

CITY OF DARIEN TEMPORARY AMENDMENT TO CITY COUNCIL MEETING RULES FOR COMPLIANCE WITH ILLINOIS OPEN MEETINGS ACT:

- All elected officials may participate in a City Council meeting by way of audio or video conferencing.
- The public will be permitted to attend a city council meeting but the meeting room will be limited to five members of the public at one time and will be required to maintain social distancing rules.
- The public is encouraged to participate in City Council meetings by submitting questions and comments via email to Mayor Marchese at jmarchese@darienil.gov or City Administrator Bryon Vana at bvana@darienil.gov.
- Emails providing public comment shall be submitted prior to the start of the City Council meeting.

Emails asking questions relating to an agenda item will be accepted during the Council meeting through the conclusion of Agenda Item 14- Questions and Comments

PUBLIC HEARING — 7:00 P.M. — [2020-2021 BUDGET](#)

PRE-COUNCIL WORK SESSION — 7:00 P.M.

Agenda of the Regular Meeting

of the City Council of the

CITY OF DARIEN

April 6, 2020

7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Quorum
5. Questions, Comments and Announcements — **General (This is an opportunity for the public to [make comments or ask questions on any issue](#) – 3 Minute Limit Per Person, Additional Public Comment Period - Agenda Item 18)**
6. Approval of Minutes
 - A. Administrative/Finance Committee-of-the-Whole – [February 19, 2020](#)
 - B. Administrative/Finance Committee-of-the-Whole – [February 25, 2020](#)
 - C. Administrative/Finance Committee-of-the-Whole – [March 3, 2020](#)
 - D. City Council – [March 16, 2020](#)
7. Receiving of Communications

8. Mayor's Report
 - A. Census 2020 Update
 - B. COVID-19 Update
9. City Clerk's Report
10. City Administrator's Report
11. Department Head Information/Questions
 - A. Police Department
 - B. Municipal Services
12. Treasurer's Report
 - A. Warrant Number — [19-20-24](#)
13. Standing Committee Reports
14. Questions and Comments — **Agenda Related (This is an opportunity for the public to [make comments or ask questions on any item on the Council's Agenda](#) – 3 Minute Limit Per Person)**
15. Old Business
16. Consent Agenda
17. New Business
 - A. Consideration of a Motion to Approve [an Ordinance Granting a Special Use for an Eating Establishment](#) (PZC 2020-02, 7516 South Cass Avenue, Ste 25B Brookhaven Plaza Shopping Center, Carla's Red Hot Restaurant)
 - B. Consideration of a [Motion to Direct Staff to Initiate Procedures for the Annexation of 973 75th Street and Adjacent Utility Easement](#) (PINs 09-29-301-009, 09-29-301-020)
18. Questions, Comments and Announcements — **General (This is an opportunity for the public to [make comments or ask questions on any issue](#) – 3 Minute Limit Per Person)**
19. Adjournment

City of Darien

Minutes of the Administrative/Finance Committee of the Whole Budget Meeting February 19, 2020

The Meeting was called to order by Chairwoman/Alderswoman Sullivan at 6:30 pm. Other council members in attendance included Mayor Marchese, Alderspersons Belczak, Vaughan, Chlystek, Gustafson, Kenny, and Schauer.

Others present included City Treasurer Mike Coren, City Clerk Joanne Ragona, City Administrator Bryon Vana, Director of Municipal Services Dan Gombac, and Municipal Services Superintendent Kris Thom.

1 FYE 4-30-21 Budget Review

Alderswoman Sullivan began by providing an overview of the FYE 4-30-20 budget, associated dates of future meetings, and reviewed the purpose of the general fund. Administrator Vana reviewed the revenue estimates for the general fund and explained how the estimated are determined. Treasurer Coren then provided an overview of the 3-year budget forecast focusing on the general numbers and trends. Prior to reviewing the department expense budgets Administrator Vana advised he would keep a list of the ongoing changes and modification from the budget meetings and distribute those after the budget review has been finished. The discussion included the council, administrative, and community development budgets and any revisions were noted for future reference.

Adjournment - The meeting adjourned at 9:16pm

Mayor

City Clerk

City of Darien
Minutes of the Administrative/Finance Committee of the Whole
Budget Meeting
February 25, 2020

The Meeting was called to order by Chairwoman/Alderswoman Sullivan at 6:30 pm. Other council members in attendance included Mayor Marchese, Alderspersons Belczak, Vaughan, Chlystek, Gustafson, Kenny, and Schauer.

Others present included City Treasurer Mike Coren, City Administrator Bryon Vana, Director of Municipal Services Dan Gombac, and Municipal Services Superintendent Kris Throm and Police Chief Thomas.

1 FYE 4-30-21 Budget Review

Alderswoman Sullivan began by providing an outline of topics to be discussed this evening and provided a recap of the previous meeting. Prior to reviewing the department expense budgets Administrator Vana advised he would keep a list of the ongoing changes and modification from the budget meetings and distribute those after the budget review has been finished. The discussion included the police, municipal services budgets and any revisions were noted for future reference. Administrator Vana distributed documents for the next meeting

Adjournment - The meeting adjourned at 10:19pm

Mayor

City Clerk

City of Darien

Minutes of the Administrative/Finance Committee of the Whole

Budget meeting

March 3, 2020

The Meeting was called to order by Chairwoman/Alderswoman Sullivan at 6:30 pm. Other council members in attendance included Mayor Marchese, Alderspersons Belczak, Vaughan, Chlystek, Gustafson, Kenny, and Schauer.

Others present included City Treasurer Mike Coren, City Clerk Joanne Ragona, City Administrator Bryon Vana, Director of Municipal Services Dan Gombac, and Municipal Services Superintendent Kris Thom.

1 FYE 4-30-21 Budget Review

Alderswoman Sullivan began by providing an outline of topics to be discussed this evening and provided a recap of the previous meeting. Prior to reviewing the department expense budgets, Administrator Vana advised he would keep a list of the ongoing changes and modification from the budget meetings and distribute those after the budget review has been finished. The discussion included a presentation by Thomas Szurgot of the architect firm Tria Architecture INC. regarding options for the public works building, the completion of the municipal services, water division and other special revenue budgets. The budget meeting concluded this evening and Administrator Vana will distributed a list of changes and revisions in preparation for the formal approval

Adjournment - The meeting adjourned at 9:09pm

Mayor

City Clerk

A WORK SESSION WAS CALLED TO ORDER AT 7:01 P.M. BY MAYOR MARCHESE FOR THE PURPOSE OF REVIEWING ITEMS ON THE MARCH 16, 2020 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:21 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

March 16, 2020

7:30 P.M.

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:30 P.M. by Mayor Marchese.

2. **PLEDGE OF ALLEGIANCE**

Mayor Marchese led the Council and audience in the Pledge of Allegiance.

3. **ROLL CALL** — The Roll Call of Aldermen by Clerk Ragona was as follows:

| | | |
|----------|-------------------|---------------------------------|
| Present: | Thomas J. Belczak | Mary Coyle Sullivan (via phone) |
| | Eric K. Gustafson | Lester Vaughan |
| | Joseph A. Kenny | |

| | |
|---------|--------------------|
| Absent: | Thomas M. Chlystek |
| | Ted V. Schauer |

Also in Attendance: Joseph Marchese, Mayor
JoAnne E. Ragona, City Clerk
Michael J. Coren, City Treasurer
Bryon D. Vana, City Administrator
Gregory Thomas, Police Chief
Daniel Gombac, Director of Municipal Services

4. **DECLARATION OF A QUORUM** — There being five aldermen present, Mayor Marchese declared a quorum.

B. CORONAVIRUS UPDATE

Mayor Marchese provided the following update:

- Urged residents to view video and read Mayor’s letter for latest information in mitigating the coronavirus.
- Reiterated information regarding:
 - City Hall hours
 - Depository box available for bill payments
 - Social distancing
 - Volunteerism
 - Comcast policies
 - Communication Channels

9. **CITY CLERK’S REPORT**

There was no report.

10. **CITY ADMINISTRATOR’S REPORT**

There was no report.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

A. POLICE DEPARTMENT – MONTHLY REPORT – FEBRUARY 2020 – DELAYED

B. POLICE DEPARTMENT – 2019 ANNUAL REPORT – DELAYED

Chief Thomas reviewed the Police Department procedures enacted in response to the coronavirus.

C. MUNICIPAL SERVICES

Director Gombac commented on water shut-offs, meter installations, employee social distancing and Sanitary District.

12. **TREASURER’S REPORT**

A. WARRANT NUMBER 19-20-23

It was moved by Alderman Vaughan and seconded by Alderman Kenny to approve payment of Warrant Number 19-20-23 in the amount of \$481,519.38 from the

enumerated funds, and \$258,511.63 from payroll funds for the period ending 03/12/20 for a total to be approved of \$740,031.01.

Roll Call: Ayes: Belczak, Gustafson, Kenny, Sullivan, Vaughan

Nays: None

Absent: Chlystek, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

B. MONTHLY REPORT – FEBRUARY 2020

Treasurer Coren reviewed year-to-date sources of revenue, expenditures, and fund balances through the month of February 2020.

General Fund: Revenue \$14,035,231; Expenditures \$10,596,101; Current Balance \$4,253,379

Water Fund: Revenue \$7,705,445; Expenditures \$5,434,966; Current Balance \$3,907,724

Motor Fuel Tax Fund: Revenue \$666,173; Expenditures \$511,358; Current Balance \$503,157

Water Depreciation Fund: Revenue \$17,483; Expenditures \$371,308; Current Balance \$2,207,735

Capital Improvement Fund: Revenue \$285,440; Expenditures \$5,110,517; Current Balance \$4,212,178

13. **STANDING COMMITTEE REPORTS**

Mayor Marchese stated no Committee or Commission Meetings will be held; items will be discussed as “New Business” on future Council agenda.

14. **QUESTIONS AND COMMENTS – AGENDA RELATED**

There were none.

15. **OLD BUSINESS**

There was no Old Business.

16. **CONSENT AGENDA**

Mayor Marchese stated that Council agreed during the Work Session to remove Consent Agenda Items C, E, G and H.

It was moved by Alderman Belczak and seconded by Alderman Vaughan to approve by Omnibus Vote the following items on the Consent Agenda:

A. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE DARIEN DISTRICT 61 EDUCATIONAL FOUNDATION

B. CONSIDERATION OF A MOTION TO APPROVE:

- **THE ANNUAL FOURTH OF JULY PARADE ON SATURDAY, JULY 4, 2020, BEGINNING AT 9:30 A.M., SPONSORED BY THE DARIEN LIONS CLUB AND**
- **AUTHORIZING THE POLICE DEPARTMENT TO ASSIST IN TRAFFIC CONTROL AND AUTHORIZING THE TEMPORARY CLOSURE OF STREETS FOR THE FOURTH OF JULY PARADE: FROM THE JEWEL PARKING LOT, NORTH ON CASS AVENUE TO 71ST STREET; EAST ON 71ST STREET TO CLARENDON HILLS ROAD; SOUTH ON CLARENDON HILLS ROAD TO HINSDALE SOUTH HIGH SCHOOL**

C. RESOLUTION NO. R-23-20 A RESOLUTION REJECTING ALL BIDS FOR THE PREPARATION AND PAINTING OF THE COMMUNICATION TOWER LOCATED AT 1041 SOUTH FRONTAGE ROAD

D. RESOLUTION NO. R-24-20 A RESOLUTION TO REJECT ALL BIDS FOR THE 2020 ROADSIDE DITCH MAINTENANCE PROGRAM FOR THE CITY OF DARIEN FOR THE LAYOUT AND REPLACEMENT OF STORM SEWER PIPES AND STRUCTURES AND GRADING

Roll Call: Ayes: Belczak, Gustafson, Kenny, Sullivan, Vaughan
 Nays: None
 Absent: Chlystek, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

17. **NEW BUSINESS**

There was no New Business

18. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

Alderswoman Sullivan stated under “City Services” on the City website residents can obtain Senior Services and resource information.

