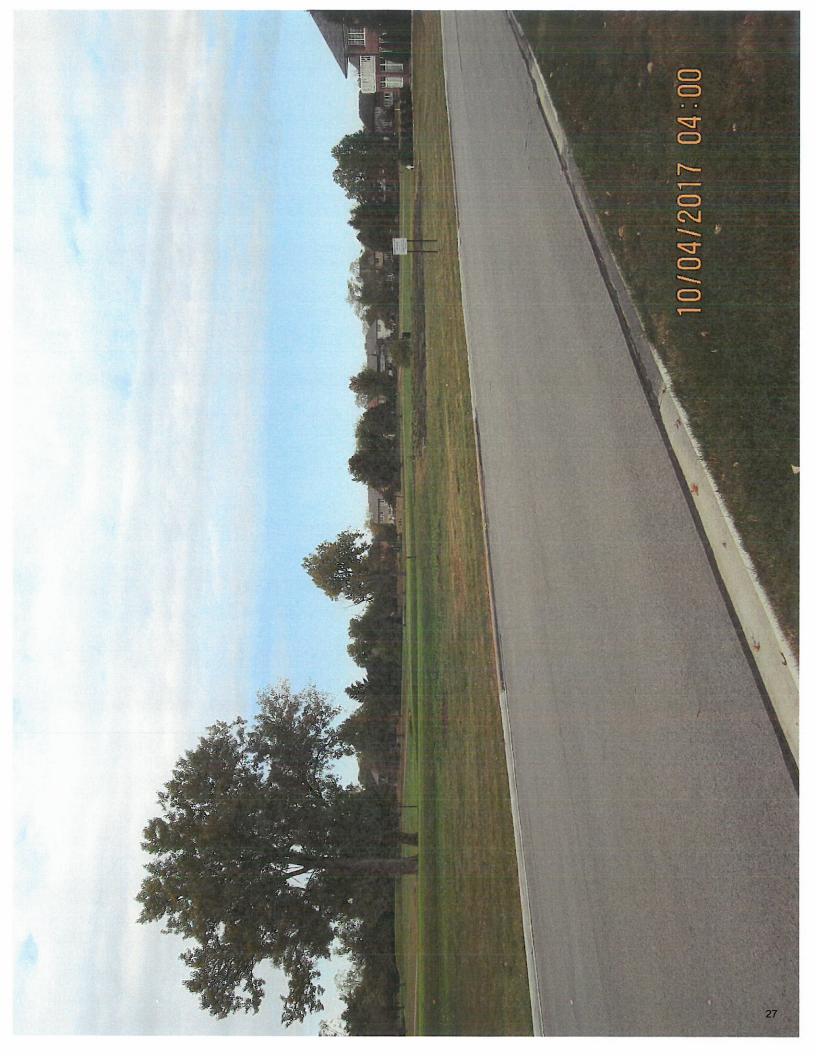
Carriage Greens / Carriage Way

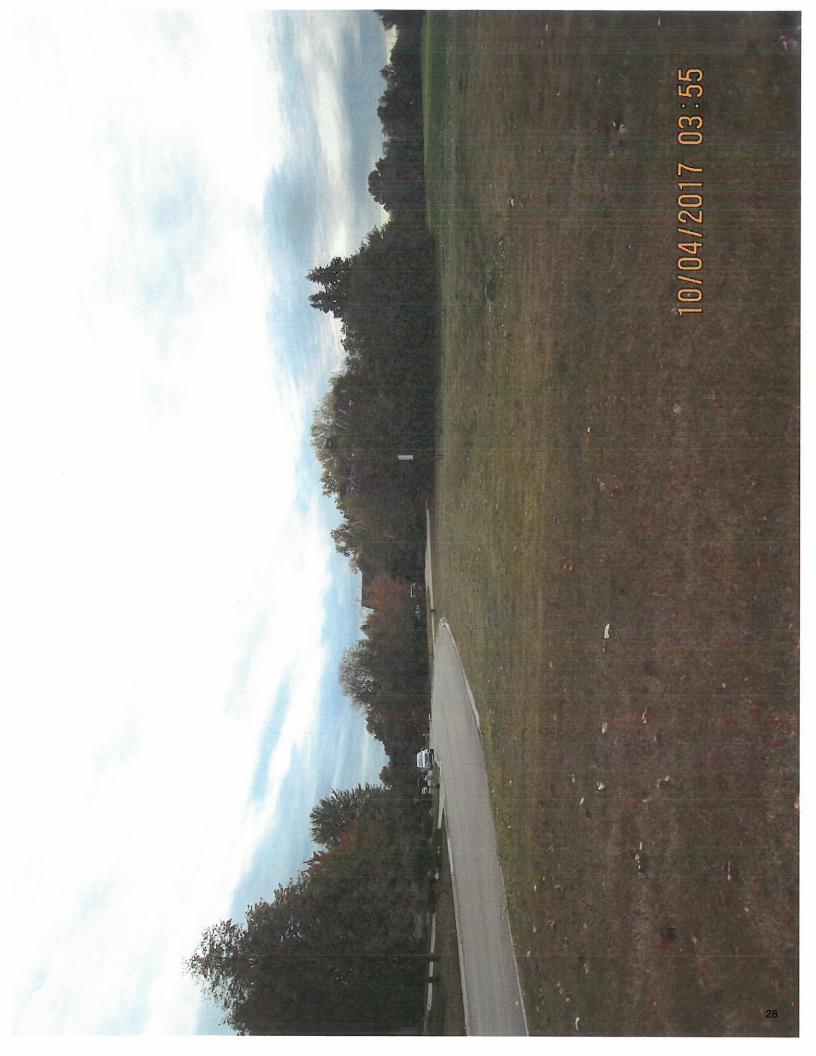
Development Ordinances

O-29-72	Pre-Annexation Agreement
O-30-72	Annexing Property
O-31-72	Zoning Property R-3 PUD
O-28-77	Extend Pre-Annexation Agreement
O-41-78	Repeal O-28-77
O-03-86	Plat for Unit 3 single family
O-30-86	Plat for Unit 4
O-04-87	Plat for Unit 3 multi-family
O-28-88	Plat for Unit 1A
O-12-15	Special Use for practice facility

