

**CITY OF DARIEN**  
**PLANNING AND ZONING COMMISSION**

Wednesday, January 16, 2019  
7:00 PM  
City Hall Council Chambers  
1702 Plainfield Road

AGENDA

1. Call to Order
2. Roll Call
3. Regular Meeting:

A. Hearing

**Case: PZC 2018-09                      6710 Rt. 83                      (sign variation)**

Olympic Signs, as agent for the owner of The Auto-Mobile Center of Darien, has petitioned for approval of a variation to Section 4-3-16 of the Darien Sign Code to allow an electronic message center on the ground sign at 6710 Rt. 83.

B. Public Hearing

**Case: PZC 2018-10                      313 Roger Road                      (lot width variation)**

Marius Grigoras, as contract purchaser, has petitioned for approval of a variation to Section 5A-7-2-5(A) of the Zoning Code that otherwise requires a 75 foot lot width for a proposed house to be built on a vacant lot commonly known as 313 Roger Road.

C. Public Hearing

**Case: PZC 2018-11                      Chemical Uses                      (zoning text amendment)**

City of Darien has petitioned for approval of a text amendment of the Zoning Code, Title 5A, Chapter 9: Office and Industrial Districts, Chapter 12: Performance Standards, and Chapter 13: Definitions, regarding standards for chemical-related uses and activities.

4. Correspondence
5. Old Business
6. New Business                      Variation Criteria
7. Approval of Minutes              December 5, 2018
8. Next Meeting                      February 6, 2019
9. Public Comments                      [On any topic related to planning and zoning]
10. Adjournment

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**January 16, 2019**

**Case**

PZC 2018-09          6710 Rt. 83          (sign variation)

**Issue Statement**

Olympic Signs, as agent for the owner of The Auto-Mobile Center of Darien, has petitioned for approval of a variation to Section 4-3-16 of the Darien Sign Code to allow an electronic message center on the ground sign at 6710 Rt. 83.

**General Information**

Petitioners	Albert Santa Maria, Olympic Signs (sign contractor)
Owner:	Darien Car Care Center LLC
Property Location:	6710 Rt. 83
PIN#’s:	(4 Parcels) 09-23-304-020, -021, -022, -023
Zoning / Land Use:	Site:                      B-2 / shopping center North:                    B-2 / dentist West and South        R-2 / single family East:                      LOP – Limited Office Professional (in Willowbrook) / office
Comprehensive Plan:	Future Land Use: Commercial
Size of Subject Lot:	300 feet wide by 175 feet deep = 52,500 square feet
Natural Features:	Relatively flat, sign base about 2 feet lower than Rt. 83
Transportation:	Access via two driveways from Rt. 83
History:	Rezoning from R-2 to B-2 and special use for auto repair, both approved in 1986 by Ordinance O-16-86

**Petitioner Documents** (attached to this memo)

1. Petition
2. Narrative (3 pages)
3. Plat of Survey
4. Sign Plans (5 pages)

**Staff Documents** (attached to this memo)

5. Aerial Plat Map
6. Photo of Chuck’s sign
7. Darien City Code – Illumination and Variation Standards

**Development Description**

This multi-tenant shopping center is over 40 years old and is currently fully occupied by 3 businesses – Oil Express, Chippers Auto Care, and Darien Tire & Auto. Their ground sign is 29 feet tall by 10 feet wide having about 200 square feet per side and contains 7 panels, one of which shows digital time and temperature. It is located about 80 feet from the edge of pavement from Rt. 83. Their plan is to cover the time and temperature panel at the bottom of the sign and replace the top 2 static panels with an electronic message center, 5 feet high by 10

feet wide, that would display illuminated images. The images of products or services and would remain static for at least 10 seconds, not flashing or chasing, with limited brightness at night.

**Code Compliance**

The Darien Sign Code currently allows ground signs 12 feet above grade and 90 square feet per side, so the current sign is oversized per current standards. The sign was conforming when it was built but the code standard was made smaller after it was built, so it is currently classified as 'legal non-conforming'. The Darien Sign Code required that non-conforming signs in the Rt. 83 corridor must be amortized or removed after 15 years, until that code provision was deleted on 12.17.18.

The proposed sign would not conform to Section 4-3-16 of the Darien Sign Code which prohibits "blinking, flashing, or fluttering lights or other illuminating devices which has a changing light intensity, brightness, or color (1994)." Section 4-3-7 (D) requires that sign light be less than 150 foot-lamberts, be shielded from residential areas, and not cause a traffic hazard.

**Plan Review Comments**

Other existing ground signs on the Darien (west) side of Rt. 83 are 12 feet tall or less and do not have electronic message center signs. There are two ground signs on the Willowbrook (east) side of Rt. 83 recently installed that appear to be about 15-20 feet tall and one (Pete's) has an electronic message center sign about 8 foot by 8 foot with a change rate of about 10 seconds.

The Petitioner's was asked to address each of the variation standards in their narrative to assist the PZC in making findings-of-fact. The narrative and plans they provided refer to their 'competition' with nearby signs, how the proposed sign will enhance their ability to promote sales, especially with the distance of the sign from Rt. 83, and 'this advertising medium will greatly aid these establishments in moving from a stagnant business climate'.

In 2014, the City granted a variation to Chuck's restaurant at 8025 Cass Avenue for an illuminated electronic message board sign subject to the following conditions:

1. Messages will be held for at least 60 seconds.
2. Messages will change all at once.
3. Messages may display multiple colors.
4. Illumination will maintain a constant light intensity or brightness.
5. Illumination brightness will comply with the Sign Code.

In 2015, the City granted a variation to Our Lady of Peace at 709 Plainfield Road for a similar sign subject to the same conditions.

**Meeting Schedule**

Planning and Zoning Commission:	January 16, 2019
Municipal Services Committee:	January 28, 2019
City Council:	February 4, 2019

CITY OF DARIEN, ILLINOIS, Community Development Department

Variation/Special Use/Rezoning petition to the Mayor and City Council of the City of Darien:

Staff Use Only	
Case No.:	PLC 2018-09
Date Received:	12/13/18
Fee Paid:	\$485
Check No.:	17573
Hearing Date:	1/16/19

PETITIONER INFORMATION

Olumark Signs  
Petitioner's Name

ALBERT SANTA MARIA  
Contact Name

1130 No. GARFIELD ST. LOMBARD IL. 60148  
Address, City, State, Zip Code

630-424-6100  
Phone #

630-424-6120  
Fax #

asantamaria@olysigns.com  
Email

DARIEN CAR CARE LLC  
Owner's Name

7420 S. COUNTY LINE ROAD, BURR RIDGE IL, 60527  
Address, City, State, Zip Code

630-325-3200  
Phone #

Eai@sharedsuites.com  
Email

PROPERTY INFORMATION

6710 RT 83 DARIEN 60561  
Property address

09-23-304-020 / 09-23-304-021  
09-23-304-022 / 09-23-304-023  
PIN(s)

1.205  
Acreage

B-2  
Zoning

Provide legal description on a separate sheet and attach, such as the plat of survey.