Mayor Marchese...

...urged service organization members to and others volunteer in assisting with food basket programs at Our Lady of Peace and Our Lady of Mount Carmel.

...encouraged all residents to read his letter and watch the video regarding Coronavirus that is featured in Direct Connect eNews, on Facebook and Nextdoor. He recommended all residents sign up to receive Direct Connect eNews.

...stated we are stronger when we work together; he asked the community to reach out and help one another.

...can be reached at 630-353-8108 or jmarchese@darienil.gov .

Alderman Kenny commented on credible sources for obtaining coronavirus information.

Alderswoman Sullivan encouraged residents to read and share the Mayor’s letter and video, to obtain information from reliable sources, take advantage of family time, support students and reach out to those who are alone.

Alderman Vaughan inquired if Mayor’s letter was going to be mailed to residents. Administrator Vana stated that the letter would not be mailed due to changing nature of information. Residents in need of information can call City Hall.

Administrator Vana encouraged residents to support local food businesses where take-out and drive thru window services are available.

19. **ADJOURNMENT**

There being no further business to come before the City Council, it was moved by Alderman Kenny and seconded by Alderman Vaughan to adjourn the City Council meeting.

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:00 P.M.

Mayor

City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 3-16-20. Minutes of 3-16-20 CCM.

CITY OF DARIEN

**EXPENDITURE APPROVAL LIST
FOR CITY COUNCIL MEETING ON
April 6, 2020**

Approval is hereby given to have the City Treasurer of Darien, Illinois pay to the officers, employees, independent contractors, vendors, and other providers of goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

| | | | | |
|--|-----------------|----|------------------|-----------------------------|
| General Fund | | | | \$91,065.30 |
| Water Fund | | | | \$20,952.81 |
| Motor Fuel Tax Fund | | | | \$3,129.77 |
| Water Depreciation Fund | | | | \$923.00 |
| Special Service Area Tax Fund | | | | |
| E-Citation Fund | | | | |
| Capital Improvement Fund | | | | 334,842.44 |
| State Drug Forfeiture Fund | | | | |
| Federal Equitable Sharing Fund | | | | \$1,800.00 |
| DUI Technology Fund | | | | |
| | | | <i>Subtotal:</i> | <u>\$452,713.32</u> |
| General Fund Payroll | <i>03/26/20</i> | \$ | | 229,265.86 |
| Water Fund Payroll | <i>03/26/20</i> | \$ | | 23,941.27 |
| | | | <i>Subtotal:</i> | <u>\$ 253,207.13</u> |
| <i>Total to be Approved by City Council:</i> | | | | <u>\$ 705,920.45</u> |

Approvals:

Joseph A. Marchese, Mayor

JoAnne E. Ragona, City Clerk

Michael J. Coren, Treasurer

Bryon D. Vana, City Administrator

CITY OF DARIEN
Expenditure Journal
General Fund
Administration
From 3/17/2020 Through 4/6/2020

| Vendor Name | Invoice Description | Session ID | Acct Code | Acct Title | Dept Amount |
|----------------------------|--|------------|-----------|--------------------------------|-------------|
| AIS | CONNECTIVITY IMPROVEMENT | AP040620 | 4325 | Consulting/Professional | 7,140.00 |
| AIS | CLOUD HOSTING - APRIL 2020 | AP040620 | 4325 | Consulting/Professional | 20.00 |
| AIS | BACK UP SERVICE- APRIL 2020 | AP040620 | 4325 | Consulting/Professional | 1,300.00 |
| AIS | BLOCK PURCHASE- APRIL 2020 | AP040620 | 4325 | Consulting/Professional | 5,130.26 |
| AIS | MONTHLY BLOCK OVERRAGE- FEB 2020 | AP040620 | 4325 | Consulting/Professional | 210.00 |
| AIS | CYBER POWER INTELLIGENT LCD-TOWER UPS | AP040620 | 4325 | Consulting/Professional | 120.95 |
| ALKAYE MEDIA GROUP | 2020 COY VIDEO | AP040620 | 4239 | Public Relations | 600.00 |
| ALPINE BANQUETS, INC. | 2020 COY BANQUET HALL | AP040620 | 4239 | Public Relations | 7,370.60 |
| AUTOMATED COMPANIES | DARIEN PULLOVERS FOR STAFF | AP040620 | 4330 | Contingency | 570.00 |
| CALL ONE, INC. | CITY TELEPHONE BILL | AP040620 | 4267 | Telephone | 1,456.51 |
| CHRONICLE MEDIA LLC | LEGAL NOTICE: PUBLIC HEARING CANNABIS DISPENSORIES | AP040620 | 4221 | Legal Notices | 55.00 |
| CHRONICLE MEDIA LLC | LEGAL NOTICE: PUBLIC HEARING 4-6-20 CCM-BUDGET | AP040620-3 | 4221 | Legal Notices | 45.00 |
| COMCAST BUSINESS | CABLE FOR CITY FACILITIES | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 32.89 |
| DUPAGE COUNTY PUBLIC WORKS | CITY HALL SEWER BILL | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 28.89 |
| GOV TEMP USA LLC | VANA 3-15-20 and 3-22-20 | AP040620 | 4325 | Consulting/Professional | 17,077.17 |
| GOVTEMPSUSA LLC | VANA- 3-1-20 and 3-8-20 | AP040620 | 4325 | Consulting/Professional | 6,830.76 |
| IMPACT NETWORKING, LLC | KONICA COPIER SERVICE CONTRACT | AP040620 | 4225 | Maintenance - Equipment | 130.00 |
| METRO STRATEGIES | MONTHLY RETAINER- FEB 2020 | AP040620 | 4239 | Public Relations | 4,000.00 |

CITY OF DARIEN
Expenditure Journal
General Fund
Administration
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|------------------------------|---|-------------------|------------------|--------------------------------|--------------------|
| NICOR GAS | NICOR GAS FOR CITY HALL | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 192.82 |
| OFFICE DEPOT | OFFICE SUPPLIES & PAPER TOWELS | AP040620 | 4253 | Supplies - Office | 62.70 |
| OFFICE DEPOT | TONER & HANGING FILES | AP040620 | 4253 | Supplies - Office | 239.27 |
| OFFICE DEPOT | SDHC CARDS | AP040620 | 4253 | Supplies - Office | 33.96 |
| OFFICE DEPOT | WRONG ITEM DELIVERED | AP040620 | 4253 | Supplies - Office | (15.98) |
| OFFICE DEPOT | CASE OF LYSOL WIPES | AP040620 | 4253 | Supplies - Office | 44.99 |
| QUADIENT FINANCE USA INC | POSTAGE 1-21-20 thru 3-11-20 | AP040620 | 4233 | Postage/Mailings | 330.00 |
| QUADIENT LEASING USA INC | POSTAGE METER LEASE- OCT 2019 thru MARCH 2020 | AP040620-2 | 4243 | Rent - Equipment | 750.00 |
| ROSENTHAL, MURPHEY, COBLENTZ | WESTLAW RESEARCH | AP040620 | 4219 | Liability Insurance | 333.80 |
| RYDIN DECAL | 2021 TEMPORARY HANDICAP PLACARDS | AP040620 | 4235 | Printing and Forms | 115.28 |
| VERIZON WIRELESS | WIRLESS BILL | AP040620 | 4267 | Telephone | <u>1,271.82</u> |
| | | | | Total Administration | 55,476.69 |

CITY OF DARIEN
Expenditure Journal
General Fund
City Council
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|------------------------------|--|-------------------|------------------|------------------------|--------------------|
| DUPAGE MAYORS MANAGERS CONF. | LEGISLATIVE DINNER -JAN 2020 | AP040620 | 4213 | Dues and Subscriptions | 440.00 |
| JO ANNE E. RAGONA | REIMB MEALS DURING TRAINING/EDUCATION | AP040620 | 4239 | Public Relations | 100.00 |
| | | | | Total City Council | 540.00 |

**CITY OF DARIEN
Expenditure Journal
General Fund
Community Development
From 3/17/2020 Through 4/6/2020**

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|-------------------------------|---|-------------------|------------------|-----------------------------|--------------------|
| CHRISTOPHER B. BURKE ENG, LTD | 2020 ZONING MAP UPDATE | AP040620 | 4328 | Const/Prof Reimbursable | 440.00 |
| CHRISTOPHER B. BURKE ENG, LTD | REVIEW ENGINEERING PLANS FOR RETAIL DEVELOPMENT | AP040620 | 4328 | Const/Prof Reimbursable | 1,147.50 |
| CHRISTOPHER B. BURKE ENG, LTD | FINAL SITE INSPECTION & REVIEW OF AS-BUILT SURVEY | AP040620 | 4328 | Const/Prof Reimbursable | 745.00 |
| QUADIENT FINANCE USA INC | POSTAGE 1-21-20 thru 3-11-20 | AP040620 | 4233 | Postage/Mailings | 110.00 |
| ROSENTHAL, MURPHEY, COBLENTZ | CANNABIS ORDINANCE-FEB 2020 | AP040620 | 4219 | Liability Insurance | 550.00 |
| ROSENTHAL, MURPHEY, COBLENTZ | BROOKHAVEN CONSTRUCTION GRANT | AP040620 | 4219 | Liability Insurance | 55.00 |
| ROSENTHAL, MURPHEY, COBLENTZ | MISCELLANEOUS | AP040620 | 4219 | Liability Insurance | <u>110.00</u> |
| | | | | Total Community Development | 3,157.50 |

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 3/17/2020 Through 4/6/2020

| Vendor Name | Invoice Description | Session ID | Acct Code | Acct Title | Dept Amount |
|----------------------------|--|------------|-----------|--------------------------------|-------------|
| A&W TRAILER LLC | HITCH LOCKS | AP040620 | 4229 | Maintenance - Vehicles | 29.98 |
| A&W TRAILER LLC | HITCH PIN PIVOT LOCK | AP040620 | 4229 | Maintenance - Vehicles | 149.90 |
| ACTION FLAG COMPANY | REPLACEMENT FLAGS & ACCESSORIES | AP040620 | 4223 | Maintenance - Building | 147.00 |
| ADVANCE AUTO PARTS | OIL CHANGE SUPPLIES FOR SHOP | AP040620 | 4229 | Maintenance - Vehicles | 276.20 |
| ADVANCE AUTO PARTS | MOTOR MOUNT W/ADHESIVE AND MIRROR ADHESIVE | AP040620 | 4229 | Maintenance - Vehicles | 77.73 |
| ADVANCE AUTO PARTS | OIL FILTER | AP040620 | 4229 | Maintenance - Vehicles | 40.88 |
| ALL TRAFFIC SOLUTIONS | 2 SOLAR SPEED SIGNS -CLARENON HILLS RD | AP040620 | 4257 | Supplies - Other | 7,800.00 |
| ALTEC INSUSTRIES INC | ANNUAL BUCKET CERTIFICATION & REPAIR PARTS FOR 501 | AP040620 | 4225 | Maintenance - Equipment | 1,727.21 |
| AUTOMATED LOGIC | PHONE SUPPORT FOR POLICE DEPT | AP040620 | 4223 | Maintenance - Building | 160.00 |
| CDW GOVERNMENT, INC. | LASER PRINTER FOR PW | AP040620 | 4253 | Supplies - Office | 3,019.13 |
| CINTAS #769 | MATT RENTAL AT PUBLIC WORKS | AP040620 | 4223 | Maintenance - Building | 25.44 |
| CINTAS #769 | MATT RENTAL FOR POLICE DEPT | AP040620 | 4223 | Maintenance - Building | 49.70 |
| CINTAS #769 | MATT RENTAL FOR CITY HALL | AP040620 | 4223 | Maintenance - Building | 44.83 |
| COM ED | COM ED 0788310001 1041 S FRONTAGE | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 56.09 |
| CURRENT TECHNOLOGIES CORP | DEVICE LICENSE FOR PUBLIC WORKS | AP040620 | 4223 | Maintenance - Building | 114.80 |
| DUPAGE COUNTY PUBLIC WORKS | SEPTIC HAULING- KNOLLWOOD | AP040620 | 4223 | Maintenance - Building | 305.00 |
| DUPAGE COUNTY PUBLIC WORKS | STORM SEWET FLUSHING -HINSBROOK | AP040620 | 4243 | Rent - Equipment | 1,150.00 |
| GRAINGER | TORCH HOLES | AP040620 | 4257 | Supplies - Other | 86.50 |