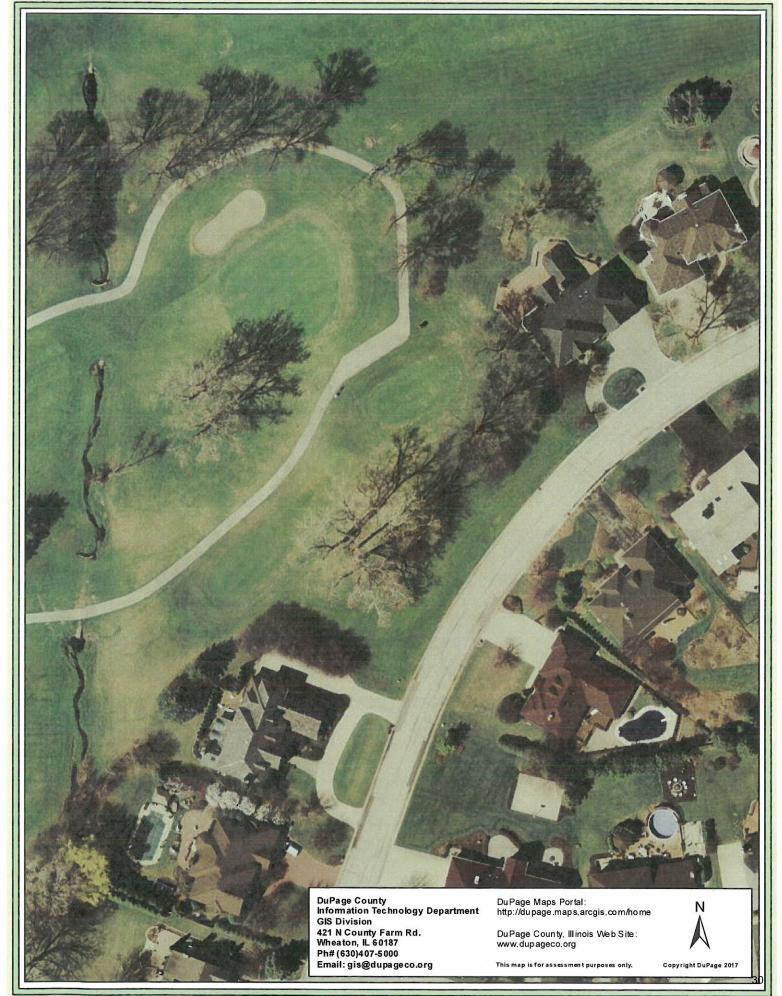
Development Standards Comparison

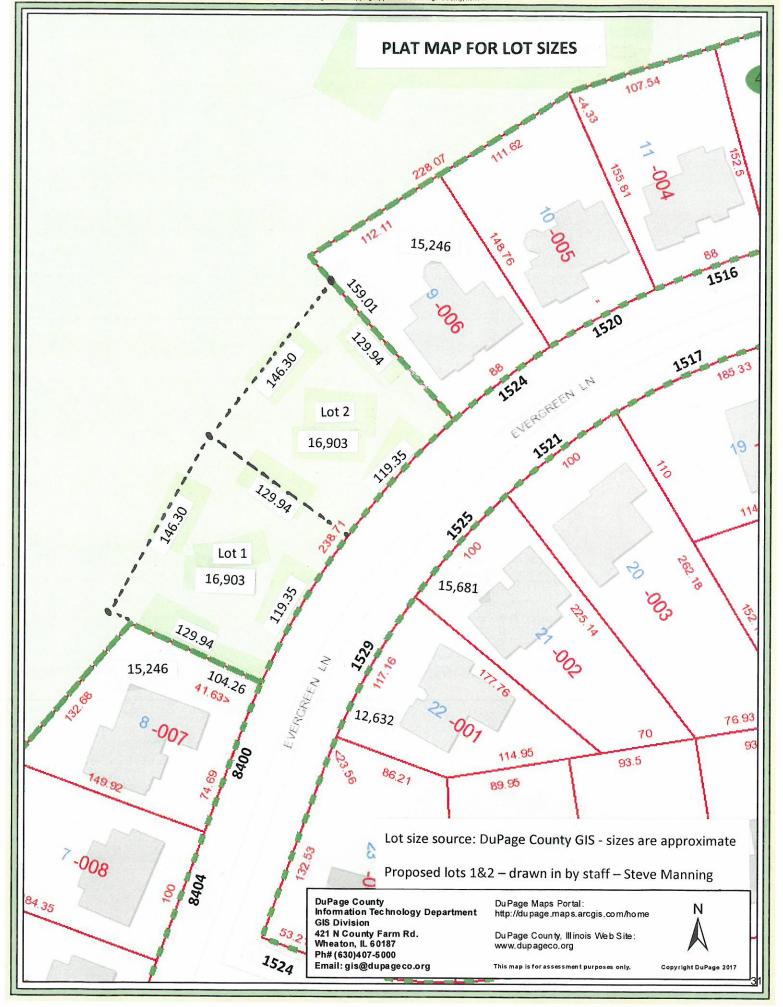
	PUD	<u>R-3</u>	Proposed
Lot size	12,000 sq.ft.	10,000 sq.ft.	16,903 sq. ft.
Lot width	85'	90'	119.35'
Lot depth	125'	100'	129.94'
Front yard		30'	30'
Side yard	10% of lot width = 8.5'	10'	10'
Rear yard	20% of lot depth = 25'	30'	30'













CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

October 6, 2017

City of Darien 1702 Plainfield Road Darien, Illinois 60561

Attention:

Steve Manning

Subject:

Carriage Way West Unit 6

(CBBEL Project No. 95-323H182)

Dear Steve:

As requested, we have reviewed the proposed engineering plans and final plat for the aforementioned project. The following documents were reviewed:

- Site and Improvement Plans Carriage Way West Unit 6 prepared by Ridgeline Consultants, LLC and dated September 19, 2017.
- Final Plat of Subdivision Carriage Greens Subdivision prepared by Ridgeline Consultants, LLC and dated August 31, 2016.

The following comments must be addressed before we can recommend approval:

ENGINEERING PLANS

- 1. The development name must match that on the Final Plat.
- 2. On Sheet 4, the storm manhole in the front of Lot 1 that is noted to be adjusted must be replaced as the rim elevation will change by approximately four feet.
- Modify the relocated storm sewer on the south side of Lot 1 to only be on Lot 1, with a new manhole on the existing storm sewer. This will avoid construction on the neighboring lot.
- 4. Add a note to Sheet 4 that the proposed water and sewer services are to be installed with the construction of homes on each lot.
- 5. Provide a seed mix or/or plant list for the compensatory storage area on Lot 3 (golf course).
- 6. On Sheet 6, specify that the storm grates have a "Drains to Waterway" emblem.
- 7. A Stormwater Submittal for the development must be provided.

8. Since the project impacts floodplain and wetlands, provide documentation in the Stormwater Submittal that DuPage County has granted approval.

FINAL PLAT

- 1. Show that the western seven feet of Lot 3 adjacent to Bailey Road is to be dedicated to the City of Darien for Bailey Road right of way so that the right of way width matches Lots 9 and 14.
- 2. Add a note that Lot 3 contains regulatory floodplain and wetlands and that any land disturbing activity requires permits from the appropriate regulatory agencies.

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

Sincerely,

Daniel L. Lynch, PE, CFM

Head, Municipal Engineering Department

Cc: Dan Gombac - City of Darian

Steven Manning

From:

Dan Gombac

Sent:

Wednesday, October 11, 2017 9:34 AM

To:

Glen M

Cc:

Steven Manning; John Murphey (JMurphey@rmcj.com); Joe Marchese; Bryon Vana;

Kathy Weaver (Kathy_Weaver@AJG.com)

Subject:

RE: Case 2017-04-Evergreen Resub

Good morning Glen,

While we appreciate you forwarding the covenants for the Carriage Way West Subdivision, the City will not review them. We would suggest that the covenants be forwarded to the developer's attorney and owner of the proposed development. We would also request that you engage in a conversation with them regarding being part of the HOA. Again, the City will not enforce any HOA covenants.

Steve, share this correspondence with the PZC Members.

Daniel Gombac

Director of Municipal Services

630-353-8106

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From: Steven Manning

Sent: Wednesday, October 11, 2017 9:25 AM

To: Glen M <<u>glenalan29@gmail.com</u>>
Co: Dan Gombac <<u>dgombac@darienil.gov</u>>

Subject: RE: Case 2017-04

Glen.

My supervisor has some questions for you. See attached. Please contact him. Thanks.

Steve Manning

City Planner, AICP

630-353-8113, smanning@darienil.gov



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

See our electronic newsletter **DARIEN DIRECT CONNECT** at http://www.darien.il.us/Reference-Desk/DirectConnect.aspx

From: Glen M [mailto:glenalan29@gmail.com]
Sent: Wednesday, October 11, 2017 9:11 AM

To: Steven Manning

Subject: Re: Case 2017-04

Hi Steven. I am putting together a PDF file for you of the restrictive covenants and will send this afternoon.