REQUEST

Brief description of the request(s):

- Variation
- Simple Variation
- Special Use
- Rezoning

REPLACE TOP TWO STONE SIGN PADDLES OF THE FREE STANDING MONUMENT  
CLIENT WOULD LIKE TO AMEND THE CODE TO  
ELIMINATE THE AMORTIZATION REQUIREMENT  
SIGN WITH AN ELECTRONIC MESSAGE CENTER PER ATTACHED PLANS

I, Robert Whitehead, hereby certify that I am the owner of record (or one of the owners of record or the attorney for the owners of record of the aforesaid described property) and I hereby make application as such.

Signature

Subscribed and sworn to before this 12 day of December, 2019

Francine M McGowan  
Notary Public



**DARIEN CAR CARE CENTER LLC.**

7420 County Line Road

Burr Ridge, IL 60527

(630) 325-3200

October 3, 2018

Mr. Steven Manning, City Planner  
CITY OF DARIEN  
1702 Plainfield Road  
Darien, IL 60561

**RE: 6710 - 6722 Route 83, Darien, Illinois**

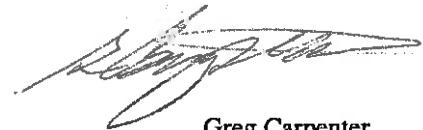
Dear Mr. Manning,

This letter is to certify that Olympic Signs, Inc. Has been contracted by Darien Car Care Center LLC to perform the work of renovating the existing signage by replacing one tenant space with an electronic message center.

If you have any questions, please feel free to contact me at (630) 606-3421.

Sincerely,

DARIEN CAR CARE LLC



Greg Carpenter  
Property Manager



1130 N. Garfield, Lombard, IL 60148  
[www.oly signs.com](http://www.oly signs.com)

Phone: 630/424-6100  
Fax: 630/424-6120

To: Village of Darien  
Attention: Department Building

From: Olympic Signs, Inc  
Account Executive: Al Santa Maria  
Phone: 630-652-4114 (DL)  
630-200-0184 (M)

Re: Proposed Electronic Message Unit for the Darien Car Care Center LLC, aka The Auto-Mobiie Center of Darien including removal of existing Time and Temperature Unit.

In preparation of the sign permit applications for the sign renovation of the existing multi-tenant ground sign located at the Auto-Mobile Center located at 6710 Route 83 in Darien, IL I called the Village to discuss what we would need to move forward with permitting process. I spoke with Steve Manning who informed me of the Route 83 corridor sign regulations.

Mr. Manning said that the owner's choices were to remove the existing sign and replace with new or that they could attempt to amend the code to eliminate the amortization requirement. The existing sign structure was manufactured from aluminum sheeting with 2" x 1/4" galvanized steel angle and is in excellent condition. The property owners, at the behest of long time tenants suggested that an electronic message unit be considered in place of the Time and Temperature unit. This added means of generating new business should help to revitalize the center and an area now competing with new retail completion from new and highly visible establishments.

I have also included with this submittal the drawings of the renovated display along with photos of the general area that depict the use of prohibited signage along Route 83 and new construction in the area to show some of the obstacles these owners are competing against for their neighbors business.

Thank you for your consideration.

Al Santa Maria – Account Executive

Olympic Signs, Inc.

630-652-4114

City of Darien  
Received  
DEC 11 2018  
Community Development

## **Darien Car Care Center LLC Narrative**

We are requesting a variance from the Darien Sign Code for 6710 Route 83 for Darien Car Care Center LLC. We wish to furnish an electronic changeable message sign at this location. As the cost of electronics has gone down, the popularity of electronic signs has increased. Electronic signs offer the benefits of easily changed wording to announce such things as sales and short term promotions and also public service announcements. Messages can change at the flip of a switch instead of sending a person out in inclement weather to change one letter at a time. The length of any one message can be programmed so that the changes are not too fast or too slow.

As the popularity of such signs increases, they are less of a surprise to the motoring public. Like stationary copy and all advertising in general, they tend to be screened out by the general public...unless they have a particular need for the advertised service at that particular time. In other words, you only pay serious attention to a advertisers sign when you are in need of their product or service. You may still notice it as part of the general visual environment, but you will not think much about it unless you are in need of the signs product / service at that particular time. In the case of the Car Care Center, the existing static display advertises the name and service of the individual tenant and considering the distance the sign is located from Route 83 the opportunity to advertise special services, savings and or incentive packages will help draw potential clients and revenue into the center. Over the years, the existing Time and Temperature sign has proven to be a sales aid device. It has introduced the passerby to the center with its public service message. Now that the electronic message center has become more affordable, the tenants look to this mode of advertisement as cost effective means of increasing revenues to grow their businesses out of the recent recession.

It is our belief that through increased goods, services and the additional revenues generated the entrepreneurs of the Darien Car Care Center LLC will become more essential to the immediate area and integral to the Darien economy.



1130 N. Garfield, Lombard, IL 60148  
[www.oly signs.com](http://www.oly signs.com)

Phone: 630/424-6100  
Fax: 630/424-6120

12-9-2018

To: Village of Darien  
Attention: Building Department

From: Olympic Signs, Inc  
Salesman: Al Santa Maria  
Phone: 630-652-4114 (DL)  
630-200-0184 (M)

Re: EXPLANATION OF HOW THE PROPOSED SIGN MEETS THE SIGN VARIATION STANDARDS

The available location for adequate signage is shown on the attached shop drawing for the proposed sign renovation of the existing multi-tenant ground sign located at the Auto-Mobile Center located at 6710 Route 83 in Darien, IL.

We believe that the proposed electronic message unit that replaces the existing time and temperature sign will not have a negative affect on motor or pedestrian traffic. The subject sign is located approximately 90 feet from the main thoroughfare, IL Route 83. The subject property has no sidewalk on that side of the street there fore there is no pedestrian traffic. Use of the message unit will avoid or eliminate use of streamers, banners, pennants or other types of non-conforming advertising. With the ability to change message the electronic sign will advertise commercial products available at the businesses located on the premises and non-commercial messages from not-for-profit or governmental organizations located in the village of Darien. The message unit can also advertise for public hearings, meetings and non-commercial public events in the Village of Darien. The massage shall not consist of flashing, scintillating, chasing lights and remain static for a minimum of 10 seconds. Electronic copy and graphics will softly fade, dissolve or roll from ad to ad. The message unit shall incorporate automatic dimmer software or solar sensors setting maximums of 10,000 nits during daylight and 1,000 nits during dusk and dawn. If the Village finds that the display glares or impairs the vision of drivers in motor vehicle the owner Darien Car Care Center LLC shall, within 24 hours of a request by the Village, reduce the intensity of the display to a level deemed acceptable by the Village.

The cost of the applicant, Darien Car Care Center LLC., in complaining with the sign code is potential. The sign variance request for the time and temperature unit with this electronic massge unit. The ad exposure the message unit will provide the business complex tenants will be enhance therefore presenting the opportunity for a greater number of patrons visiting and employing these establishments. The addition of this advertising medium will greatly aid these establishments in moving from a stagnant business climate and on to becoming stronger members of the Darien

Business community.

Being that the overall of the Darien sign code is to promote public safety, convience, physical appearance and to enhance the economy of the village; we believe that by approving this variance both applicant, applicants' tenants and the Village of Darien will greatly benefit as a result.