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 3/17/2020 Through 4/6/2020

| Vendor Name | Invoice Description | Session ID | Acct Code | Acct Title | Dept Amount |
|--------------------------------|--|------------|-----------|-------------------------|-------------|
| GRAINGER | WASHER SOLVENT & PUMP | AP040620 | 4259 | Small Tools & Equipment | 96.00 |
| HOME DEPOT | SUPPLIES FOR OPERATIONS | AP040620 | 4225 | Maintenance - Equipment | 72.35 |
| HOME DEPOT | SUPPLIES FOR OPERATIONS | AP040620 | 4257 | Supplies - Other | 1,171.57 |
| KAMAN FLUID POWER LLC | HYDRAULIC CONTROLS /FITTINGS | AP040620 | 4225 | Maintenance - Equipment | 216.63 |
| KRISTOFER THROM | PAPER PRODUCTS, DISINFECTANTS | AP040620 | 4223 | Maintenance - Building | 134.52 |
| LAWSON PRODUCTS INCORPORATED | MECHANICS SUPPLIES | AP040620 | 4259 | Small Tools & Equipment | 526.07 |
| McMASTER-CARR | FLAGPOLE PULLEY | AP040620 | 4223 | Maintenance - Building | 185.02 |
| McMASTER-CARR | GROUNDING CLAMP | AP040620 | 4257 | Supplies - Other | 47.17 |
| NORWALK TANK | DRAINAGE SUPPLIES | AP040620 | 4257 | Supplies - Other | 1,198.70 |
| NORWALK TANK | ROAD MAINTENANCE | AP040620 | 4257 | Supplies - Other | 573.98 |
| OFFICE DEPOT | OFFICE SUPPLIES & PAPER TOWELS | AP040620 | 4223 | Maintenance - Building | 40.22 |
| QUADIENT FINANCE USA INC | POSTAGE 1-21-20 thru 3-11-20 | AP040620 | 4233 | Postage/Mailings | 40.00 |
| SHERWIN WILLIAMS CO | PAINT FOR POLICE DEPT | AP040620 | 4223 | Maintenance - Building | 63.55 |
| STATE CHEMICAL SOLUTIONS | DISINFECTANTS | AP040620 | 4219 | Liability Insurance | 261.93 |
| STATE INDUSTRIAL PRODUCTS | HAND CLEANER | AP040620 | 4219 | Liability Insurance | 160.03 |
| TRI-K INC | NITRILE GLOVES | AP040620 | 4219 | Liability Insurance | 129.40 |
| UNDERGROUND PIPE & VALVE CO. | SEWER CLAMP | AP040620 | 4257 | Supplies - Other | 99.00 |
| UNIQUE PRODUCTS & SERVICE CORP | PAPER TOWELS & TOILET PAPER | AP040620 | 4223 | Maintenance - Building | 64.52 |
| UNIQUE PRODUCTS & SERVICE CORP | JANITORIAL SUPPLIES FOR CITY HALL AND PW | AP040620 | 4223 | Maintenance - Building | 124.70 |
| UNIQUE PRODUCTS & SERVICE CORP | JANITORIAL SUPPLIES | AP040620 | 4223 | Maintenance - Building | 168.36 |
| UNIQUE PRODUCTS & SERVICE CORP | JANITORIAL SUPPLIES FOR POLICE DEPT | AP040620 | 4223 | Maintenance - Building | 39.01 |
| UNIQUE PRODUCTS & SERVICE CORP | JANITORIAL SUPPLIES | AP040620 | 4223 | Maintenance - Building | 52.00 |
| WHOLESALE DIRECT, INC. | SAFETY SUPPLIES-COVID19 | AP040620 | 4219 | Liability Insurance | 311.44 |

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|------------------------|----------------------------|-------------------|------------------|--------------------------------|--------------------|
| WHOLESALE DIRECT, INC. | WARNING LIGHTS | AP040620 | 4229 | Maintenance - Vehicles | 434.86 |
| WHOLESALE DIRECT, INC. | WARNING LIGHTS | AP040620 | 4229 | Maintenance - Vehicles | <u>138.90</u> |
| | | | | Total Public Works, Streets | 21,610.32 |

CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|--------------------------------|---|-------------------|------------------|--------------------------------|--------------------|
| ADVANTAGE CHEVROLET | SEAL FOR D21 | AP040620 | 4229 | Maintenance - Vehicles | 6.85 |
| ADVANTAGE CHEVROLET | GASKET FOR D21 | AP040620 | 4229 | Maintenance - Vehicles | 34.65 |
| ALTERNATIVE BUSINESS SUPPLIERS | REPLACE DRUM UNIT ON TOSHIBA ESTUDIO 527s | AP040620 | 4225 | Maintenance - Equipment | 429.50 |
| CURRENT TECHNOLOGIES CORP | REMOTE & ONSITE REPAIR OF CAMERAS | AP040620 | 4225 | Maintenance - Equipment | 232.50 |
| DE ENTERPRISES INC | HAND SANITIZER | AP040620 | 4219 | Liability Insurance | 367.20 |
| DUPAGE COUNTY PUBLIC WORKS | POLICE DEPT SEWER BILL | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 199.51 |
| IL PHLEBOTOMY SERVICES | DAP20003609 | AP040620 | 4217 | Investigation and Equipment | 425.00 |
| KIESLER POLICE SUPPLY COMPANY | AMMO | AP040620 | 4217 | Investigation and Equipment | 3,629.09 |
| KING CAR WASH | SQUAD CAR WASHES -FEB 2020 | AP040620 | 4229 | Maintenance - Vehicles | 382.50 |
| MCKESSON MEDICAL-SURGICAL GOVT | CPR PADZ & BATTERIES | AP040620 | 4219 | Liability Insurance | 565.81 |
| MCKESSON MEDICAL-SURGICAL GOVT | BANDAGES | AP040620 | 4219 | Liability Insurance | 87.51 |
| MCKESSON MEDICAL-SURGICAL GOVT | DISINFECTANT PRODUCTS | AP040620 | 4219 | Liability Insurance | 163.18 |
| NORTHEAST MULTIREGIONAL TRNG | OFFICER THROM- PHOTOGRAPHY CLASS | AP040620 | 4263 | Training and Education | 35.00 |
| P.F. PETTIBONE & COMPANY | SERVICE BAR FRAMES /HOLDERS | AP040620 | 4269 | Uniforms | 222.80 |
| PORTER LEE CORPORATION | LABELS & RIBBON CARTRIDGES FOR BEAST | AP040620 | 4217 | Investigation and Equipment | 123.06 |
| QUADIENT FINANCE USA INC | POSTAGE 1-21-20 thru 3-11-20 | AP040620 | 4233 | Postage/Mailings | 500.00 |
| RAY O'HERRON CO. INC. | AMMO | AP040620 | 4217 | Investigation and Equipment | 1,080.00 |
| REMES AUTO BODY | DAP19016590 REPAIR DAMAGE TO CITIZENS VEHICLE | AP040620 | 4219 | Liability Insurance | 511.78 |
| ROSE GONZALEZ | MILEAGE REIMBURSEMENT FOR ROSE GONZALEZ | AP040620 | 4265 | Travel/Meetings | 21.85 |

CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|------------------------------|---|-------------------|------------------|-----------------------------|--------------------|
| ROSENTHAL, MURPHEY, COBLENTZ | BOZEK DISCIPLINE -FEB 2020 | AP040620 | 4219 | Liability Insurance | 207.64 |
| ROSENTHAL, MURPHEY, COBLENTZ | BOZEK DISCIPLINARY MATTER- FEB 2020 | AP040620 | 4219 | Liability Insurance | 55.00 |
| SPECIAL T UNLIMITED | ACADEMY UNIFORM - NEW OFFICER NELSON | AP040620 | 4269 | Uniforms | 210.00 |
| THE NORTHERN TRUST COMPANY | DOCUMENT SEARCH FEE -DA20-00080 | AP040620 | 4217 | Investigation and Equipment | 34.15 |
| VERIZON WIRELESS | WIRLESS BILL | AP040620 | 4267 | Telephone | <u>756.21</u> |
| | | | | Total Police Department | <u>10,280.79</u> |
| | | | | Total General Fund | <u>91,065.30</u> |

CITY OF DARIEN
Expenditure Journal
Water Fund
Public Works, Water
From 3/17/2020 Through 4/6/2020

| Vendor Name | Invoice Description | Session ID | Acct Code | Acct Title | Dept Amount |
|-------------------------------|------------------------------------|------------|-----------|--------------------------------|-------------|
| A&W TRAILER LLC | BAR BALL PIN & CLIP (HITCH) | AP040620 | 4225 | Maintenance - Equipment | 55.00 |
| ALL TRAFFIC SOLUTIONS | REPAIR SPEED SIGN | AP040620 | 4225 | Maintenance - Equipment | 125.00 |
| CINTAS #769 | MATT RENTAL AT PUBLIC WORKS | AP040620 | 4223 | Maintenance - Building | 25.43 |
| COM ED | COM ED 0269155053 - 2101 75TH ST | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 58.14 |
| COM ED | COM ED3118112014 2103 75TH ST PUMP | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 597.91 |
| CORE & MAIN | VALVE KEY | AP040620 | 4231 | Maintenance - Water System | 405.00 |
| CORE & MAIN | WATER METER | AP040620 | 4880 | Water Meter Purchases | 4,270.00 |
| CORE & MAIN | TOUCHPAD | AP040620 | 4880 | Water Meter Purchases | 420.00 |
| CURRENT TECHNOLOGIES CORP | DEVICE LICENSE FOR PUBLIC WORKS | AP040620 | 4223 | Maintenance - Building | 114.79 |
| DUPAGE COUNTY PUBLIC WORKS | SEPTIC HAULING-KNOLLWOOD | AP040620 | 4223 | Maintenance - Building | 305.00 |
| DYNEGY ENERGY SERVICES | ENERGY -WATER PLANTS | AP040620 | 4271 | Utilities (Elec,Gas,Wtr,Sewer) | 3,251.44 |
| FIRST ADVANTAGE OCCUPATIONAL | RANDOM DRUG TEST | AP040620 | 4219 | Liability Insurance | 35.20 |
| HAWKINS INC | CHLORINE | AP040620 | 4255 | Supplies - Operation | 755.35 |
| HOME DEPOT | SUPPLIES FOR OPERATIONS | AP040620 | 4223 | Maintenance - Building | 2,274.14 |
| HOME DEPOT | SUPPLIES FOR OPERATIONS | AP040620 | 4231 | Maintenance - Water System | 2,553.14 |
| INDUSTRIAL ELECTRICAL SUPPLY | LED REPLACEMENT | AP040620 | 4223 | Maintenance - Building | 329.70 |
| KRISTOFER THROM | PAPER PRODUCTS, DISINFECTANTS | AP040620 | 4223 | Maintenance - Building | 134.51 |
| LAWSON PRODUCTS INCORPORATED | BOLTS | AP040620 | 4231 | Maintenance - Water System | 381.63 |
| LINDCO EQUIPMENT SALES, INC. | SALT EQUIPMENT PARTS | AP040620 | 4225 | Maintenance - Equipment | 97.81 |
| NOVAK & PARKER HOME APPLIANCE | WASHER & DRYER | AP040620 | 4223 | Maintenance - Building | 1,625.00 |
| OCCUPATIONAL HEALTH CENTERS | RANDOM DRUG TEST - DAVE BROWN | AP040620 | 4219 | Liability Insurance | 40.50 |
| QUADIENT FINANCE USA INC | POSTAGE 1-21-20 thru 3-11-20 | AP040620 | 4233 | Postage/Mailings | 20.00 |