Glen

Sent from my iPhone

On Oct 10, 2017, at 9:32 AM, Steven Manning < smanning@darienil.gov > wrote:

Glen,

Thanks for your letter. I have to make copies for the Planning and Zoning Commission. We will try to answer all questions at the hearing. I hope you can attend. In the meantime, would you send me a copy of the HOA covenants? Also, do you know if the covenants are recorded with the subject property title? Let me know how I can help.

Steve Manning

City Planner, AICP
630-353-8113, smanning@darienil.gov
<image001.png>
City of Darien, 1702 Plainfield Road, 60561, www.darienil.us, 630-852-5000
See our electronic newsletter **DARIEN DIRECT CONNECT** at http://www.darien.il.us/Reference-Desk/DirectConnect.aspx

From: Glen M [mailto:glenalan29@gmail.com]
Sent: Tuesday, October 10, 2017 9:16 AM
To: Steven Manning; Richard Marchese

Subject: Case 2017-04

Attached are my concerns and questions concerning the subdivision of pin 09-33-400-011 Case 2017-04 Hearing scheduled October 18.

PLease confirm receipt of this document.

Regards Glen Markowski

To Darien Planning and Zoning Commission

Subject Comments and Questions with regards to Case 2017-04

My name is Glen Markowski owner of property at 1521Evergreen Lane

My property is located adjacent to parcel 09-33-400-011. The parcel requesting subdivision in this case.

I would to register the following thoughts and questions with regards to this requested subdivions

First and foremost I object to the approval of this for the following reasons:

 The current vacant parcel has two major sewer drains which would have to relocated or removed. That would to add an already bad water drainage problem we have in front of that parcel.

Please call me regarding the perceived water problem at 630-353-8106 or email at dgombac@darienil.gov
The City is not aware of any bad water drainage problem.

2. Should the approval be granted what assurances to we have that the residences built would be of the same quality and statue of the existing homes. Anything less would result in a decrease to our home values.

While the City does not have architectural standards, the inquiry is a question for the developer.

3. Does the real estate agent and seller know there is an active association with rules and covenants in place.

The proposed subdivision is not part of your subdivision or association.

4. Does the real estate agent and seller know they have to give those guidelines to any potential buyer before the sale.

No Further comments

5. If for some reason those rules and guidelines do not apply here we could have a serious with people parking anything and everything in there driveways again lowering the value of our property.

Please clarify your comments regarding "anything".

6. We as buyers of our property were not informed and ended up in a major lawsuit with the real estate agency, agent and the title company. After six months of fighting I won all the cases and in fact had the agents license suspended for six months.

No Further comments

My concern is the lack of detail about what might happen after any sale should approval be granted. Those plans and details including the home owners association as well as the type of homes to be built should be detailed out and agreed to before the subdivision is approved.

The City is requesting the developer to provide detail regarding the aesthetics of the proposed homes directly to your attention.

Thank You Glen Markowsli 630 841 2933

Steven Manning

From:

Dan Gombac

Sent:

Wednesday, October 11, 2017 11:04 AM

To:

Richard Marchese

Cc:

Joe Marchese; glenalan29@gmail.com; kufmeister@comcast.net; Steven Manning; Kris

Throm; Daniel Lynch; Bryon Vana

Subject:

RE: Evergreen Ln Resub-Research

Good morning Richard,

As an update and follow up to our telephone conversation yesterday, the department is reviewing the following,

- 1. Existing sump pumps that are causing water to run in the curb line. Please note, there has been no signs of water running in the curb line for the last two days prior to the rain.
- 2. To clarify our recent conversation, you stated that the roadway floods temporarily at the existing storm sewer structures that front your home, 1525 Evergreen. The existing sewer is tied into the storm sewer that fronts the proposed lots on Evergreen. The storm sewer intercepts the three existing inlets on the proposed lots. The storm sewer then flows back to the south, adjacent to the golf course. This storm sewer does not tie into the Bailey Road. The department will be inspecting the existing storm sewer from Evergreen to the outfall location and review for blockages or any other deficient issues that may be related to the street flooding. During the rain event yesterday at approximately 7:00pm there was no water ponding at the structures. Please forward us any pictures regarding the past flooding.