# The AUTO MOBILE CENTER *of Darien*

6710 Rt IL-83  
Darien, IL 60561

EMC Units Retro-Fitted to Existing Pylon

**OLYMPIK  
SIGNS**

1130 N. OAKFIELD  
Lombard, IL 60148

TEL: 630.424.6100 FAX: 630.424.6120

[WWW.OLYSIGNS.COM](http://WWW.OLYSIGNS.COM)

job#: 17-6980

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6800 IL-53, Darien, IL 60551



640 Plainfield Rd., Willowbrook, IL 60527



709 Plainfield Rd., Darien, IL 60561



6500 S IL-53, Willowbrook, IL 60527

### Examples of Neighboring Businesses -



account representative / client /  
AL SANTA MARIA

The AUTO MOBILE CENTER  
of Darien

6710 RT 83 DARIEN, IL 60581

drawn by  
JOHN W

job#: 17-6980A  
8-7-17  
rev.# 12-11-18pmf

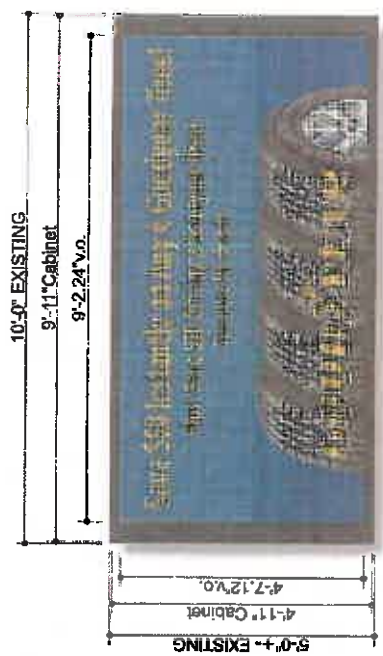
Customer's Signatures  
Comments

Date:

630-424-6100 FAX: 630-424-6190 WWW.OLYSIGNS.COM

THIS IS AN EXAMPLE. ALL INFORMATION IS SUBJECT TO THE AGREEMENT WITH THE CUSTOMER. THIS IS NOT A CONTRACT. THE COMPANY, REPRESENTATIVE AND CLIENT ARE NOT RESPONSIBLE FOR THE CONTENTS OF THIS DOCUMENT. THE CONTENTS OF THIS DOCUMENT ARE THE PROPERTY OF OLYMPIK SIGNS, INC.

page 3 of 4



**2 S/F FULL COLOR EMC UNITS 3/8" = 1'-0"**  
 2 - 16MM 4'-11" h x 9'-11" w x 5" d S/F FULL COLOR ELECTRONIC MESSAGE CENTER DISPLAYS W/ .3 WATT COLORED LED LAMPS IN A 84 X 168 MATRIX TO BE RETRO FITTED INTO EXISTING D/F ILLUMINATED PYLON DISPLAY. ALUMINUM CABINETS & FILLER BLACK PAINTED FINISH.



**OLYMPIC SIGNS** THE N. CORNER OF PARKWAY AUTO MOBILE CENTER 6710 RT 63 DARIEN, IL 60581  
 PHONE: 630.424.6100 FAX: 630.424.6120 WWW.OLYSIGNS.COM

account representative / client / drawn by / job# / Date:  
 AL SANTA MARIA / AUTO MOBILE CENTER / JOHN W / 17-8980A / 8-7-17 /  
 rev# 12-11-18pmj

Customer's Signature: \_\_\_\_\_  
 Comments: \_\_\_\_\_

page 4 of 4



DuPage County  
Information Technology Department  
GIS Division  
421 N County Farm Rd.  
Wheaton, IL 60187  
Ph# (630)407-5000  
Email: [gis@dupageco.org](mailto:gis@dupageco.org)

DuPage Maps Portal:  
<http://dupage.maps.arcgis.com/home>  
  
DuPage County, Illinois Web Site:  
[www.dupageco.org](http://www.dupageco.org)



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BANK  
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01/09/2019 01:28



## City of Darien                      Sign Code

### 4-3-7: GENERAL SIGN REGULATIONS:

(C) Illumination Of Signs: In addition to all other applicable requirements set forth in this sign code, all illuminated signs shall comply with the following provisions:

1. All illuminated signs within one hundred feet (100') of any residential zoning district shall be turned off between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M. unless the business is engaged in the operation of business during such hours, in which case the sign may be lit during the hours of operation only.
2. Signs in the direct line of vision of motorists approaching any traffic signal shall not have red, green or amber illumination.
3. Neither the direct nor reflected light from primary light sources shall create a traffic hazard for or confuse operators of motor vehicles on public thoroughfares.
4. No sign shall have blinking, flashing or fluttering lights or other illuminating device which has a changing light intensity, brightness or color. Beacon lights are prohibited.
5. No exposed reflective type bulb or incandescent lamp which exceeds fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property.
6. All sources of light, whether by direct exposure, surface reflection or transmission having an intrinsic brightness greater than thirty (30) foot-lamberts shall be shielded so that the source of the light cannot be seen at any point within a residential zoning district.
7. No luminous source of light, whether direct exposure, surface reflection or transmission shall have a light intensity exceeding the brightness value of one hundred fifty (150) foot-lamberts.
8. No source of light shall be permitted to cause illumination in excess of one-half ( $1/2$ ) foot-candle in a residential zoning district.
9. The light from any illuminated sign shall be so shielded, shaded or directed so that the light intensity or brightness shall not be objectionable to surrounding properties.

### 4-3-16: ILLUMINATION IN ROUTE 83 CORRIDOR:

For the purposes of this sign code no sign shall have blinking, flashing, or fluttering lights or other illuminating device which has a changing light intensity, brightness, or color. Beacon lights are not permitted. (Ord. 0-38-94, 9-6-1994)

**4-3-18: ADMINISTRATIVE DETERMINATIONS; PERMITS, VARIANCES AND APPEALS:**

**(B) Variation Of Regulations:**

1. (a) The available locations for adequate signage on the property;
- (b) The effect of the proposed sign on pedestrian and motor traffic;
- (c) The cost to the applicant in complying with the sign code as opposed to the detriment, if any, to the public from granting of the variance;
- (d) If undue hardships and practical difficulties result in complying with the sign code and if these hardships are a result of previous actions of the applicant;
- (e) The general intent of the sign code.

**4-3-2: PURPOSE**

This sign code is adopted for the following purposes:

- (A) To promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents of the City.
- (B) To enhance the physical appearance of the City by preserving the scenic and natural beauty of the area.
- (C) To promote the safety and recreational value of public travel.
- (D) To protect the public investment in streets and highways by reducing sign or advertising distractions that may increase traffic accidents.
- (E) To ensure compatibility of signs with surrounding land uses.
- (F) To enhance the economy of the City by promoting the reasonable, orderly and effective display of outdoor advertising.
- (G) To protect the pedestrians and motorists within the City from damage or injury caused by distractions, obstructions and hazards created by a proliferation of off-site advertising signs.
- (H) To prevent the proliferation of off-site advertising signs which distract from the development of the City in an aesthetically pleasing manner.
- (I) To preserve the character of the City which is a single-family residential community by assuring the compatibility of signs with the surrounding land uses. (Ord. 0-38-94, 9-6-1994)

**AGENDA MEMO**  
**Planning and Zoning Commission**  
**January 16, 2019**

**Case**

PZC 2018-10      313 Roger Road      (lot width variation)

**Issue Statement**

Marius Grigoras, as contract purchaser, has petitioned for approval of a variation to Section 5A-7-2-5(A) of the Zoning Code that otherwise requires a 75 foot lot width for a proposed house to be built on a vacant lot commonly known as 313 Roger Road.