CITY OF DARIEN
Expenditure Journal
Water Fund
Public Works, Water
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|--------------------------------|----------------------------|-------------------|------------------|----------------------------|--------------------|
| SERVICE INDUSTRIAL SUPPLY INC. | HYDRANT METER PARTS | AP040620 | 4231 | Maintenance - Water System | 280.44 |
| SERVICE INDUSTRIAL SUPPLY INC. | HYDRANT PARTS | AP040620 | 4231 | Maintenance - Water System | 73.28 |
| STATE CHEMICAL SOLUTIONS | DISINFECTANTS | AP040620 | 4219 | Liability Insurance | 261.92 |
| STATE INDUSTRIAL PRODUCTS | HAND CLEANER | AP040620 | 4219 | Liability Insurance | 160.03 |
| TRI-K INC | NITRILE GLOVES | AP040620 | 4219 | Liability Insurance | 129.40 |
| UNDERGROUND PIPE & VALVE CO. | TELESCOPING FLANGE | AP040620 | 4231 | Maintenance - Water System | 570.00 |
| VERIZON WIRELESS | WIRLESS BILL | AP040620 | 4267 | Telephone | 543.62 |
| WHOLESALE DIRECT, INC. | SAFETY SUPPLIES-COVID19 | AP040620 | 4219 | Liability Insurance | 311.43 |
| WILLCO GREEN LLC | DUMP FEES | AP040620 | 4231 | Maintenance - Water System | 108.00 |
| ZIEBELL WATER SERVICE PRODUCTS | WATER MAIN CLAMPS | AP040620 | 4231 | Maintenance - Water System | <u>640.00</u> |
| | | | | Total Public Works, Water | <u>20,952.81</u> |
| | | | | Total Water Fund | <u>20,952.81</u> |

CITY OF DARIEN
Expenditure Journal
Motor Fuel Tax
MFT Expenses
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|--------------------------------|--|-------------------|------------------|----------------------|--------------------|
| CONSTELLATION NEW ENERGY, INC. | ENERGY-STREET LIGHTS | AP040620 | 4840 | Street Lights | 396.76 |
| CONSTELLATION NEW ENERGY, INC. | 0 CASS AVE LITE RT/25 -N OF JAMES PETER CT | AP040620 | 4840 | Street Lights | 21.86 |
| CONSTELLATION NEW ENERGY, INC. | LITE 2T/25 CONTRLR S FRONTAGE /CASS | AP040620 | 4840 | Street Lights | 51.29 |
| SUPERIOR ASPHALT MATERIALS | COLD PATCH | AP040620 | 4245 | Road Material | 897.00 |
| VULCAN CONSTRUCTION MATERIALS | STONE | AP040620 | 4245 | Road Material | <u>1,762.86</u> |
| | | | | Total MFT Expenses | <u>3,129.77</u> |
| | | | | Total Motor Fuel Tax | 3,129.77 |

CITY OF DARIEN
Expenditure Journal
Water Depreciation Fund
Depreciation Expenses
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|-------------------------------|----------------------------|-------------------|------------------|-------------------------------|--------------------|
| CHRISTOPHER B. BURKE ENG, LTD | GIS MAPPING OF WATER ATLAS | AP040620 | 4390 | Capital Improv-Infrastructure | 923.00 |
| | | | | Total Depreciation Expenses | 923.00 |
| | | | | Total Water Depreciation Fund | 923.00 |

CITY OF DARIEN
Expenditure Journal
FESA - Justice - 1
Drug Forfeiture Expenditures
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|------------------------|-----------------------------|-------------------|------------------|---------------------------------------|--------------------|
| PORTER LEE CORPORATION | HEXAGON- BEAST INTERFACE | AP040620 | 4213 | Dues and Subscriptions | 1,800.00 |
| | | | | Total Drug Forfeiture Expenditures | 1,800.00 |
| | | | | Total FESA - Justice - 1 | 1,800.00 |

CITY OF DARIEN
Expenditure Journal
Capital Improvement Fund
Capital Fund Expenditures
From 3/17/2020 Through 4/6/2020

| <u>Vendor Name</u> | <u>Invoice Description</u> | <u>Session ID</u> | <u>Acct Code</u> | <u>Acct Title</u> | <u>Dept Amount</u> |
|-------------------------------|---|-------------------|------------------|------------------------------------|--------------------|
| CHRISTOPHER B. BURKE ENG, LTD | 2020 ROAD PROGRAM- DESIGN & BID PREP | AP040620 | 4325 | Consulting/Professional | 3,000.00 |
| GRANITE INLINER | STORM SEWER LINING | AP040620 | 4376 | Ditch Projects | 328,096.80 |
| XBE CHICAGO | DITCH PROJECT: 67TH ST TRUCKING (10-22-19) | AP040620 | 4376 | Ditch Projects | 664.20 |
| XBE CHICAGO | DITCH PROJECT: 67TH ST TRUCKING (10-21-19) | AP040620 | 4376 | Ditch Projects | 1,592.44 |
| XBE CHICAGO | DITCH PROJECT: 67TH ST TRUCKING (10-17-19) | AP040620 | 4376 | Ditch Projects | 779.00 |
| XBE CHICAGO | DITCH PROJECT: 67TH ST TRUCKING (10-4-19) | AP040620 | 4376 | Ditch Projects | 656.00 |
| XBE CHICAGO | DITCH PROJECT: 67TH TRUCKING (11-8-19) | AP040620 | 4376 | Ditch Projects | 0.70 |
| XBE CHICAGO | DITCH PROJECT: ELM ST TRUCKING (8-19-19) | AP040620 | 4376 | Ditch Projects | 53.30 |
| | | | | Total Capital Fund Expenditures | 334,842.44 |
| | | | | Total Capital Improvement Fund | 334,842.44 |
| Report Total | | | | | 452,713.32 |

AGENDA MEMO
CITY COUNCIL
APRIL 6, 2020

Case

PZC 2020-02 7516 S. Cass Avenue, Suite 25B / Carla's Red Hots

Ordinance – see attached

Issue Statement

Petitioner seeks approval of a special use zoning permit to operate an eating establishment as lessee of Suite 25B at 7516 S. Cass Avenue, within the Brookhaven Plaza Shopping Center.

General Information

| | |
|---------------------------|--|
| Petitioner: | Joel Ruiz, Carla's Red Hots |
| Owner: | Jemco & Assoc., LTD |
| Property Location / PIN#: | 7516 S. Cass Avenue 25B / 09-28-402-021; -024; -026 |
| Zoning / Land Use: | Site: B-2 / vacant - former convenience mart North: B-2 / Commercial – Walgreen's South: B-1 / Office - Cass Professional Center East: B-2 / Commercial - Darien Pointe West: R-2 / Commercial – Celestine Salon |
| Comprehensive Plan: | Future Land Use: Commercial |
| Transportation: | Driveways to Plainfield Road, Cass Avenue and 75 th Street |

Zoning Provisions

Section 5A-2-2-6(G): Special Use Standards
 Section 5A-8-3-4: Special use approval to permit eating establishment.

Development History and Proposal

The petitioner proposes to open an eating establishment within the Brookhaven Plaza. The petitioner provided information on the proposed use and a generic layout of their establishment, included with this memo.



The subject property is located on the west side of Cass Avenue, between 75th Street and Plainfield Road. Proposed in an available 1,200 square foot retail space in the shopping center, Suite 25B is located in the south portion of the center adjacent Brookhaven Marketplace, facing Plainfield Road. The proposed restaurant will occupy the space between American Brokers Real Estate and Dotty's Café, and was once the location of the VF Asian Mart.

Special Use

Within the B-2 zoning district, an eating establishment requires special use approval. Prior to a text amendment to the Zoning Ordinance in 2006, eating establishments were a permitted use within the B-2 zoning district.

Carla's Red Hots would serve a variety of foods including hot dogs, Italian beef and other typical fast-casual foods. Hours are proposed to be 10am to 10pm most days, with a 12am closing on Friday and Saturday nights. The space is shown with service and dining space split equally in size, and 10 tables for inside dining. The petitioner does not intend on obtaining a liquor license.

Under the Darien Zoning Ordinance, parking requirements for a shopping center are based on the square footage of the shopping center, not on individual businesses within the shopping center. Although the parking field in front of the space is shared with the Brookhaven Marketplace, additional parking is located to the west, as well as throughout the shopping center.

The special use request must address the following criteria for approval:

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 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.
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 Planning and Zoning Commission and the Municipal Services Committee.

Petitioner Documents (attached to this memo)

1. [Petition](#)
2. [Plat of Survey](#)
3. [Floor Plan](#)
4. [Menu, Business Narrative and Hours of Operation](#)

Staff Documents (attached to this memo)

5. [Location Map](#)
6. [Public Comment received 3.12.20](#)

PZC – 3/4/2020

The Planning and Zoning Commission reviewed this petition at their public hearing on March 4. The petitioner presented the concept and plans for what is anticipated to primarily be a carryout restaurant. No audience was in attendance.

The Commission made findings that the petition satisfied the special use standards and voted 7-0 to recommend approval of the request as presented.

MSC – 3/23/2020

Due to the recent cancellation of the Municipal Services Committee, this item will be forwarded to the City Council.



ZONING APPLICATION

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

CONTACT INFORMATION

Joel Ruiz Ruiz
Applicant's Name

BROOKHAVEN 15EMCO
Owner's Name

3116 saint charles rd
Address, City, State, Zip Code

242 BUNTING LANE
Address, City, State, Zip Code BLOOMINGDALE 60108

Bellewood IL 60104
Telephone

630.212.1644
Telephone

Joelruiz5353@gmail.com
Email

Jmanos@bankfinancial.com
Email

PROPERTY INFORMATION

7516 S Cass Ave suite 25b darien
Property address

PIN Number(s)

Zoning District

Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

REQUEST

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

[Handwritten signature]

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that Joel Ruiz 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 25th day of January 2020.

[Handwritten signature of Notary Public]

Notary Public

Table with 2 columns: For office use only, and rows for Date Received, Case Number, Fee Paid, and Hearing Date.



PLAT OF SURVEY

THE NORTH 164.5 FEET (EXCEPT THE EAST 205 FEET THEREOF), AND OF LOT 302 IN BROOKHAVEN MANOR, A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, IN DU PAGE COUNTY, ILLINOIS.

OF PART OF LOT 302 IN BROOKHAVEN MANOR, A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956, AS DOCUMENT 827287, IN DU PAGE COUNTY, ILLINOIS.

