

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
November 16, 2022**

PRESENT: Lou Mallers – Chairperson, Bryan Gay, Hilda Gonzalez, Chris Jackson, Julie Kasprowicz, Ralph Stompanato

ABSENT: Robert Erickson, Shari Gillespie

OTHERS: Jordan Yanke - City Planner

Chairperson Lou 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 and swore in the audience members wishing to present public testimony.

REGULAR MEETING/NEW BUSINESS

- a. Public Hearing – PZC 2022-03 (REVISED FROM 09/07/2022) – 8431 Wilmette Avenue – Special Use Amendment & Variation Petitioner Art Cano seeks approval for an amendment to a Special Use and Variation request from Section 5A-7-3-5(D) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of two (2) studio apartments inside an existing apartment building.**

Mr. Jordan Yanke, City Planner reported that this is a revised application and that the petitioner has proposed a remodel to the building's lower-level storage area into two additional studio/efficiency apartments. He reported that the two additional units would result in seven units total throughout the building's three floors, and the increase in dwelling units requires an amendment to the existing special use for the site.

Mr. Yanke reported that the proposal does not meet the Minimum Land Area per Dwelling Unit provision and the zoning code requires a minimum of 27,500 square feet in land area for the site given the type and number of units proposed. He further reported that the property is 17,706 square feet according to the plat of survey and that the existing conditions, such as building setbacks, parking setbacks, and lot coverage will not be altered and are allowed to remain. Mr. Yanke reported that the site contains the required number of parking spaces for the proposed number of units and that the code specifies a ratio of 2 spaces per dwelling unit.

Mr. Art Cano, petitioner stated that he has revised his plan from three 500 square foot apartments to two 750 square foot apartments which complies with the zoning ordinance.

Commissioner Chris Jackson questioned if the rent would remain the same.

Mr. Cano stated that the cost will be adjusted accordingly.

Chairperson Mallers questioned when the petitioner plans to begin construction.

Mr. Cano stated that he would be out the country until March but that they would complete the permit and drawings by January.

Commissioner Jackson asked about the window wells and if there would be a cover. He stated that he was concerned and that he would like there to be some ventilation.

Mr. Cano stated that the window wells will have a cover and that the code has strict requirements.

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

Commissioner Gay made a motion, and it was seconded by Commissioner Jackson to approve PZC 2022-03 – 8431 Wilmette Avenue – Special Use Amendment & Variation for an amendment to a Special Use and Variation request from Section 5A-7-3-5(D) of the Zoning Ordinance with the following condition:

- 1. Project shall comply with applicable building and fire codes. The window wells and/or covers shall not impede proper airflow and circulation from the basement dwellings to the outside.**

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

- b. Public Hearing – PZC2022-06 – 2019 75TH Street – Special Use Amendment & Variation Petitioner Joe Fontana (Fry the Coop) seeks approval for an amendment to a Special Use and Variation request from Section 4-3-10(B)(2) of the Sign Code. The petition specifically requests to allow for outdoor seating/dining and wall signage on a second building front for a new eating establishment.**

Mr. Jordan Yanke, City Planner reported that the subject property is located on the south side of 75th Street, just west of Fairview Avenue. He reported that the existing building was formerly a Steak 'n Shake restaurant with a drive-through, but the site has been vacant for a few years. Mr. Yanke reported that the petitioner is opening a new restaurant (Fry the Coop) by repurposing the building and has requested an amendment to the original special use ordinance that authorized Steak 'n Shake but restricted outdoor seating/dining. He also reported that the original ordinance also restricted wall signs on any building front that does not face 75th Street.

Mr. Yanke reported that the petitioner is proposing an outdoor seating/dining area and a wall sign on the west side of the building facing Home Depot. He reported that with the amendment request, the petitioner must also receive a variance from the City's Sign Code to allow a wall sign on a second building front that is a non-street front.

Mr. Joe Fontana, petitioner stated that he is honored to be opening in Darien. He stated that they updated the façade and presently have no plans to open an outdoor patio. He further stated that they would like to add in garage doors with a small patio in the next five years.

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

Mr. Eric Gustafson, Alderman, City of Darien stated that the location is in his Ward and that it will be a great addition to the City. He stated that Mr. Fontana is going to decorate with photos from the historical society with a goal to connect to the youth. He further stated that the sign will be in a perfect spot and that he strongly supports the proposal.

A resident in the room asked if the petitioner would be removing any trees.

Mr. Fontana stated that they had no plans to remove the trees.

Commissioner Julie Kasprovicz questioned if any homes could see the sign and asked about the hours of operation and if the sign would remain on.

Mr. Yanke reported that there are no homes that will be impacted by the sign. He reported that they will close at 9:00 p.m. and that the sign will remain off from 11:00 p.m. – 7:00 a.m.

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

Commissioner Gay made a motion, and it was seconded by Commissioner Gonzalez to approve PZC 2022-06 – 2019 75th Street an amendment to a Special Use and Variation request from Section 4-3-10(B)(2) of the Sign Code and to allow for outdoor seating/dining and wall signage on a second building front for a new eating establishment.

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

**c. Public Hearing – PZC2022-07 –3480 Drover Lane – Variation
Petitioner Jon Prepelica seeks approval of a Variation from City Code Section 5A-7-2-6(A) of the Zoning Ordinance. The petition specifically requests to allow for an addition to an existing single-family residence, with the addition being a sunroom. Property is located within the R-2 Single-Family Residence Zoning**

Mr. Jordan Yanke, City Planner reported that the subject property was platted in 1978 and is part of Gallagher and Henry's Farmingdale Village Unit 6 Subdivision. He reported that the parcel is improved with a single-family residence and unenclosed deck in the rear yard.

Mr. Yanke reported that the petitioner is proposing a sunroom addition on the rear part of the residence where the deck is currently located. He reported that the residence maintains an approximate 30' distance from the rear property line while the existing deck appears to be slightly under 15' from the rear lot line. He reported that the proposed sunroom would replace the deck and have a setback of 15' from the rear lot line according to the site plan.

Mr. Yanke reported that he did not hear from any residents but did receive one inquiry from the neighbor to the south but no issues.

Mr. Jon Prepelica, petitioner stated that he was proposing a sunroom.

Commissioner Julie Kasprovicz questioned if there was any other location to build.

Mr. Yanke reported that there is no other good location. given the history and it is in a tough spot.

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

Mr. Eric Gustafson, Alderman, City of Darien stated that this is an improvement to the home and the neighborhood.

Commissioner Kasprovicz made a motion and it was seconded by Commissioner Jackson approval of PZC 2022-07 –3480 Drover Lane – Variation from City Code Section 5A-7-2-6(A) of the Zoning Ordinance to allow for an addition to an existing single-family residence, with the addition being a sunroom.

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

STAFF UPDATES AND CORRESPONDENCE

Mr. Jordan Yanke reported that the Council approved the Key Development Areas.

APPROVAL OF THE MINUTES

Commissioner Gonzalez made a motion and it was seconded by Commissioner Kasprovicz to approve the September 21, 2022 Regular Meeting Minutes.

Upon roll call vote, the motion CARRIED UNANIMOUSLY 6-0. Commissioner Stompanato abstained.

NEXT MEETING

Chairperson Lou Mallers announced that the next meeting is scheduled for Wednesday, December 7, 2022 at 7:00 p.m.

PUBLIC COMMENTS ON 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 Gay made a motion and it was seconded by Commissioner Stompanato to adjourn the meeting.

Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7:52 p.m.

RESPECTFULLY SUBMITTED:

Elizabeth Lahey
Secretary

APPROVED:

Lou Mallers
Chairman