We will keep all posted to our findings.

Sincerely,

Daniel Gombac Director of Municipal Services 630-353-8106

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From: Dan Gombac

Sent: Tuesday, October 10, 2017 2:59 PM

To: 'Richard Marchese' <rmarc7828@aol.com>; 'Daniel Lynch' <dlynch@cbbel.com>

Cc: Joe Marchese < jmarchese@darienil.gov>; glenalan29@gmail.com; kufmeister@comcast.net; Steven Manning

<smanning@darienil.gov>; Kris Throm <kthrom@darienil.gov>
Subject: RE: Evergreen Ln Resub-Research

Richard,

Please see my comment below, Dan please confirm my statement below regarding detention.

Sincerely,

Daniel Gombac Director of Municipal Services 630-353-8106

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http://www.darien.il.us/Departments/Administration/CityNews.html

From: Richard Marchese [mailto:rmarc7828@aol.com]

Sent: Tuesday, October 10, 2017 2:00 PM

To: Steven Manning < smanning@darienil.gov >; Dan Gombac < dgombac@darienil.gov >

Cc: Joe Marchese < imarchese@darienil.gov >; Maria Gonzalez < mgonzalez@darienil.gov >; glenalan29@gmail.com;

kufmeister@comcast.net

Subject: Re: Evergreen Ln Resub-Research

Hello Steve.

Regarding case #2017-04 what exactly is be rezoned. Your notification letter say split one lot into two lots. Is that what is meant by rezoning?

Can you explain why lot having PIN# 09-33-400-011 was left vacant for 30 years while homes were built all around it?

The property is currently part of the golf course, thus the rezoning consideration.

As near as I can tell there are remaining flooding issues and that land was designated for retention.

The City has no records on file that the two lots were designed as detention. The existing three storm sewers on the property collect storm water from the depressions and flows to Evergreen and to Bailey.

I would appreciate your insight.

Thank you,

Rich

Richard Marchese

City of Darien

Citizen Planner Workshop

September 20, 2017

HIGHLIGHTS

Attending were Ted Belzcak, Joanne Ragona, Lou Mallers, Bob Cortez, Bryan Gay, Andrew Kelly, John Laratta, Brian Liedtke, and Steve Manning.

Laurie Marston and Carrie Davis of Chaddick Institute of DePaul University gave a generic overview of planning history, plan contents, regulatory authority, roles, and procedures. Their 'Introduction to Zoning' summary pages and power point presentation are available.

There were several topics of group discussion.

- Periodic review of the Comprehensive Plan is a good idea so that the community can
 evaluate whether it is time to update the plan in response to changing demographics,
 opportunities, problems, and goals. The process of updating the plan can be educational,
 motivational, giving more people a way to contribute, create new solutions, and generate
 consensus on improvement projects.
- The Planning and Zoning Commission and City Council have essential roles:
 - Seek input from all vested interests and consider all points of view
 - Rigorously analyze all issues, critique all claims, explore all alternatives
 - Recommend innovative solutions
 - Provide transparency to show that decisions are impartial and defensible
 - Consider the bigger picture the long-range impact on the community
- Making "Findings of Fact" when reviewing development is essential to good government:
 - Get hard facts from petitioner, staff, consultants, others to substantiate opinions
 - Agree on rational nexus explain how the facts and opinions supports your vote
- Zoning and other codes can be powerful tools to implement plans, if used properly:
 - Do periodic reviews to keep standards high, especially variation and special use
 - Training on public hearing procedures was requested.