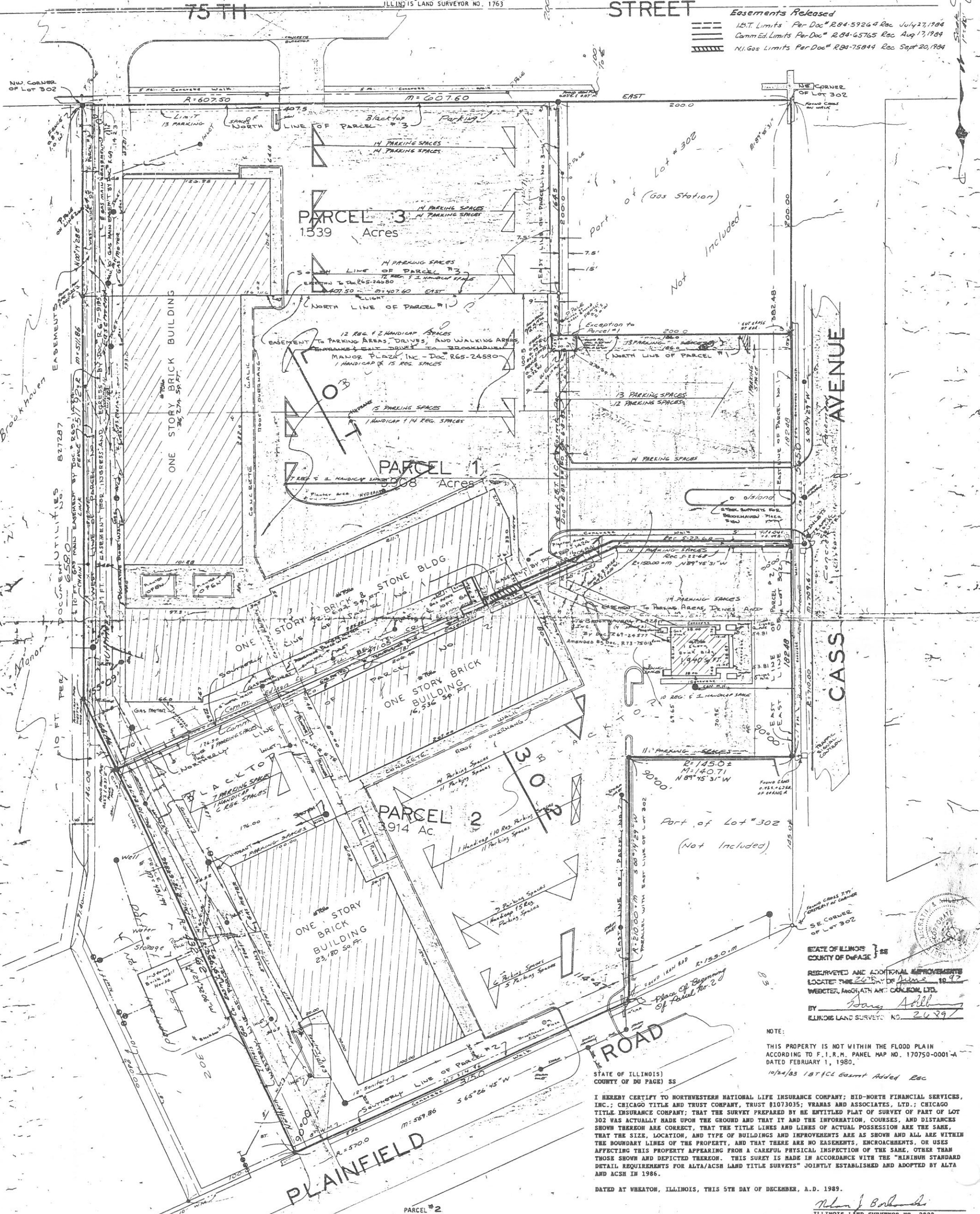
PARCEL #1
 THAT PART OF LOT 302 (EXCEPT THE NORTH 200.0 FEET OF THE EAST 200.0 FEET THEREOF AND EXCEPT THE WEST 20.0 FEET OF THE SOUTH 13.5 FEET OF THE NORTH 213.5 FEET OF THE EAST 206.0 FEET THEREOF AND EXCEPT THE NORTH 164.5 FEET OF THE BALANCE OF LOT 302) LYING NORTH OF A LINE DESCRIBED BY BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 302, 382.48 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT AND RUNNING THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE 150.0 FEET; THENCE SOUTHWESTERLY TO A POINT 366.16 FEET NORTHWESTERLY FROM, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID LOT 302 FROM A POINT ON THE SOUTH LINE OF SAID LOT 100.0 FEET NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID LOT 302; THENCE NORTHWESTERLY 66.46 FEET TO A POINT ON THE WEST LINE OF LOT 302, 511.92 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 302 IN BROOKHAVEN MANOR, BEING A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, IN DU PAGE COUNTY, ILLINOIS

TO:
 THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1962, WITH THE FOLLOWING EXCEPTIONS:
 1. DRAIN TILES
 2. IMPROVEMENTS AND/OR UTILITY LINES NOT APPARENT FROM SURFACE INSPECTION.
 BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN HEREON AND THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS ANY BOUNDARY LINE OF THE PREMISES, EXCEPT AS SHOWN HEREON.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS, THIS 19TH DAY OF OCTOBER, A.D. 1983

BY: *Melvin A. Hummel*
 ILLINOIS LAND SURVEYOR NO. 1763

Easements Released
 I.M.T. Limits Per Doc # 284-59264 Rec July 27, 1984
 Comm. Ed. Limits Per Doc # 284-65765 Rec Aug 17, 1984
 N.I. Gas Limits Per Doc # 284-75844 Rec Sept 20, 1984



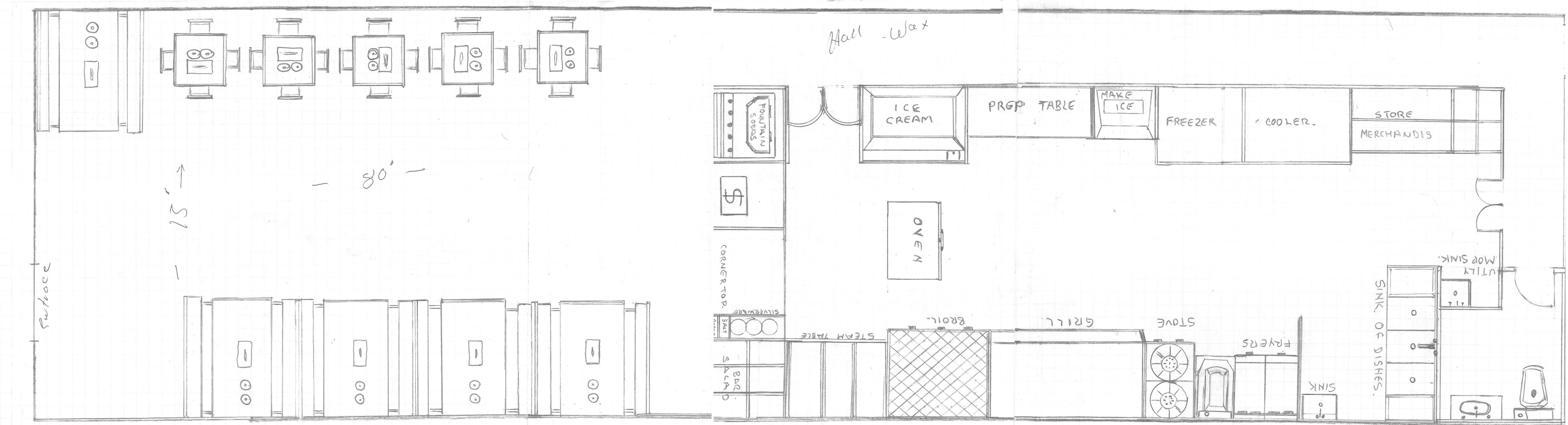
STATE OF ILLINOIS
 COUNTY OF DU PAGE
 RECORDED AND ADDITIONAL IMPROVEMENTS
 LOCATED THE 26th DAY OF June 1987
 WEBSTER, McGRATH AND CARLSON, LTD.
 BY: *Dary Adell*
 ILLINOIS LAND SURVEYOR NO. 26297

NOTE:
 THIS PROPERTY IS NOT WITHIN THE FLOOD PLAIN
 ACCORDING TO F.I.R.M. PANEL MAP NO. 170750-0001-A
 DATED FEBRUARY 1, 1980.
 10/24/83 1871CE Gasmt Added Rec

I HEREBY CERTIFY TO NORTHWESTERN NATIONAL LIFE INSURANCE COMPANY; MID-NORTH FINANCIAL SERVICES, INC.; CHICAGO TITLE AND TRUST COMPANY; TRUST #1073035; WEBER AND ASSOCIATES, LTD.; CHICAGO TITLE INSURANCE COMPANY; THAT THE SURVEY PREPARED BY ME ENTITLED PLAT OF SURVEY OF PART OF LOT 302 WAS ACTUALLY MADE UPON THE GROUND AND THAT IT AND THE INFORMATION, COURSES, AND DISTANCES SHOWN THEREON ARE CORRECT, THAT THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME, THAT THE SIZE, LOCATION, AND TYPE OF BUILDINGS AND IMPROVEMENTS ARE AS SHOWN AND ALL ARE WITHIN THE BOUNDARY LINES OF THE PROPERTY, AND THAT THERE ARE NO EASEMENTS, ENCROACHMENTS, OR USES AFFECTING THIS PROPERTY APPEARING FROM A CAREFUL PHYSICAL INSPECTION OF THE SAME, OTHER THAN THOSE SHOWN AND DEPICTED THEREON. THIS SURVEY IS MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1986.
 DATED AT WHEATON, ILLINOIS, THIS 5TH DAY OF DECEMBER, A.D. 1983.

PARCEL #2
 THAT PART OF LOT 302 IN BROOKHAVEN MANOR, A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, DESCRIBED BY COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 302 AND RUNNING THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT 155.0 FEET FOR A PLACE OF BEGINNING; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 210.0 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 145 FEET MORE OR LESS TO THE EAST LINE OF SAID LOT; THENCE NORTH ON THE EAST LINE OF SAID LOT 182.48 FEET, MORE OR LESS, TO A POINT 382.48 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT; THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE 150.0 FEET; THENCE SOUTHWESTERLY TO A POINT 366.16 FEET NORTHWESTERLY FROM (AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID LOT) A POINT IN THE SOUTH LINE OF SAID LOT, SAID SECOND POINT BEING 100.0 FEET NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ON SAID RIGHT ANGLES LINE 366.16 FEET TO SAID POINT IN THE SOUTH LINE 100.0 FEET NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHEASTERLY ON SAID SOUTH LINE 315.0 FEET TO THE PLACE OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

Nolan J. Borland
 ILLINOIS LAND SURVEYOR NO. 2822
 207 S. MAPERVILLE STREET
 WHEATON, ILLINOIS 60187
 (708) 668-7603
 Revised 2-15-84 To Show Addition To
 one story Brick & Stone Building
 Gasmt Releases Added 10-15-84 Rec
Dary Adell I.R.L.S. # 26297
 Revised Parking 6-22-82



The reason why we wanted to open Carla's Red Hots at this location is because we know it's the ideal place for it. It has the right equipment for a restaurant. This area is a calm area and a good place to be. We have 9 years of experience working with food like the one we want to sell. We know how to cook all the food that would be on the menu. This is why we would like to open Carla's Red Hots at his location.