**General Information**

Petitioner / Owner:	Marius Grigoras / Barbara and Brian Keane
Property Location / PIN#:	313 Roger Road / 09-22-104-056
Zoning / Land Use:	Site: R-2 / single-family residence Surrounding: R-2 / single-family residence
Comprehensive Plan:	Future Land Use: Low Density Residential
Size of Subject Lot:	70.00' x 201.65' x 77.96' x 167.37' = 13,965 square feet
Natural Features:	Relatively flat, several mature trees
Transportation:	Frontage on both Roger Road and Plainfield Road.
History:	Lot 2 in Block 50 of Tri-State subdivision, Unit 6

**Documents** (attached to this memo)

1. Petition
2. Narrative
3. Plat of Survey
4. Aerial Plat Map
5. Photo of Site
6. Current Variation Standards

**Development Description**

The lot apparently has never been developed and the Petitioner would like to buy and have a single family house built for his family. The lot width is 70 feet measured on the perpendicular to the side lot lines and the R-2 standard for lot width is 75 feet. A house with the required 10 foot side setbacks would still be 50 feet wide and could be as much as 147 feet deep. The Petitioner has voiced their preference to front the house on Roger Road.

**Plan Review Comments**

Most of the lots in the neighborhood are 75 wide and some are narrower. The Petitioner provided a written response to the Variation Standards.

**Meeting Schedule**

Planning and Zoning Commission:	January 16, 2019
Municipal Services Committee:	January 28, 2019
City Council	February 4, 2019

CITY OF DARIEN, ILLINOIS, Community Development Department

Variation/Special Use/Rezoning petition to the Mayor and City Council of the City of Darien:

Staff Use Only	
Case No.:	201810
Date Received:	12/18/18
Fee Paid:	\$360
Check No.:	0061
Hearing Date:	1/16/19

PETITIONER INFORMATION

Mitchell Grifors  
Petitioner's Name

BARBARA & BRIAN KEANE  
Owner's Name

Contact Name

716 Fossil Dr. Inglewood, IL 60041  
Address, City, State, Zip Code

863 Brentwood Ct.  
Address, City, State, Zip Code

773-447-9387  
Phone #

773-627-4916  
Phone #

msbeegas1@aol.com  
Email

Fax #

ipmanagement@yahoo.com  
Email

PROPERTY INFORMATION

313 Robert Rd  
Property address

0.3  
Acreage

0926102019  
PIN(s)

R1  
Zoning

Provide legal description on a separate sheet and attach, such as the plat of survey.

REQUEST

Brief description of the request(s):

- Variation
- Simple Variation
- Special Use
- Rezoning

LOT WITH

BRIAN P. KEANE / BARBARA M. KEANE do hereby certify that I am the owner of record (or one of the owners of record or the attorney for the owners of record of the aforesaid described property) and I hereby make application as such.

Brian P. Keane Barbara M. Keane  
Signature

Subscribed and sworn to before this 17 day of December, 2018

Araceli Ortiz  
Notary Public



**CITY OF DARIEN**  
**Community Development Department**  
1702 Plainfield Road, Darien, Illinois 60561

**AGREEMENT TO PAY FEES**

The undersigned petitioner (the petitioner) acknowledges the City of Darien may seek advice and counsel from professional sources outside the employee staff of the City of Darien. The purpose of such consultation is for traffic impact analysis, engineering/ stormwater and legal reviews related to considering a petition for a variation, special use, rezoning and site plan approval submitted to the City of Darien by the petitioner.

As an additional express condition in submitting said petition and the consideration thereof by the City of Darien, the petitioner both personally and on behalf of the property owner(s), agrees to pay forthwith all costs and expenses that may be incurred by the City of Darien for said consultation.

The petitioner hereby accepts and acknowledges that if at any time the petitioner fails to pay said professional service fees in accordance with the direction of the City of Darien, no further action will be taken by the City of Darien in relation to the petitioner's petition until such time as said payment is paid in full.

Marius Grigoras

Petitioner, print name



Petitioner, signature

12/13/18

Date

868 Brentwood Ct., Bensenville, IL, 60106

Petitioner's Address, City, State, Zip Code

Marius Grigoras,  
Re: Zoning variance for 313 Roger Rd.  
Darien, IL, 60561.

December 18<sup>th</sup>, 2018

*Re: ZONING CODE SECTION 5A-7-2-5(A)*

Mr. Steven C. Manning  
City Planner  
City of Darien,  
1702 Plainfield Rd.  
Darien IL, 60561

**VARIATION CRITERIA:**

- 1. Whether the general character of the property will be adversely altered**  
The proposed variation is to build a residential home and will not change or adversely alter the general character of the neighborhood.
- 2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.**  
Building a residential home on an empty lot will improve the value of the property and will not have any potential adverse effect on the neighboring properties and overall the value of the neighboring properties will be improved once a new residential home is built.
- 3. Whether the alleged need for variation has been created by any person presently having a proprietary interest in the premises.**  
The alleged need for the variance is requested by the city of Darien to be able to build on the lot that is < 75' on the side of the lot facing Roger Road.
- 4. Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.**  
The proposed variation will not impair in any way the supply of light, air in adjacent property, create congestion on the public streets, increase the danger of fire or endanger the public's safety.
- 5. Whether the proposed variation will adversely alter essential character of the neighborhood.**  
The proposed variation will not alter the essential character of the neighborhood in any way.