MINUTES CITY OF DARIEN PLANNING & ZONING COMMISSION MEETING June 7, 2017

PRESENT: Chairperson Lou Mallers, Robert Cortez, Robert Erickson, Bryan Gay, John

Laratta, Ray Mielkus, Steven Manning - City Planner

ABSENT: Brian Liedtke, Andrew Kelly

OTHER: Alderman Sylvia McIvor

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

A. Public Hearing (continued) Case: PZC 2017-02 - 620 Wilton Court (Schimel) Petitioners Ted and Diane Schimel, owners of the house at 7620 Wilton Court, seek approval of a variation to Section 5A-5-11 (A) of the Darien Zoning Code to allow storage of their boat in their front yard.

Mr. Steven Manning, City Planner reported that the petitioners Ted and Diane Schimel have been parking their boat in their front driveway which is not permitted by Code. He reported that the petitioners decided to change the requested variation to the front yard.

Mr. Manning reported that the petitioners brought in a letter which was included in the board packet. He further reported that there was much discussion regarding "grandfathering" and that per the City Attorney grandfathering is only considered for buildings or structures and not a boat.

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

The petitioners Ted and Diane Schimel stated that Alderman McIvor advised them wait to speak until after discussion.

Alderman Sylvia McIvor stated that she was not advising one way or the other but that she was present as a resident and Alderman and that she is not an attorney.

Mr. Schimel stated that their neighbors prefer to have the boat stored on the driveway instead of disturbing the neighbors. He stated that they were under the impression that the City preferred their first petition and that they did not know that they had any options. Mrs. Schimel stated that their close neighbors petitioned all the neighbors within 220 feet and that there were 25-30 residents who preferred to see the boat stored on the driveway. She stated that the two who organized the petition were at the last hearing.

Sylvia McIvor stated that she was the Alderman in the Ward and that she has been Alderman since the first time they were cited. She asked the Committee for a show of hands of those who walked the property.

Alderman McIvor presented a packet of materials to the Committee showing Google Earth maps and several other photos showing the neighbor homes to the right and illustrating the logistics of the land. She further presented a photo showing that the other side where the boat is parked is "dicey" and that there is a significant elevation change and that a variation would also be needed to put the boat in the side yard.

Alderman McIvor stated that if the petitioners put the boat on the side yard with the significant elevation change and because the properties are tight, that the boat would be taller than the neighbor's windows. She provided two other photos showing the suggested previous variation request with driveway cut. She pointed out that the house where it sits is the highest point.

Alderman McIvor stated that the conditions need to be looked at. She stated that the Schimel's property is like a corner lot and that there are not a lot of options for storage. She questioned if staff received any correspondence for this hearing.

Mr. Manning stated that he did not receive any correspondence for this hearing.

Alderman McIvor stated that she was not an attorney and that she is not supporting or rejecting but rather trying to portray what is there. She stated that she sees a hardship and that the petitioner's purchased the boat before an ordinance was in place.

Commissioner Gay questioned when the boat was purchased.

Mrs. Schimel stated that the boat was purchased in August 2004 and that the boat only has 700 hours. She stated that the boat is in good condition and that it was not used for a while because of her husband's health.

Commissioner Gay questioned if this would be transferrable to the next property owner.

Mr. Manning reported that it will be transferrable unless there is specific conditions stated in the motion.

Commissioner Gay stated that a recreational vehicle can be just about anything and that he was concerned with this wording.

Mr. Manning reported on options for placing the boat on the side but stated that a variation would still be needed. He also stated that they may have to elevate one side of the driveway 1-3 feet above grade.

Chairperson Mallers stated that moving the driveway back would have to match what is currently there and make the driveway the same but putting it back where it is would not be visibly seen.

Mr. Manning stated that he received some correspondence from neighbors for previous nearing including one in favor and 1 against front yard storage. He stated that there was testimony that there were 25-30 neighbors in favor but there is no information to back it up.

Alderman McIvor stated that the minutes from the last meeting indicated that there were two neighbors stating that they would like the boat to stay where it is.

Alderman McIvor stated that the petitioner followed the public hearing process and that everything was done to notify the neighbors.