Hot Dogs
Italian Beef
Chicken Sandwich
Cheese Burger
Italian Sausage
French Fries
Paninis
Philly cheesesteak
Salad
Chili cheese Dogs
Italian Ice
Cheese Dogs
Grilled cheese
Soups
Barbecue Beef
Chili Bowl
Tamale Bowl
Tamale
Cheese Fries
Meat Ball Sandwich
Pasta
Chicken Tenders
Pizza Buds
Gyro
Beet Sausage Combo
Double Dog

Cheese cake
Tiramisu
Steak tacos
Double Cheese Burger
Barbecue Ribs
pepper and egg

Hours of operation

Monday: 10:00 a.m. - 10:00 p.m.

Tuesday: 10:00 a.m. - 10:00 p.m.

Wednesday: 10:00 a.m. - 10:00 p.m.

Thursday: 10:00 a.m. - 10:00 p.m.

Friday: 10:00 a.m. - 12:00 a.m.

Saturday: 10:00 a.m. - 12:00 a.m.

Sunday: 10:00 a.m. - 10:00 p.m.

Joseph Hennerfeind

From: Dan Gombac
Sent: Thursday, March 12, 2020 3:17 PM
To: CAROL SCHUTZ
Cc: Joseph Hennerfeind
Subject: RE: Available Building Possibilities in Darien, IL

Good afternoon Carol,

Thank you for your email regarding Trader Joes. Unfortunately, Trader Joes will not locate to Darien due to the proximity of their location on Ogden Ave. We have reached out to them on several occasions with no interest.

Sincerely,

Daniel Gombac
Director of Municipal Services
630-353-8106

To receive important information from the City of Darien sign up for our electronic newsletter:

DARIEN DIRECT CONNECT

Follow the link and subscribing is simple!

<http://www.darien.il.us/Reference-Desk/DirectConnect.aspx>

From: CAROL SCHUTZ [REDACTED]
Sent: Thursday, March 12, 2020 1:55 PM
To: Dan Gombac <dgombac@darienil.gov>
Cc: [REDACTED]
Subject: Available Building Possibilities in Darien, IL

Dear Sir,

As a resident of Darien, IL for 21 years I would like to express my thoughts in regard to what I recently read about a hot dog stand type building being built in the Brookhaven Market area. Personally, I would prefer to see a Trader Joe's store in our area as opposed to a fast food place. Trader Joe's is an outstanding store with an interesting variety of foods that are quite different than what you can purchase at a Jewel, Brookhaven or Wal-Mart store. Is there any possibility of seeing that store in our area?

I appreciate your acceptance of my expressions and hope to hear from you with any thoughts or possibilities of my suggestion.

Thank you kindly,

Ms. Carol Schutz



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

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE FOR AN EATING ESTABLISHMENT
(PZC 2020-02, 7516 SOUTH CASS AVENUE, STE 25B, BROOKHAVEN PLAZA
SHOPPING CENTER, CARLA'S RED HOTS RESTAURANT)**

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

THIS 6th DAY OF APRIL, 2020

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
_____ day of April, 2020.**

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE FOR AN EATING ESTABLISHMENT

(PZC 2020-02, 7516 SOUTH CASS AVENUE, STE 25B, BROOKHAVEN PLAZA SHOPPING CENTER, CARLA'S RED HOTS RESTAURANT)

WHEREAS, the City of Darien is a home rule unit of 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 ("Subject Property"), is zoned B-2 Community Business Center Business District pursuant to the Darien Zoning Ordinance; and

WHEREAS, petitioner has submitted a petition for a special use to allow an Eating Establishment within the B-2 zoning district; and

WHEREAS, pursuant to proper legal notice, a Public Hearing was held before the Planning and Zoning Commission on March 4, 2020 regarding the petitions; and

WHEREAS, the Planning and Zoning Commission at its regular meeting of March 4, 2020, forwarded its findings and recommendation of approval of the petition to the City Council; and

WHEREAS, the City Council has reviewed the findings and recommendations described above and has determined that it is in the best interests of the City to grant the petition subject to the terms, conditions and limitations described below.

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

ORDINANCE NO. _____

SECTION 1: Subject Property. This Ordinance is limited and restricted to the property generally

located at 7516 South Cass Avenue, Ste 25B, Darien, Illinois and legally described as follows:

PARCEL 1: THAT PART OF LOT 302 (EXCEPT THE NORTH 200.00 FEET OF THE EAST 200.0 FEET THEREOF AND EXCEPT THE NORTH 164.5 FEET OF THE BALANCE OF LOT 302 AND EXCEPT THE WEST 20 FEET OF THE SOUTH 13.5 FEET OF THE NORTH 213.5 FEET OF THE EAST 206 FEET OF LOT 302) LYING NORTH OF A LINE DESCRIBED BY BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 302, 382.48 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT AND RUNNING THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE 150.0 FEET; THENCE SOUTHWESTERLY TO A POINT 366.16 FEET NORTHWESTERLY FROM, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID LOT 302, FROM A POINT ON THE SOUTH LINE OF SAID LOT 100.0 FEET NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID LOT 302; THENCE NORTHWESTERLY 66.46 FEET TO A POINT ON THE WEST LINE OF LOT 302, 511.92 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 302 IN BROOKHAVEN MANOR, BEING A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 302 IN BROOKHAVEN MANOR, BEING A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 302 AND RUNNING THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT 155.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 210.0 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 145 FEET, MORE OR LESS, TO THE EAST LINE OF SAID LOT; THENCE NORTH ON THE EAST LINE OF SAID LOT 182.48 FEET, MORE OR LESS, TO A POINT 382.48 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT; THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE 150.0 FEET; THENCE SOUTHWESTERLY TO A POINT 366.16 FEET NORTHWESTERLY FROM (AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID LOT) A POINT IN THE SOUTH LINE OF SAID LOT, SAID SECOND POINT BEING 100.0 FEET NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ON SAID RIGHT ANGLES LINE 366.16 FEET TO SAID POINT IN THE SOUTH LINE 100.0 FEET NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHEASTERLY ON SAID SOUTH LINE 315.0 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

ORDINANCE NO. _____

PARCEL 3: THE NORTH 164.5 FEET (EXCEPT THE EAST 200 FEET THEREOF) OF LOT 302 IN BROOKHAVEN MANOR, BEING A SUBDIVISION IN SECTIONS 27 AND 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1956 AS DOCUMENT 827287, IN DUPAGE COUNTY, ILLINOIS.

PINs: 09-28-402-021; -024; -026

SECTION 2: Special Use Granted. Pursuant to Section 5A-8-2-4: Special Uses, of the Darien Zoning Ordinance, a special use is hereby granted to allow for the operation of an Eating Establishment.

SECTION 3: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 6th day of April, 2020.

ORDINANCE NO. _____

AYES _____

NAYS: _____

ABSENT: _____

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this 6th day of April, 2020.**

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

AGENDA MEMO
CITY COUNCIL
MEETING DATE: April 6, 2020

ISSUE STATEMENT

Consideration of a Motion to direct staff to initiate procedures for the annexation of 973 75th Street and adjacent utility easement (PINs 09-29-301-009, 09-29-301-020).

BACKGROUND/HISTORY

The subject properties, 973 75th Street and an adjacent 10' wide easement parcel, are located on the south side of 75th Street between Haraldsen's Garage and the Marketplace at Darien Shopping Center. The unincorporated property contains a single-family home which is surrounded by Darien to the east, west and south, and Downers Grove to the north. There are no other unincorporated parcels within the immediate vicinity.

On March 5, 2020 the City was notified of a zoning entitlement request to develop the property in the County as a full-service car wash. The request includes a rezoning, conditional use approval, and multiple setback variations for construction. City staff subsequently generated a brief analysis and concluded that the development could not be supported based on Darien standards.

Adjacent to Ward 6, the representing Alderman has requested a discussion to determine if a forced annexation should be initiated pursuant to state statutes. Under Section 7-1-13 of the Illinois Municipal Code, the City may annex territory not exceeding 60 acres and which is surrounded by one or more municipalities. John Murphey has provided an attached memo summarizing procedures.

DOCUMENTS ATTACHED

1. [County Notification Z20-012 with Darien Response](#)
2. [Location/Zoning Map](#)
3. [Gustafson Correspondence](#)
4. [John Murphey Memo](#)

STAFF/COMMITTEE RECOMMENDATION

As directed.

ALTERNATE CONSIDERATION

As directed.

DECISION MODE

As directed.



MEMO



DUPAGE COUNTY

Building Division

Zoning & Planning Division

Environmental Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

DU PAGE COUNTY ZONING BOARD OF APPEALS

Zoning Petition Z20-012 973 75th Street, LLC.

Please review the information herein and return with your comments to:
Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupageco.org or via facsimile at 630-407-6702 by **March 18, 2020**.

| | |
|---|--|
| COMMENT SECTION: | |
| : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER | |
| : NO OBJECTION/CONCERNS WITH THE PETITION | |
| : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION | |
| <input checked="" type="checkbox"/> : I OBJECT/ HAVE CONCERNS WITH THE PETITION. | |
| COMMENTS: | |
| DEVELOPMENT NOT SUPPORTED. PLEASE SEE ATTACHED RESPONSE | |
| SIGNATURE: <i>[Signature]</i> DATE: 3/9/20 | |
| MUNICIPALITY/TOWNSHIP/ AGENCY/DEPARTMENT: CITY OF DARIEN JOSEPH HENNERLING, SENIOR PLANNER | |
| GENERAL ZONING CASE INFORMATION | |
| CASE #/PETITIONER | Z20-012 973 75 th Street, LLC. |
| ZONING REQUEST | 1. Rezoning from R-4 Single Family Residence District to the B-2 General Business District (37-1412); 2. Conditional Use for an automobile laundry (37-802.2, 37-1413); 3. Conditional Use for a reduction in the east and west side yard from 12' to approximately 6' (37-802.4(D)(1), 27-1413); 4. Variation from the west side yard requirement to allow a one-foot separation between the west lot line and the curb, solely to allow a stacking lane in the side yard (37-302 (definition of "yard"), 37-411); and 5. Variation to reduce the west side yard required landscape yard from 12' to approximately 1' (37-419.2(D)(1)(c). |
| OWNER | HEIRS/LEGATEES OF JAMES DUKA, AGENT: JOHN CICCARELLI, 225 S. LAKE, SUITE 300, PASADENA, CA 91101/ AGENT: 973 75 TH STREET, LLC. - MARK DANIEL, 17W733 BUTTERFIELD ROAD, SUITE F, OAKBROOK TERRACE, IL 60181 |
| ADDRESS/LOCATION | 973 75 TH STREET, DOWNERS GROVE, IL 60516 |
| PIN | 09-29-301-009 |



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

| | | |
|-----------------------------|-----------------------------|------------|
| TWSP./CTY. BD. DIST. | DOWNERS GROVE | District 3 |
| ZONING/LUP | R-4 SF RES | 0-5 DU AC |
| AREA | 0.97 acres (42,253 sq. ft.) | |
| UTILITIES | Water and Sewer | |
| PUBLICATION DATE | Daily Herald: March 4, 2020 | |
| PUBLIC HEARING | March 19, 2020 | |

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.



**DUPAGE
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Planning Division

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630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

**DU PAGE COUNTY ZONING BOARD OF APPEALS
JACK T. KNUEPFER ADMINISTRATION BUILDING
421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187/ 630-407-6700**

Zoning Petition Z20-012 973 75th Street, LLC.