Sincerely,

Marius Grigoras

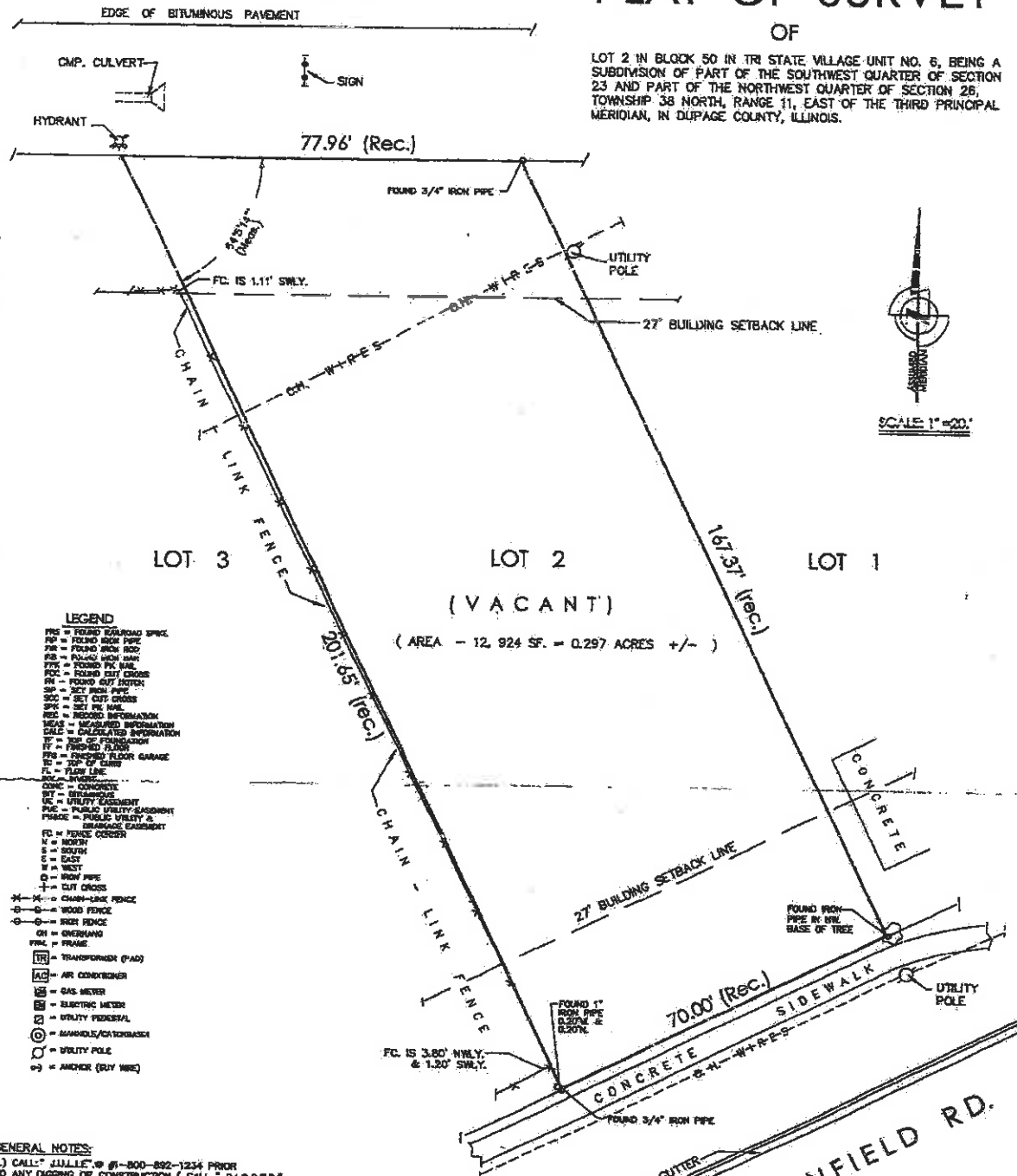


# ROGERS ROAD

# PLAT OF SURVEY

OF

LOT 2 IN BLOCK 50 IN TRI STATE VILLAGE UNIT NO. 6, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 23 AND PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



### LEGEND

- FRS = FOUND RAILROAD SPUR
- FRP = FOUND IRON PIPE
- FRB = FOUND IRON ROD
- FRS = FOUND SIGN
- FRP = FOUND PC MAIL
- FRD = FOUND CUT CROSS
- FRS = FOUND GUY WIRE
- SP = SET CITY CROSS
- SPC = SET PC MAIL
- SPC = SET IRON MAIL
- REI = RECORD INFORMATION
- REI = RECORDED INFORMATION
- CAIC = CALCULATED INFORMATION
- TR = TOP OF FOUNDATION
- IT = FOUND FLAG
- FRS = FOUND FLOOR GARAGE
- FRS = TOP OF CURB
- FL = FLOW LINE
- CONC = CONCRETE
- UT = UTILITY
- UR = UTILITY EASEMENT
- FRS = PUBLIC UTILITY EASEMENT
- FRS = PUBLIC UTILITY & EASEMENT
- FRS = PUBLIC UTILITY & EASEMENT
- FRS = FENCE CORNER
- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- FRS = FOUND PIPE
- FRS = CUT CROSS
- FRS = CHAIN-LINK FENCE
- FRS = WOOD FENCE
- FRS = IRON FENCE
- FRS = CHAIN-LINK FENCE
- FRS = FRAME
- FRS = TRANSFORMER (PAD)
- FRS = AIR CONDITIONER
- FRS = GAS METER
- FRS = ELECTRIC METER
- FRS = UTILITY FEDERAL
- FRS = MANHOLE/CONCRETE
- FRS = UTILITY POLE
- FRS = ANCHOR (BUY WIRE)

### GENERAL NOTES:

- 1.) CALL "JULIE" @ 1-800-892-1234 PRIOR TO ANY DIGGING OR CONSTRUCTION (CALL "D.L.S.G.P." FOR THE CITY OF CHICAGO ONLY @ 312-744-7000)
- 2.) NO UNDERGROUND UTILITIES SHOWN HEREON.
- 3.) REFER TO LOCAL ZONING AND SUBDIVISION ORDINANCES AND YOUR TITLE COMMITMENT FOR ANY PROPERTY RESTRICTIONS, SETBACKS AND EASEMENTS NOT SHOWN HEREON.
- 4.) THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S RAISED SEAL AFFIXED.
- 5.) COMPARE ALL POINTS AND REPORT ANY DISCREPANCIES TO SURVEYOR PRIOR TO CONSTRUCTION AT ONCE.
- 6.) A CURRENT TITLE POLICY WAS MADE AVAILABLE AT TIME OF SURVEY.
- 7.) LEGAL DESCRIPTION SHOWN HEREON SHOULD BE COMPARED TO RECORDED DEED OR TITLE COMMITMENT.
- 8.) DO NOT SCALE DIMENSIONS FROM THIS PLAT.

COMMON ADDRESS: DARIEN, ILLINOIS	
ORDER NO: R17-300.1S	SCALE: 1" = 20'
FIELD DATE: 07/26/2017	BOOK: 50 PAGE: 52

PREPARED FOR: LAW OFFICE OF:  
BRIAN J. O'HARA  
RIVER FOREST, ILLINOIS.



STATE OF ILLINOIS )  
COUNTY OF COOK ) S.S.

THIS IS TO CERTIFY THAT I, JOHN COLIN TOLINE, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREBY DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND THAT ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, AS APPLICABLE TO PLATS OF SUBDIVISION (ILCS 1270.56.8.6.F.)

*John C. Toline* DATE: JULY 26, 2017  
JOHN COLIN TOLINE, P.L.S. # 3078  
MY COMMISSION EXPIRES NOVEMBER 30, 2018  
PROFESSIONAL LAND SERVICES, L.L.C.  
ILLINOIS PROFESSIONAL DESIGN FIRM REGISTRATION # 184-004648

**PROFESSIONAL LAND SERVICES, L.L.C.**  
LAND SURVEYING AND MAPPING  
7518 W. MADISON AVE., STE. 2C - FOREST PARK, IL 60130  
PHONE: 708.488.1733 FAX: 708.488.1785 E-MAIL: prolandsurv@globalnet

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DuPage Maps Portal:  
<http://dupage.maps.arcgis.com/home>

This map is for assessment purposes only.  
DuPage County Web Site:  
[www.dupageco.org](http://www.dupageco.org)

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01/08/2019 01:30

## CURRENT STATE AND DARIEN VARIATION CRITERIA

### VARIATION CONDITIONS Illinois Municipal Code 65 ILCS Sections 11-13-4, 11-13-5

A variation shall be permitted only if the evidence sustains each of the following conditions:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.
2. The plight of the owner is due to unique circumstances.
3. The variation if granted will not alter the essential character of the locality.

The corporate authorities may provide general or specific rules implementing, but not inconsistent with, the rules herein provided.