Mrs. Schimel questioned if Mr. Manning had a copy of an email from the neighbor to Dan Gombac.

Mr. Manning stated that he received the correspondence but did not have it with him.

Alderman McIvor also stated that she received a letter and questioned why this is even being talked about.

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

Commissioner Mielkus made a motion recommending approval to the City Council of PZC 2017-02 7620 Wilton Court a variation to Section 5A-5-11 (A) of the Darien Zoning Code to allow storage of a boat in front yard driveway with the following conditions:

- 1. Petition of support from adjacent property owners supporting that the boat be placed in the driveway;
- 2. Boat may remain parked in the driveway until such time the property is sold or the Schimel's no longer reside at 7620 Wilton Court.

There was discussion and no one seconded the motion.

Chairperson Mallers declared the motion dead.

Commissioner Laratta stated that a petition from the neighbors is not necessary. He stated that the public hearing process was followed and that the petitioners have been before the Committee twice.

Chairperson Mallers stated that the PZC represents the community and that there has been communication both for and against the petition.

Commissioner Erickson stated that the hardship is there.

Commissioner Cortez stated that if there were issues the room would be packed.

Alderman McIvor stated that all of the residents were contacted and that the public hearing notification was followed.

Commissioner Gay made a motion and it was seconded by Commissioner Laratta recommending approval to the City Council of PZC 2017-02 7620 Wilton Court a variation to Section 5A-5-11 (A) of the Darien Zoning Code to allow storage of a boat only on their front driveway with the following conditions:

- 1. Variation is specific to the property owners;
- 2. Variation is null and void when the Schimel's sell the property, sell the boat or no longer reside at 7620 Wilton Court.

Mr. Manning sited the five standards for variances in the City of Darien and three standards for variations in the State of Illinois. He stated that the motion needs to show how they comply with the standards.

Alderman McIvor stated that the staff review contents on page 2 second paragraph show approval for boat storage in the front yard on 5/30/17. She questioned why this was different than a driveway?

Commissioner Gay stated that the petition on 5/30/17 was a side yard and it was stored the same amount of time. He stated that there was existing screening and it was stored on an unpaved pad. He further stated that it would be much easier if the petitioner stored his boat off site but that the boat has been stored there for 13 years and is in the character of the property. He also stated that the elevation provides unique circumstances.

Commissioner Gay made a motion and it was seconded by Commissioner Laratta that based on the standards and conditions set forth by the City of Darien on Standard 5 "whether the proposed variation will adversely alter the essential character of the neighborhood" as well as conditions 1,2, and 3, that this request meets those standards and would not alter the essential character of the location and recommend approval of variation PZC 2017-02 7620 Wilton Court - Ted and Diane Schimel 5A-5-11 (A) of the Darien Zoning Code to allow storage to specifically store a boat and boat only in the front yard and that this variation be allowed only for the Schimel's residing at 7620 Wilton Ct. or when they own or store the boat on this property.

Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 6-0.

Mr. Manning reported that this would be forwarded to the Municipal Services Committee on June 26th at 6:30 pm.

CORRESPONDENCE

None.

OLD BUSINESS

Mr. Manning reported that the Carmelite property will be receiving their building permit in the next couple of weeks.

NEW BUSINESS

None.

APPROVAL OF MINUTES

Commissioner Erickson made a motion and it was seconded by Commissioner Mielkus to approve the May 3, 2017 Regular Meeting Minutes.

Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 6-0.

NEXT MEETING

Chairperson Mallers announced that the next meeting is scheduled for Wednesday, June 21, 2017 at 7:00 p.m.

ADJOURNMENT

With no further business before the Commission, Commissioner Gay made a motion and it was seconded by Commissioner Cortez. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:05 p.m.

RESPECTFULLY SUBMITTED:	APPROVED:	
Elizabeth Lahey	Lou Mallers	
Secretary	Chairman	