The DuPage County Zoning Board of Appeals will conduct the following public hearing:

PUBLIC HEARING: 6:00 p.m. **MARCH 19, 2020**, Room 3500-B, JACK T. KNUEPFER ADMINISTRATION BUILDING 421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187

PETITIONER: 973 75TH STREET, LLC.; AGENT: MARK DANIEL, 17W733 BUTTERFIELD ROAD, SUITE F, OAKBROOK TERRACE, IL 60181; OWNER: HEIRS/LEGATEES OF JAMES DUKA, AGENT: JOHN CICCARELLI, 225 S. LAKE, SUITE 300, PASADENA, CA 91101/

REQUEST:

1. Rezoning from R-4 Single Family Residence District to the B-2 General Business District (37-1412);
2. Conditional Use for an automobile laundry (37-802.2, 37-1413);
3. Conditional Use for a reduction in the east and west side yard from 12' to approximately 6' (37-802.4(D)(1), 27-1413);
4. Variation from the west side yard requirement to allow a one-foot separation between the west lot line and the curb, solely to allow a stacking lane in the side yard (37-302 (definition of "yard"), 37-411); and
5. Variation to reduce the west side yard required landscape yard from 12' to approximately 1' (37-419.2(D)(1)(c).

ADDRESS OR GENERAL LOCATION: 973 75TH STREET, DOWNERS GROVE, IL 60516

LEGAL DESCRIPTION: THE NORTH 412 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

**Respectfully Submitted,
ROBERT J. KARTHOLL, CHAIRMAN,
DUPAGE COUNTY ZONING BOARD OF APPEALS**

Notice of this hearing is being sent to property owners within 300 feet of the subject property and as one of them you are invited to attend the meeting and comment on the petition. A reduced scaled sketch or drawing of the petitioner's request is included for your review. If you have any questions or require a full-scale version of the site plan, please contact the Zoning Division at (630) 407-6700.

Please be advised that access to the 421 JACK T. KNUEPFER ADMINISTRATION BUILDING is limited to the main entrance located in the center on the east side of the building.



March 9, 2020

Jessica Infelise
DuPage County Building and Zoning Department
421 North County Farm Road
Wheaton, IL 60187

**RE: Z20-012 973 75th Street LLC
973 75th Street
Rezoning, Conditional Use, and Variations for an Automobile Laundry**

Dear Ms. Infelise:

Thank you for providing a copy of the public hearing notice regarding the subject case, public hearing to be held March 19, 2020 at 6:00 PM. Based on the public hearing notice, the proposed use is for an "automobile laundry".

Please be aware, the subject property is within the City of Darien's planning jurisdiction per the Darien Comprehensive Plan and Plan Update. The Darien Comprehensive Plan Update designates the subject property as Commercial.

The subject property is contiguous to the City of Darien on three sides, and is adjacent to Downers Grove to the north. The property is within the City of Darien Boundary Line Agreement in effect with the Village of Downers Grove. No portion of this property is in proximity to unincorporated areas.

If this property were to be annexed into the City of Darien, a commercial designation would be appropriate. Commercial properties to both the east and west of this property are zoned B-2 Community Shopping Center Business District. For zoning consistency, this property would most likely be zoned B-2 as well. Please note that if developed in the City of Darien and zoned B-2, an automobile laundry (car wash) would not be a permitted or conditional use (special use) in the zoning district, and therefore would not be permitted in this location.

Consideration of this use raises many concerns with the City of Darien, particularly related to three design principals: Traffic Impact, Noise and proximity to residential properties, and a proposed use exceeding the land area needed.

1. Traffic Impact

The conversion of a residential drive to an automobile oriented-use, close proximity to existing access points for the commercial uses on 75th Street to both the east and west, and inability for any access to or from west-bound 75th Street, all appear to be in conflict

with optimal requirements for an automobile laundry. Has a traffic study been performed or requested, and does the relocated curb cut meet minimum DuDOT requirements?

2. Noise and Nuisance

Automobile laundries generate noise from many sources: operating vehicles, vacuums, washing equipment, and pay stations. As proposed, pay stations are immediately adjacent the back yards of residential homes, approximately 12' from the property lines. Not only will these activities be a detriment to the enjoyment of adjacent properties, but the continuous frequency of activities will be audible during operating hours. The City is recommending a sound study to determine whether noise will attenuate to the adjacent residential development.

3. Use and Land Area

The numerous setback variations requested provide evidence that the site is not adequate for development of this use. Rear yard setbacks do not take the adjacent residential uses into consideration, and a 1' setback to the west is deficient 91.7% from county requirements. Although there is a 10' wide utility parcel to the west, this does not contribute to the necessary landscape buffers or use separation. Limited setbacks can exacerbate direct and ambient lighting on the adjacent properties in addition to the noted noise levels mentioned above.

It appears that the Conditional Use request is in conflict with Standards #4 and 7 as required by 37-1413.5. Specific to the pending rezoning petition, staff is concerned whether the proposed alterations to the property will fit into the character of the area and will be consistent with the Darien Comprehensive Plan and Zoning Ordinance, which would not support an automobile laundry.

The proposed rezoning, conditional use, and variations are not consistent with the Darien Zoning Ordinance, and therefore not supported for development as presented.

Please do not hesitate to contact me with any questions, (630) 353-8113.

Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT

Joseph Hennerfeind, AICP
Senior Planner



CC: Joseph Marchese, Mayor
Eric Gustafson, Alderman, Ward 6
Bryon Vana, City Administrator
Dan Gombac, Director of Community Development and Municipal Services

973 75th Street

MEMO

DOWNERS GROVE

R-2

(22)

(23) B-1

B-2

PUD
B-2

(37) B-2

75th Street

Lemont Road

DARIEN TOWNE PUD
CENTRE

B-3

(53)

(88)

B-3

(41)

MAIN ST

(77)

ABBNEY

DR

R-3

(54)

DARIEN-WOODRIDGE
FIRE DEPT

(160)

CAMBRIDGE RD

DR

DR

(110)

(100)

AYLESBURY LN

(145)

COTTAGE

MEMO


DUPAGE
 COUNTY

BUILDING & ZONING DEPARTMENT

 630-407-6700
 Fax: 630-407-6702

www.dupageco.org/building
DU PAGE COUNTY ZONING BOARD OF APPEALS
Zoning Petition Z20-012 973 75th Street, LLC.

Please review the information herein and return with your comments to:
 Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm
 Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupageco.org or via facsimile
 at 630-407-6702 by **March 18, 2020**.

| COMMENT SECTION: | |
|---|--|
| : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER | |
| : NO OBJECTION/CONCERNS WITH THE PETITION | |
| : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION | |
| : I OBJECT/ HAVE CONCERNS WITH THE PETITION. | |
| COMMENTS: | |
| SIGNED PETITION AGAINST THE DEVELOPMENT OF A CAR WASH AT THIS PROPERTY. | |
| SIGNATURE: <i>Eric Gustafson</i> DATE: 3/10/2020 | |
| MUNICIPALITY/TOWNSHIP/ AGENCY/DEPARTMENT: ERIC GUSTAFSON - DARIEN ALDERMAN - WARD 6 | |
| GENERAL ZONING CASE INFORMATION | |
| CASE #/PETITIONER | Z20-012 973 75 th Street, LLC. |
| ZONING REQUEST | <ol style="list-style-type: none"> 1. Rezoning from R-4 Single Family Residence District to the B-2 General Business District (37-1412); 2. Conditional Use for an automobile laundry (37-802.2, 37-1413); 3. Conditional Use for a reduction in the east and west side yard from 12' to approximately 6' (37-802.4(D)(1), 27-1413); 4. Variation from the west side yard requirement to allow a one-foot separation between the west lot line and the curb, solely to allow a stacking lane in the side yard (37-302 (definition of "yard"), 37-411); and 5. Variation to reduce the west side yard required landscape yard from 12' to approximately 1' (37-419.2(D)(1)(c). |
| OWNER | HEIRS/LEGATEES OF JAMES DUKA, AGENT: JOHN CICCARELLI, 225 S. LAKE, SUITE 300, PASADENA, CA 91101/ AGENT: 973 75 TH STREET, LLC. - MARK DANIEL, 17W733 BUTTERFIELD ROAD, SUITE F, OAKBROOK TERRACE, IL 60181 |
| ADDRESS/LOCATION | 973 75 TH STREET, DOWNERS GROVE, IL 60516 |
| PIN | 09-29-301-009 |

 Building
 Division

 Zoning &
 Planning Division

 Environmental
 Division

This letter is to convey the concerns of the Darien residents living in close proximity to the potential development of a car wash on the property located at 973 75th street, Downers Grove, IL 60516. The property is currently zoned residential and resides in unincorporated Downers Grove. The property is directly adjacent to homes in Darien where the backyard of the homes faces the potential car wash location.

The concern of the residents living in the area include but are not limited to:

- Noise be generated at the location including noise from vacuums, machinery, outside speakers, workers, automobile stereos, cell phones, pay stations, automobiles and automobile owners.
- Disruption of the quiet residential use and enjoyment by area residents.
- The property is surrounded on three sides by property located in Darien and the property should be incorporated into the city of Darien. The development impacts Darien residents and not residents in unincorporated DuPage County.
- Numerous setback variations indicate the development is not appropriate for this property.
- Development is located approximately 12 feet from the property lines adjacent to residential homes.

The following are the concerned Darien, IL residents who live in close proximity of and oppose the development of the property as a car wash facility at 973 75th street, Downers Grove, IL 60516.

(DARIEN ALDERMAN - WARD 6 - PROPERTY WITHIN 300 FEET)

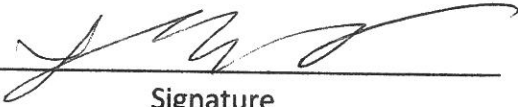
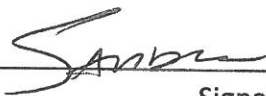


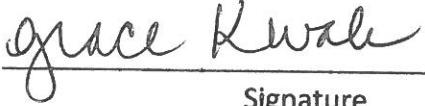
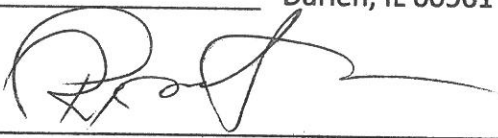
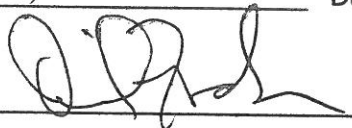
(1) ERIC GUSTAFSON *Eric Gustafson*
Printed Name Signature
7556 WAKEFIELD DRIVE Darien, IL 60561
Address

(2) LAURA J MARSHALL *Laura Marshall*
Printed Name Signature
7555 WAKEFIELD DR DARIEN Darien, IL 60561
Address


(3) BETH JACKSON *Beth Jackson*
Printed Name Signature
2446 Abbey Drive Darien IL 60561 Darien, IL 60561
Address


Reflects home owners in close proximity to the development.

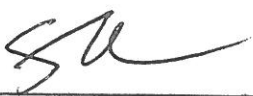
The following are the concerned Darien, IL residents who live in close proximity of and oppose the development of the property as a car wash facility at 973 75th street, Downers Grove, IL 60516.