### VARIATION STANDARDS Darien Zoning Code Section 5A-2-2-3(G)

Standards: The zoning board of appeals or plan commission shall not recommend a variation and the city council shall not vary the provisions of this title as authorized in this section, unless findings of fact have been made on those of the following which relate to the variation being sought:

1. Whether the purpose of the variation is not based primarily upon a desire to increase financial gain and the general character of the property will be adversely altered.
2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.
3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.
4. Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.
5. Whether the proposed variation will adversely alter the essential character of the neighborhood. (Ord. 0-29-05, 10-3-2005)

The city council shall not grant variations from the provisions of this title contained in chapter 4 of this title. Provided however, that the city council may grant variations to nonconforming buildings, structures, and uses from other provisions of this title other than the provisions contained in chapter 4 of this title except that the city council shall not grant use variations.

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**January 16, 2019**

**Case**

PZC 2018-11

Zoning Text Amendment

Chemical Uses

**Petition**

The City of Darien has petitioned for approval of a text amendment of the Zoning Code regarding standards for chemical related uses and activities, currently in Chapter 9: Office and Industrial Districts, Chapter 12: Performance Standards, and Chapter 13: Definitions.

**Background**

At the October 29, 2018, City Council Goal Setting meeting the Council discussed land use regulation and oversight by City Council. The consensus of the Council was to review the City Code and recommend revisions in land uses with the goal of minimizing uses that may pose a hazard and requirements for public notification in the case of an EPA violation.

The City Administrator has drafted a text amendment focusing on permitted and special uses that may involve problematic chemical uses and activities to be either prohibited, not allowed, or restricted in the OR&I and I-1 districts. **Attachment A** has the current code with strikeout language recommended to be deleted and highlighted/bold language recommended to be added.

The OR&I Office, Research and Light Industry District includes the new warehouse at 7879 Lemont Road, the business park at the northeast corner of Lemont and Plainfield Roads, and the business area at Wilmette Avenue and N. Frontage Road. The only I-1 General Industrial District contains the City Public Works facility and Sterling Bay property both on S. Frontage Road. **Attachment B** is a survey data on the 31 businesses in Darien in OR&I districts that have business licenses on file. Notices of this hearing have been mailed to each of these 31 businesses.

**Attachment C** contains Standards for Amendments to the Zoning Code which include both map and text amendments.

Testimony at the hearing should be considered and then direction given to staff for any revisions desired to the text amendment draft. The hearing may be continued to the next meeting date of February 6, 2019 for presentation of the revised text amendment draft, additional review comments, and a vote on recommendation to the City Council.

**5A-9-1-1: PROHIBITED USES:**  

No lot, parcel, or tract of land, shall be used, and no building or structure shall be erected, altered, or remodeled, for any of the following uses or uses similar thereto: **Chemical processing and manufacture**, abattoirs, arsenals, crematories, creosote treatment or manufacture; fat rendering, fertilizer manufacture; fireworks or explosive manufacture or storage; dumping, reduction or other processing of garbage, dead animals, offal or refuse, except as customarily incidental to a permitted principal use; ore reduction, petroleum processing or refining, pyroxylin manufacture, natural or synthetic rubber, caoutchouc, or gutta percha manufacture or treatment; salt works, sauerkraut manufacture, soap manufacture, smelters; stockyard or slaughter of animals or fowl; tallow, grease or lard manufacture or treatment; tanning, curing or storage of rawhides or skins, tar distillation or manufacture; or cement, concrete or asphaltic concrete mixing plants. (Ord. 0-03-00, 4-3-2000)

**5A-9-1-2: PROHIBITED ACTIVITIES:**  

No activities involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted except such as are specifically licensed by the City and are used as customarily incidental to the operation of a principal use in such quantities, and in a manner conforming with applicable performance standards set forth in Chapter 12 of this Title. Such materials shall include, but shall not be confined to: all primary explosives, such as lead oxide, lead styphnate, fulminates and tetracene; all high explosives, such as TNT, RDS, HMX, PETN, hand picric acid, propellants and components thereof, such as nitrocellulose, black powder, boron hydrates, hydrazine and its derivatives; pyrotechnics and fireworks, such as magnesium powder, potassium chlorate and potassium nitrate, blasting explosives, such as dynamite and nitroglycerine; blasting explosives, such as acetylides, tetraoxoles, perchloric acid, perchlorates, chlorates, hydrogen peroxide in concentrations greater than thirty five percent (35%); and nuclear fuels, fissionable materials and products and reactor elements, such as uranium 235 and plutonium. **Wholesale warehousing including those facilities that treat, store or dispose of hazardous wastes and are required to obtain a Resource Conservation and Recovery Act RCRA permit or Businesses required to complete Tier II reports required by the Federal EPCRA (Emergency Planning and Community Right to Know Act) or TRI (Toxic Release Inventory) reporting about the storage, manufacture, processing, use or release of hazardous and toxic materials**

(Ord. 0-03-00, 4-3-2000);

**5A-9-3: OR&I OFFICE, RESEARCH AND LIGHT INDUSTRY DISTRICT:**  

**5A-9-3-1: INTENT:**  

The OR&I Office, Research and Light Industry District is intended to provide an environment suitable for and limited to research and development activities for **pharmaceutical, software or high technology products, engineering and testing activities,** and related operations, office uses, and warehousing ~~and also limited manufacturing uses~~ that will not have an adverse effect upon the environmental quality of the community

No OR&I District shall be established by any new regulation unless the proposed new district area, by itself or in conjunction with any contiguous territory which either lies within the City and is already zoned OR&I or which lies within an adjacent municipality and is in a similar zoning classification, is at least six (6) acres. (Ord. 0-03-00, 4-3-2000)

### 5A-9-3-3: PERMITTED USES:

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the following uses:

- (A) Laboratories, offices, and other facilities for research and development including ~~basic, applied, development, and technical services conducted by or for any individual, organization, or concern, whether public or private.~~ **pharmaceutical, software or high technology products**
- (B) ~~Production of prototype products when limited to the scale reasonably necessary for full investigation of the merits of a product, including commercial viability.~~
- (C) ~~Pilot plants in which processes planned for use in production elsewhere can be tested to the extent reasonably necessary for full investigation of the merits of a product or process including commercial viability.~~
- (D) ~~Engineering and testing laboratories and offices.~~
- (E) Offices, business or professional.
- (F) Clinics, medical and dental.
- (G) Banks and financial institutions.
- (H) ~~Light industrial activities, including, but not limited to, electronic and scientific precision instruments manufacture, cloth products manufacture, light machinery production and assembly, printing and publishing.~~
- (I) ~~Warehouses, wholesale and storage facilities, but excluding motor freight terminals.~~

(J) Civic buildings.

(K) Auxiliary retail and services.

(Ord. 0-03-00, 4-3-2000)

**5A-9-3-4: SPECIAL USES:**  

The following special uses may be permitted in specific situations in accordance with the procedures outlined in section 5A-2-2-6 of this title, as appropriate:

Brewing facilities, as defined in section 3-3-7-14, "Class N License", of this code.

Garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding.

Height limit increases as specified in subsection 5A-9-3-9(A) of this chapter.

Planned unit developments (in accordance with the requirements of chapter 3 of this title). The primary use within a planned unit development shall be one or more of the principal permitted uses, and may include any of the following uses:

Commercial services, business support services, motorist services, and employee services **and ancillary warehouse storage of their products.**

Cultural and recreational facilities, churches, auditoriums, and public gathering places.

Educational facilities.

Health clubs.

Kennels, indoor boarding only.

Restaurants.

Public and private utility facilities.

