

**MINUTES CITY OF DARIEN**  
**PLANNING & ZONING COMMISSION MEETING**

**Wednesday, August 16, 2023**

**PRESENT:** Lou Mallers – Chairperson, Shari Gillespie, Chris Green, Chris Jackson, John Johnson, Julie Kasprowicz

**ABSENT:** Robert Erickson, Bryan Gay, Hilda Gonzalez

**OTHERS:** Jordan Yanke - City Planner

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

**Regular Meeting – New Business**

- a. **Public Hearing – PZC2023-05 O’Brien Text Amendment & Special Use Petition from Stephen O’Brien requesting the following: 1) Zoning Text Amendment to Section 5A-9-3-4 of the Zoning Ordinance listing “motor vehicle sales” as a special use within the Office, Research, and Light Industry (OR&I) Zoning District; and 2) Special use approval for motor vehicle sales within the Office, Research, and Light Industry (OR&I) Zoning District.**

Mr. Jordan Yanke, City Planner reported that the subject property is located off Wilmette Avenue, and it is less than one acre in size and is zoned Office, Research, and Light Industry (OR&I). He reported that the property contains a longstanding industrial building housing multiple tenants and that the petitioner would occupy two of the existing tenant spaces totaling 4,000 square feet in floor area.

Mr. Yanke reported that the space is currently occupied by an auto repair/body shop, including a paint booth, which was authorized via a zoning text amendment and special use approved in 2016. He reported that a condition tied to these approvals requires all auto repair activity and vehicles to be within the building. He further reported that the petitioner has proposed adding motor vehicle sales as part of the overall business operation on site.

Mr. Yanke reported that while the sales activity would be limited in nature, the zoning ordinance does not permit any type of vehicle sales within the OR&I District. He reported that this will require a text amendment to allow motor vehicles sales and a special use within the OR&I District.

The petitioner, Mr. Stephen O'Brien stated that his business model is to purchase insurance company total loss vehicles and repair and put in show room for sale. He stated that he advertises on Ebay and the internet and that he hopes to sell 4 cars a month. He further stated that the State of Illinois requirements are noted on page 20 of the packet.

Mr. O'Brien stated that the two building owners were present and that there will be two different businesses with three different licenses which are a repairer license, rebuilders license, used car sales license. Cars are new vehicles.

Chairperson Lou Mallers questioned if there will a lot of build out needed.

The petitioner stated that he would be doing some painting.

Commissioner Julie Kasprowicz questioned the purpose of not having sales.

Mr. Yanke reported that the 2016 ORI was always meant for an office/light industry District. He reported that giving the existing building and the use that the City was more comfortable with reviewing every petition to the City.

Commissioner Kasprowicz asked how many cars the area can fit and if he will be changing signage.

The petitioner stated that they plan on having 5 cars but could have up to 7. He stated that he will have signage on the windows and if the purchaser choses to test drive they can.

Commissioner Jackson questioned if buyers know about the sales via the internet and if it is by appointment only.

The petitioner stated that he advertises through Ebay, Autotrader.com, Cars.com. He stated that a warranty can also be purchased.

Mr. James Akerns, Willowbrook, building owner stated that the previous business did the same thing except for sales and that there were never any issues.

Commissioner Jackson questioned if there are any environmental issues.

The petitioner stated that there are no environmental issues and that the building is set up for this type of business. He stated that the building is has been sprinklered since it was built.

Commissioner Kasprowicz questioned how many tenants are in the building?

The petitioner stated that there is presently one tenant and that he occupies the other half for his business. He stated that the one tenant does not have any objection to the new business.

Mr. Yanke reported that he researched and found that the Burr Ridge district is similar to the total operation and they have strict restrictions and what the City's OR&I has in place.

Commissioner Jackson questioned if motor vehicle sales are allowed in Darien.

Mr. Yanke reported that it is allowed in B-2 and B-3.

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

**Commissioner Jackson made a motion, and it was seconded by Commissioner Gillespie to continue Public Hearing – PZC2023-05 O'Brien Text Amendment & Special Use Petition from Stephen O'Brien requesting the following: 1) Zoning Text Amendment to Section 5A-9-3-4 of the Zoning Ordinance listing "motor vehicle sales" as a special use within the Office, Research, and Light Industry (OR&I) Zoning District; and 2) Special use approval for motor vehicle sales within the Office, Research, and Light Industry (OR&I) Zoning District and for staff to do research review and definitions of use that may be conducive to better streamline the review process.**

**Upon voice vote, the MOTION carried unanimously 6-0.**

**b. Public Hearing – PZC2023-06 Mixed-Use District Text Amendment Petition from the City of Darien to amend the Zoning Ordinance (i.e., Text Amendment) to create a Mixed-Use Zoning District.**

Mr. Jordan Yanke, City Planner reported that the City Council held its annual goal-setting session and that some of the meeting focused on the City's zoning ordinance and its current list of permitted/special uses in the business, office, and industrial districts. He reported that during the focus session the City Council pointed to the fact the zoning ordinance does not include a mixed-use district.

Mr. Yanke reported that the City Council directed staff to review the list of uses and create a mixed-use zoning district.

Mr. Yanke reported that staff developed the recommended ordinance revisions creating a mixed-use district to recommend the ordinance revisions to the Planning and Zoning Commission for a public hearing. He further reported that the Planning and Zoning Commission is to review and recommend on the mixed-use district ordinance provided per this agenda memo.

There was some discussion on how to go about reviewing. It was agreed that the PZC review the recommendations and report back to staff who will coordinate the comments for a future meeting.

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

Commissioner Jackson made a motion, and it was seconded by Commissioner Gillespie to continue to the next public hearing, Public Hearing – PZC2023-06 Mixed-Use District Text Amendment Petition from the City of Darien to amend the Zoning Ordinance (i.e., Text Amendment) to create a Mixed-Use Zoning District.

Upon voice vote, the MOTION carried unanimously 6-0.

**Staff Updates & Correspondence**

Mr. Jordan Yanke provided an update and timeline on the upcoming meetings.

**Minutes**

Commissioner Jackson made a motion, and it was seconded by Commissioner Gillespie to approve the June 7, 2023, Regular Meeting Minutes as amended changing “Alderman Kasprowicz to Commissioner Kasprowicz”.

Upon voice vote, THE MOTION CARRIED 6-0.

**Next Meeting**

Mr. Yanke announced that the next meeting is scheduled for September 6, 2023, at 7:00 p.m.

**Public Comments (On any topic related to Planning and Zoning)**

Mr. John Urubek was a resident in the meeting who was just interested in listening to the meeting.

**Adjournment**

With no further business before the Commission, Commissioner Gillespie made a motion, and it was seconded by Commissioner Kasprowicz. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 8:28 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

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Elizabeth Lahey  
Secretary

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Lou Mallers  
Chairperson