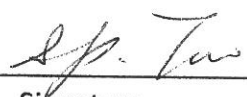
- (4) Yu Fang Cheng 
Printed Name Signature
2438 Abbey Dr Dar Darien, IL 60561
Address
- (5) Ion Sambuc 
Printed Name Signature
2430 ABBEY DARIEN IL 60561 Darien, IL 60561
Address
- (6) STEFAN TOMASZEK 
Printed Name Signature
2518 ABBEY DRIVE Darien, IL 60561
Address
- (7) AMANDA GRIFFIN 
Printed Name Signature
7517 Cambridge Rd. Darien, IL 60561
Address
- (8) Grace Kwak 
Printed Name Signature
2510 Abbey Dr Darien, IL 60561
Address
- (9) DAISY PILKIONIS 
Printed Name Signature
7555 CAMBRIDGE RD, DARIEN, Darien, IL 60561
Address
- (10) DANIEL FISCHER 
Printed Name Signature
2542 ABBEY DR Darien, IL 60561
Address

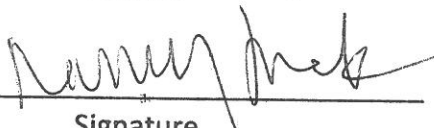
The following are the concerned Darien, IL residents who live in close proximity of and oppose the development of the property as a car wash facility at 973 75th street, Downers Grove, IL 60516.

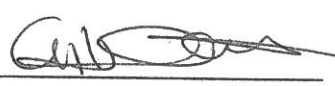
(11) Robert Klopotoski 
Printed Name Signature
2502 Abbey Drive Darien, IL 60561
Address

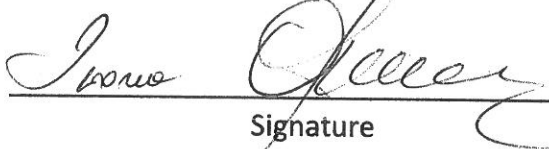
(12) ROBIN JOPA 
Printed Name Signature
7518 CAMBRIDGE RD Darien, IL 60561
Address


(13) SHAN REHMAN 
Printed Name Signature
2445 Abbey Drive Darien, IL 60561
Address

(14) Dave Tau 
Printed Name Signature
2526 Abbey Darien, IL 60561
Address

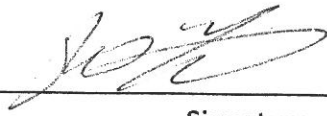
(15) Nancy Mark 
Printed Name Signature
2534 Abby Drive Darien, IL 60561
Address

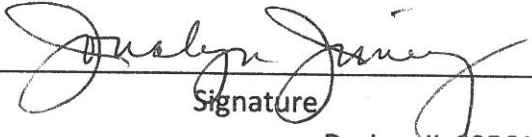
(16) Gita Chaudhari 
Printed Name Signature
2449 ABBEY DR Darien, IL 60561
Address


(17) Iwona Opalacz 
Printed Name Signature
2437 Abbey Dr Darien, IL 60561
Address


(18) Kenneth Liczner 
Printed Name Signature
2418 Abby Dr Darien, IL 60561
Address


The following are the concerned Darien, IL residents who live in close proximity of and oppose the development of the property as a car wash facility at 973 75th street, Downers Grove, IL 60516.

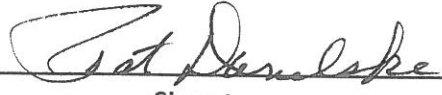
(19) Sharon Thomas 
Printed Name Signature
7525 Cambridge Rd. Darien, IL 60561
Address

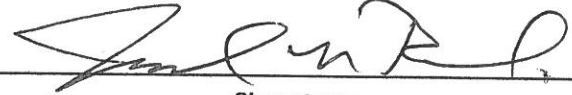
(20) Jonalyn Jimenez 
Printed Name Signature
7511 Cambridge Rd Darien, IL 60561
Address


(21) TIMOTHY PATYK 
Printed Name Signature
7500 CAMBRIDGE RD Darien, IL 60561
Address

(22) Jaya Bugit 
Printed Name Signature
7500 Cambridge Rd Darien, IL 60561
Address

(23) Mulid Jadon 
Printed Name Signature
7526 Cambridge Rd. Darien, IL 60561
Address

(24) PAT DANIELSKI 
Printed Name Signature
7532 Cambridge Rd. Darien, IL 60561
Address

(25) Joseph Bruch 
Printed Name Signature
7540 Cambridge Rd Darien IL Darien, IL 60561
Address

(26) Kavken Sonne 
Printed Name Signature
7548 Cambridge Darien, IL 60561
Address

The following are the concerned Darien, IL residents who live in close proximity of and oppose the development of the property as a car wash facility at 973 75th street, Downers Grove, IL 60516.

(27) PAULA ZELLINGER Paula Zellinger
Printed Name Signature
7564 Cambridge Darien, IL 60561
Address

(28) Grant Powell [Signature]
Printed Name Signature
7564 Wakefield drive Darien IL Darien, IL 60561
Address

(29) Christina Gogol [Signature]
Printed Name Signature
7563 Wakefield Dr. Darien, IL Darien, IL 60561
Address

(30) Melinda Janczur [Signature]
Printed Name Signature
7601 Wakefield D Darien IL 60561 Darien, IL 60561
Address

Joseph Hennerfeind

From: Eric Gustafson
Sent: Monday, March 30, 2020 11:20 AM
To: Lester Vaughan; Joseph Kenny; Ted schauer; Thomas Chlystek; Mary Sullivan; Tom Belczak
Cc: Joe Marchese; Bryon Vana; Dan Gombac; Forward for MJCoren; Joseph Hennerfeind
Subject: Potential annexation of property into Darien

Please note that I have sent this email to the entire city council. To meet the Open Meeting Act requirements please do not respond collectively or individually to this email.

- In the New Business section of the Darien City Council meeting on April 6th there will be an item regarding the forced annexation of the property located at 973 75th street. The property is located in unincorporated DuPage County and is surrounded by Darien property. This property is just east of Haraldsen's Garage & Body Shop (small white house on the property). The City Council meeting agenda packet will contain information regarding the proposed development including the City of Darien's formal negative response to the development and a signed petition of residents living in close proximity to the proposed development. I want to be transparent that I personally live within 300 feet of the property.

- A meeting was held with the Darien City Attorney John Murphey and City staff to discuss the forced annexation of the property. Attorney Murphey indicated the forced annexation is within Darien's legal rights and the forced annexation process can start as soon as the City Council approves the process to begin. Attorney Murphey indicated he saw no issues in getting the process completed.

- The owner is looking to sell the property to an individual who wants to develop the property as a full self/full-service car wash.

- The property is currently zoned residential and per the Darien Comprehensive Plan it is zoned B-2. Darien B-2 zoning rules would probably not allow developing the property as a stand-alone car wash. In addition, the property does not qualify as a B-3 property under current Darien zoning guidelines.

- If the property remains in DuPage county no sales tax revenue will be paid to the City of Darien. If the property is not annexed now and developed as a car wash and later annexed into Darien virtually no sales tax revenue will be generated for Darien; service business. It should be noted that the property is far too valuable as a source of potential sales tax revenue to allow it to be developed as a car wash. The businesses just to the east of the property has become a valuable source of sales tax revenue for Darien. I believe this property can follow the same path of development.

- Residents nearby the proposed development are in strong opposition to the proposed car wash development and signed a petition against the development. A major driving factor causing opposition will be the potential noise generated from the development from the outside vacuums, noises from outside speakers, car speakers, cell phones, employees, customers, machinery and various other sources. I personally collected the signatures for the petition and no one I spoke to had any interest in having the property developed as a car wash. All were strongly opposed.

I am asking for your support and vote with me and the residents of Ward 6 to begin the annexation process.

Please note that I have sent this email to the entire city council. To meet the Open Meeting Act requirements please do not respond collectively or individually to this email.



Odelson, Sterk, Murphey, Frazier & McGrath, Ltd.

3318 West 95th Street – Evergreen Park, Illinois 60805
Phone (708) 424-5678 ~ Fax (708) 741-5053
JBM Direct Dial (708) 634-0266
JBM e-mail: jmurphey@osmfm.com

Memorandum

VIA E-MAIL

To: Joe Hennerfeind
From: John B. Murphey
Date: March 31, 2020
Re: Surrounded Property Annexation

Section 7-1-13 of the Illinois Municipal Code allows a municipality to annex territory consisting of 60 acres or less if that territory is wholly bounded by one or more municipalities. The required procedures relate to the date the City would propose to pass the ordinance annexing the property. In particular:

1. At least 15 days before the passage of the annexation ordinance, the City must serve written notice, either in person or by certified mail, on the taxpayers of record of the proposed annexed territory.
2. At least 10 days before the annexation ordinance is passed, the City must publish a notice of contemplated annexation in a local newspaper.
3. The City must also give DuPage County notice of the contemplated action at least 10 days before the contemplated ordinance is considered.

This law reflects a legislative preference for municipal incorporation of qualifying parcels. In this regard, there is no separate public hearing requirement as there would be in the case of other annexations. The affected property owners or other interested members of the public would be allowed to comment during the course of the meeting when the Mayor opens the floor to the public on agenda-related items. But there is no separate public hearing requirement as in the case of most other contemplated annexations.

If the ordinance is adopted, a certified copy of the ordinance along with a Plat of Annexation must be recorded.

Finally, upon annexation, the property would automatically be zoned in the R-1 District, which is the City's most restricted zoning district.

Please review and call if there are any questions prior to the meeting on April 6, 2020. If the Council indicates a desire to move forward, we will need to work with the City Engineers to prepare an appropriate Plat of Annexation. I have already ordered title searches for the affected properties.

JBM/sml

LEGAL NOTICE NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Darien has developed a preliminary budget for the fiscal year beginning May 1, 2020 and ending April 30, 2021, which is currently under review by the Mayor and the City Council. Illinois Compiled Statutes (65 ILCS 5/8-2-9.9) provides that prior to final approval of the budget, the City holds a public hearing for the purpose of receiving public comment on the proposed budget.

The public hearing on the budget will be held before the Corporate Authorities of the City of Darien on Monday, April 6, 2020 commencing at 7:00 P.M. in the Council Chambers of the Darien City Hall, 1702 Plainfield Road, Darien, IL 60561. The tentative budget is on file at City Hall and is available for public inspection.

**JOANNE E. RAGONA
CITY CLERK
PUBLISHED IN THE DUPAGE COUNTY CHRONICLE
March 25, 2020**

CITY OF DARIEN

RULES FOR COMPLIANCE WITH PUBLIC COMMENT REQUIREMENTS OF THE ILLINOIS OPEN MEETINGS ACT

I. PURPOSE OF RULES.

The purpose of these Rules is to comply with the requirement of Section 2.06 of the Illinois Open Meetings Act that a public comment section be provided at each meeting subject to the Open Meetings Act.

II. DEFINITION OF “PUBLIC BODY” or “BODY.”

For purposes of these Rules, the term “Public Body” or “Body” shall mean the City Council, any Committee of the City Council, and any Board and Commission established by the City Council.

III. RULES GOVERNING PUBLIC COMMENT.

A. Unless otherwise allowed by a majority vote of the Body, the public comment periods shall be as follows:

1. For the City Council, as set forth on the attached **Agenda template**.
2. For Council committees and advisory committees, at the conclusion of the meeting immediately before adjournment. At the direction of the Body, the floor may be opened for public comment in conjunction with specific agenda items.

B. Individuals seeking to make public comment to the Body shall be formally recognized by the Chair.

C. Individuals addressing the Body shall identify themselves by name, but need not provide their home address.

D. Individuals addressing the Body shall do so by addressing their comments to the Body

itself and shall not turn to address the audience.

E. Public comment time shall be limited to three (3) minutes per person.

F. An individual will be allowed a second opportunity to address the Body only after all other interested persons have addressed the Body and only upon the majority vote of the Body.

G. In the case of a special meeting, public comment will be limited to subject matters germane to the agenda of the special meeting.

IV. PUBLIC HEARING REQUIREMENTS.

Additional public comments periods will be allowed as required by law in the case of public hearing, subject to the same time constraints.

Approved by a Motion on November 17, 2014