**Wholesale warehouse facility.**

(Ord. 0-03-00, 4-3-2000; amd. Ord. 0-04-02, 2-4-2002; Ord. 0-32-14, 11-3-2014; Ord. 0-02-16, 1-18-2016)

**5A-9-3-5: REQUIRED CONDITIONS:**  

The following conditions shall be required:

(A) No product shall be produced on the premises in a pilot plant primarily for sale either directly or indirectly, except with respect to such products, which, by their character, require production within a research and development environment.

(B) Auxiliary retail and services shall be incidental to the principal uses and shall be for the convenience of the tenants and employees of the building, structure or district in which located. These uses shall be conducted wholly within a building or structure and there shall be no exterior display of the auxiliary function.

(C) Outside storage is not allowed.

**(D) Wholesale warehouse facilities are intended for storage of products and materials, excluding those facilities that that treat, store or dispose of hazardous wastes and are required to obtain a Resource Conservation and Recovery Act RCRA permit or Businesses required to complete Tier II reports required by the Federal EPCRA (Emergency Planning and Community Right to Know Act) or TRI (Toxic Release Inventory) reporting about the storage, manufacture, processing, use or release of hazardous and toxic materials**

(Ord. 0-03-00, 4-3-2000)

#### **5A-9-4: I-1 GENERAL INDUSTRIAL DISTRICT:**

##### **5A-9-4-1: INTENT:**

The I-1 industrial district is intended to accommodate those **light** industrial activities which are most appropriate when remote from residential and commercial development.

No I-1 district shall be established by any new regulation unless the proposed new district area, by itself or in conjunction with any contiguous territory which either lies within the city and is already zoned I-1, or which lies within an adjacent municipality and is in a similar zoning classification, is at least ten (10) acres. (Ord. 0-03-00, 4-3-2000)

##### **5A-9-4-3: PERMITTED USES:**

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged, which is arranged, intended, or designed for other than one of the following uses:

#### **All uses permitted in the OR&I Office, Research and Light Industry District**

~~Abrasive manufacture.~~

Bakeries.

Banks and financial institutions.

Bottling companies.

~~Brick and structural clay products manufacture.~~

Building materials and product sales and storage.

Cartage and express facilities.

Civic buildings.

Contractor and construction offices, shops, and yards.

~~Dairy products processing.~~

~~Dry cleaning establishments and laundries.~~

~~Electronic and scientific precision instruments manufacture.~~

~~Electroplating.~~

~~Fuel and ice sales.~~

~~Furniture, bedding, and carpet manufacture.~~

~~General manufacturing and wholesaling.~~

Glass products production and sales.

~~Heavy machinery production.~~

~~Light machinery production.~~

Lithographing.

Machine shops.

~~Metal stamping.~~

Newspaper publishing.

Parking lots and garages.

~~Pottery and ceramics manufacture.~~

Printing and publishing establishments.



~~Radio and television stations and studios.~~

Schools, vocational or trade.

Semitruck, semitrailer and bus sales lot.

~~Stone products manufacture.~~

~~Warehousing, storage (including ministorage) and distribution facilities.~~

~~Wearing apparel manufacture.~~

Woodworking. (Ord. 0-03-00, 4-3-2000; amd. Ord. 0-34-10, 12-20-2010)

**5A-9-4-4: SPECIAL USES:**  

The following special uses may be permitted in specific situations in accordance with the procedures outlined in section 5A-2-2-6 of this title:

Accessory outdoor storage (in compliance with section 5A-9-1-3 of this chapter).

~~Airports and heliports.~~

Automobile service stations, repair facilities, and car washes used in conjunction with an automobile service station.

Car wash, user operated (as a principal use).

Car washes, drive-through (as a principal use).

~~Chemical processing and manufacture.~~

Eating and drinking establishments.

~~Food manufacture, packaging and processing.~~

~~Freight terminals.~~

Garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding.

~~Grain storage and processing.~~

**Laboratories, offices, and other facilities for research and development including basic, applied, development, and technical services conducted by or for any individual,**

**organization, or concern, whether public or private, excluding chemical research and development**

Landfills.

Medical cannabis cultivation centers as defined in 410 Illinois Compiled Statutes 130/10(e) and subject to the distance requirements set forth in 410 Illinois Compiled Statutes 130/105.

Medical cannabis dispensing organization as defined in 410 Illinois Compiled Statutes 130/10(o) and subject to the distance requirements set forth in 410 Illinois Compiled Statutes 130/130.

~~Paper products manufacture.~~

Planned unit developments (in accordance with the requirements of chapter 3 of this title).

Public and private utility facilities.

Recreation and social facilities.

Solar energy systems, large ground arrays.

Stadiums, auditoriums and arenas. (Ord. 0-03-00, 4-3-2000; amd. Ord. 0-13-14, 5-5-2014; Ord. 0-03-18, 2-5-2018)

**5A-12-4-8: REGISTER OF POLLUTANTS:**

It shall be unlawful for any person to install, erect, construct, reconstruct, alter or add to, or cause to be installed, erected, constructed, reconstructed, altered or added to, any fuel burning, combustion or process equipment or device or any equipment pertaining thereto, or any stack or chimney connected therewith, within the City excepting domestic heating plants, domestic refuse-burning equipment, locomotives and internal combustion engines, in the City, until there has been filed in duplicate by the owner, contractor, installer or other person, or his agent with the City, an application for a permit accompanied by a complete listing of emissions into the atmosphere that result from the operation of the aforesaid equipment or processes, both as to kind and quantity and, in addition thereto a listing of the type and capacity of the equipment used for the collection, absorption, or suppression of each and an estimate of its efficiency, and until a permit therefor has been granted by the corporate authorities of the City. Said submitted register of pollutants, and compliance with all Federal, State, and local environmental laws, shall be accompanied by an affidavit, or other proof of compliance as required by the City, of a qualified person stating that it is complete and correct and that the proper operation of the plant or process, as designed, will not result in any violation of this Title. (Ord. 0-03-00, 4-3-2000)

<b>OR&amp;I Land Use Survey</b>					
<b>City of Darien January 2019</b>					
Data source: Business license application submitted by licensee					
<u>Street</u>	<u>Address</u>	<u>Business Name</u>	<u>Type</u>	<u>Floor Space</u>	<u>Products</u>
Lemont	7879	Tile and Top	tile and cabinet showroom	3% office, 3% retail, 94% warehouse	stone vanity tops, wail floor tile
Lemont	8113	Multi Print and Digital	print broker	50% office, 50% warehouse	stationary, imprinted paper
Lemont	8117	A&R Diagnostic Service	commercial food equipment repair	25% office, 75% warehouse	electronic parts
Lemont	8123, #1	Cygnat Controls	electronics	30% office, 70% production	wire fasteners
Lemont	8125	AAAA Towing and Automotive	towing, auto repair	25% office, 75% service	
Lemont	8125	Darien Collision Center	auto repair, auto body	10% office, 90% service	
Lemont	8131	Safeguard Self Storage	self storage	.1% office, .7% retail, 99.2% service	retail moving supplies
Lemont	8171	Cattaneo Electric	electrical contractor	33% office, 67% warehouse	
Lemont	8191	SLIS	import and export	50% office, 50% warehouse	toys, stationary, giftware
Lemont	8191	Really Useful Products	import and export	50% office, 50% warehouse	toys, stationary, plastic, glass
Lemont	8193	Willow Farm Products	CNC machining, fabrication	20% office, 80% warehouse	metal
Lemont	8195	All Cut	precision machining	20% office, 40% production, 40% warehouse	tool steel, coolant, oil
Lemont	8197	EDM Parts	distribution	10% office, 90% warehouse	brass wire filters
Lemont	8251, #104	MFC Sports Performance	athlete training	5% office, 95% service	workout equipment
Lemont	8251, #105	The Perfect Swing	indoor battling cages	10% retail, 90% service	cage equipment
N. Frontage	1000	Uni-Carrier	messenger service	50% office, 50% warehouse	trucks, freight
N. Frontage	1000	Miskatonic Brewery	brewery, retail taproom	5% office, 20% retail, 50% production, 50% warehouse	hops, cleaning chemicals, kegs
N. Frontage	1001	Public Storage	self storage	5% office, 95% warehouse	packing supplies
N. Frontage	1100	3R Dog Training dba Dog District	dog boarding and training	10% office, 90% service	
Wilmette	8400, Unit 1	Wiltjer Plumbing	plumbing	20% office, 80% warehouse	plumbing supplies
Wilmette	8400, Suite 4	US Plumbing and Sewer	plumbing and sewers	30% office, 70% warehouse	plumbing, piping
Wilmette	8402	Sylco Manufacturing	tool and die	10% office, 80% production, 10% warehouse	
Wilmette	8402	TDS Machining	tool and die	5% office, 95% production	steel
Wilmette	8404, Unit A	Sterling Services	carpet cleaning	40% office, 60% warehouse	floor care
Wilmette	8404, Unit F	Closet Factory - Chicago South	admin office, sales showroom	15% office	
Wilmette	8404, Suite F	Vintage Confections	candy manufacture	15% office, 70% production, 15% warehouse	sugar, corn syrup, water, flavors
Wilmette	8408	Kerins Industries	trailer manufacturer	20% office, 80% warehouse	steel trailer hitches
Wilmette	8408, Unit B	Spectro Auto Body and Palnt	auto body shop	20% office, 80% warehouse	paint, detail supplies, cleaning supplies
Wilmette	8412, Unit A	Super Steam Carpet Cleaning	carpet cleaning	15% office, 85% warehouse	
Wilmette	8412, Unit D	Air Ducts Done Right	ventilation cleaning system	100% service	
Wilmette	8412, Unit G	George and Sons HVAC	HVAC service	15% office, 85% warehouse	HVAC parts, equipment, tools

**5A-2-2-5: AMENDMENTS:**

**(G) Standards: The Plan Commission shall consider the following factors and other pertinent factors in developing a recommendation for the City Council:**

- 1. Existing uses of property within the general area of the property in question, and the resulting character of the general area;**
- 2. The zoning classifications of property within the general area of the property in question;**
- 3. The suitability of the property in question to the uses permitted under the existing zoning classification including consideration of the length of time the property has been vacant as zoned;**
- 4. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classifications and the impact to surrounding property likely to result from the proposed use;**
- 5. The reduction in value of the subject property resulting from the particular zoning restriction as compared to the gain to the public if the property remains restricted; and**
- 6. The policies of all current official plans or plan elements of the City.**

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
December 5, 2018**

**PRESENT:** Lou Mallers- Chairperson, Robert Cortez, Michael Desmond, Robert Erickson, John Laratta, Brian Liedtke, Mary Sullivan, Ralph Stompanato, Steven Manning - City Planner

**ABSENT:** Brian Gay

Chairperson Mallers called the meeting to order at 7:00 p.m. at the City Hall – City Council Chambers, Darien, Illinois and declared a quorum present. There were no audience members present.

**REGULAR MEETING:**

- A. Public Hearing Case: PZC 2018-08 Zoning Text Amendment (Variation Criteria) City of Darien has petitioned for approval of a text amendment of the Zoning Code regarding the standards used to review requests for variations, currently in the City Code. Title 5A, Section 5A-2-2-3(G).**

Mr. Steve Manning, City Planner reported that in August the PZC last discussed the variation criteria. He reported that the City Attorney reviewed and made a few changes that are grammatical only. Mr. Manning reported that at the Municipal Services Committee meeting that Alderman Chlystek commented that the wording seemed to make it harder for the petitioner and that Alderman Chlystek abstained from the vote.

Commissioner Cortez stated that the variation criteria provides structure and criteria needed for the petitioner. He stated that this gives the City Council the opportunity to cite what is deficient.

Chairperson Mallers stated that he felt that there needed to be more involvement with the City Council.

Commissioner Erickson stated that he agreed with both Commissioners and felt that the criteria was useful for the last two or three petitions.

Commissioner Stompanato agreed and stated that he was unclear as to what Alderman Chlystek was referring to and that the criteria makes it easier for all parties.

Commissioner Desmond agreed and stated that the old decision criteria was vague and that the new language provides a clear road map.

Chairperson Mallers questioned if there is anything that would cause this not to be accepted.

Mr. Manning reported that he has not received any other negative comments and that the discussions have been positive. His perception is that the City Council feels that the PZC is thorough and sincere and doing what is best for the community.

Commissioner Laratta stated that he has not seen any Aldermanic interest.

Commissioner Sullivan stated that the variation criteria gets rid of the some of the gray area.

There was some discussion regarding Aldermen interaction.

Commissioner Mallers suggested that alderman attendance at hears is one way for alderman to understand the issues with a petition. Commissioner Desmond said that it is important that the PZC operate independently and it may give the wrong impression if an Alderman testifies at a PZC hearing.

There was discussion on which criteria were most relevant. Mr. Manning reviewed the site plans of nine recent variation petitions to highlight how one or more of the criteria addressed the issues presented. Petitioners are to be encouraged to address and try to explain how they satisfy all of the criteria. However, there may be cases where some criteria will be cited as being more important to the finding for or against the variation.

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

**Commissioner Cortez made a motion and it was seconded by Commissioner Sullivan to adopt the text amendment as presented with one change to the first sentence of Section 3 to read as follows:**

**“3. CITY DECISION CRITERIA: The City may grant a variation based on the finding-of-fact that supports the following criteria outlined below by the City to be the most relevant to the subject property situation.”**

**Upon roll call vote, THE MOTION CARRIED 8-0.**

#### **CORRESPONDENCE**

None

#### **OLD BUSINESS**

Commissioner Liedtke questioned the request to change the Code for building height.

Mr. Steve Manning, City Planner reported that after Sterling Bay revised their plans to lower the height of their building to 35’ in conformance to the I-1 standard, the City Council did not propose a change to the height standard in the I-1 district to 40’.

#### **NEW BUSINESS**

None

#### **APPROVAL OF MINUTES**

**Commissioner Erickson made a motion and it was seconded by Commissioner Desmond to approve the July 18, 2018 and the October 3, 2018 Regular Meeting Minutes.**

**Upon roll call vote, THE MOTION CARRIED 8-0.**

#### **NEXT MEETING**

Chairperson Mallers announced that the next meeting is scheduled for Wednesday, December 19th at 7:00 p.m.

#### **PUBLIC COMMENTS (On any topic related to planning and zoning)**

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

**ADJOURNMENT**

**With no further business before the Commission, Commissioner Cortez made a motion and it was seconded by Commissioner Desmond. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:27 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

\_\_\_\_\_  
**Elizabeth Lahey**  
**Secretary**

\_\_\_\_\_  
**Lou Mallers**  
**President**