

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

Wednesday, March 6, 2019  
7:00 PM  
City Hall Council Chambers  
1702 Plainfield Road

AGENDA

1. Call to Order
2. Roll Call

3. Regular Meeting:

- A. Public Hearing - Continued

**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.

- B. Public Hearing - Continued

**Case: PZC 2019-01                      419 Plainfield Road                      (tower height variation)**

Tri-State Fire Protection District has petitioned for approval of a variation to Section 5A-5-12 (C) of the Zoning Code, that otherwise limits the height of towers to 60 feet, for a proposed communications tower 150 feet tall to be built in the rear yard of the Tri-State Fire Station at 419 Plainfield Road.

4. Correspondence
5. Old Business
6. New Business
  
7. Approval of Minutes                      February 6, 2019
  
8. Next Meeting                                      March 20, 2019
  
9. Public Comments                                      [On any topic related to planning and zoning]
  
10. Adjournment

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**March 6, 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** (presented at the January 16 hearing)

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 decision criteria for amendments to the Zoning Code.

**Update**

This hearing was opened on January 16, 2019 and testimony was given. The PZC continued the hearing to February 6, 2019 and additional testimony was given. Since then we have received written correspondence from two people:

- Peter Friedman, attorney, Holland & Knight, representing Sterling Bay, owner of 1035 S. Frontage Road – **Attachments D1 and D2**
- Adam Berman, attorney, Mason Wenk & Berman, representing Darien Real Estate, owner of 7879 Lemont Road – **Attachment E**

Staff is considering revising the first draft of the text amendment using a different approach that would focus on chemical performance standards linked to Tier II federal regulations instead of deleting from the list of permitted and special uses. We would appreciate input and request a continuance to March 20 at which time we intend to present a second draft.

**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 hydrantes, 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, tetraxoles, 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 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>					
City of Darien January 2019					
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, wall 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 batting 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	Kerlms Industries	trailer manufacturer	20% office, 80% warehouse	steel trailer hitches
Wilmette	8408, Unit B	Spectro Auto Body and Paint	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

**CITY OF DARIEN**

**ZONING CODE**

**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.**

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**From:** Steven Manning  
**Sent:** Friday, February 1, 2019 1:43 PM  
**To:** Steven Manning  
**Subject:** RE: Darien zoning amendment - Case PZC 2018-11: Chemical Uses

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**From:** peter.friedman@hkllaw.com <peter.friedman@hkllaw.com>  
**Sent:** Thursday, January 31, 2019 5:29 PM  
**To:** Steven Manning <smanning@darienil.gov>  
**Cc:** Dan Gombac <dgombac@darienil.gov>; Bryon Vana <bvana@darienil.gov>; rfrain@SterlingBay.com  
**Subject:** Darien zoning amendment - Case PZC 2018-11: Chemical Uses

Bryon, Steven, and Dan:

On behalf of Sterling Bay, we have prepared the attached suggested text amendments to Chapter 9 of the City Zoning Code. As we discussed earlier this week, we focused on the provisions specific to the General Industrial District, rather than the regulations for the OR&I District. Thus, we did not include the suggested new provision that would make all OR&I permitted uses also permitted uses in the I District. This necessarily required us to take some of the OR&I permitted uses and put them as specific permitted or special uses in the I district regulations. Given that Sterling Bay's property is the only privately-owned I District property, we thought this made sense, as it would allow the City to tailor perhaps more restrictive regulations in the geographically more significant OR&I district without impacting the stand alone I district regulations that we are recommending.

With that said, I am attaching 2 different blacklined versions of the revised regulations, as follows:

- The PDF titled "Industrial v City Revisions" is a blackline against the City's revisions as presented at the public hearing.
- The PDF titled "Industrial v Existing Regs" is a blackline against the existing Code provisions.

Please feel free to call to discuss once you have had a chance to review. Also, Bryon, Ron is going to give you a call on this as well.

Thanks.

Peter

**Peter Friedman | Holland & Knight**

**Holland & Knight LLP**

**131 South Dearborn Street, 30th Floor | Chicago, IL 60603**

**Phone 312.578.6566 | Fax 312.578.6666**

**peter.friedman@hklaw.com | www.hklaw.com**

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**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 hydrantes, 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, tetraxoles, 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~~ Facilities that manufacture 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, and related operations, office uses, and warehousing that will not have an adverse effect upon the environmental quality of the community.

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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 pharmaceutical, software or high technology products
- (B) Offices, business or professional.
- (C) Clinics, medical and dental.
- (D) Banks and financial institutions.
- (E) Civic buildings.
- (F) 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:

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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 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)

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

Abrasive manufacture



Auxiliary retail and services incidental to the principal uses and shall be for the convenience of the tenants and employees of the building where located, and shall be conducted wholly within a building or structure with no exterior display.

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.

Clinics, medical and dental

Commercial laundries

Contractor and construction offices, shops, and yards.

Dairy products processing

Engineering and testing laboratories and offices

Food packaging

Furniture, bedding, and carpet manufacture

General manufacturing and wholesale

Glass products production and sales.

Heavy machinery production

Laboratories, offices, and other facilities for research and development including pharmaceutical, software or high technology products and basic, applied, development, and technical services conducted by or for any individual, organization, or concern, whether public or private, excluding chemical research and development.

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

Light machinery production

Lithographing.

Machine shops.

Metal stamping

Newspaper publishing.

Offices, business or professional

Parking lots and garages.

Pilot plants in which processing 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.

Pottery and ceramics manufacture

Printing and publishing establishments.

Production of prototype products when limited to the scale reasonably necessary for full investigation of the merits of a product or process including commercial viability.

Radio and television stations and studios

Schools, vocational or trade.

Semitruck, semitrailer and bus sales lot.

Stone products manufacture

Warehousing, storage, and distribution, not including ministorage

Wearing apparel manufacture

Wholesale and storage facilities, but excluding motor vehicle terminals

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).

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 and processing

Freight terminals

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

Grain storage and processing

Ice Sales

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.

Ministorage facility

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)

**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 hydrantes, 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, tetraxoles, 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. Facilities that manufacture hazardous wastes and are required to obtain a Resource Conservation and Recovery Act RCRA permit or complete Tier II reports required by the Federal EPCRA (Emergency Planning and Community Right to Know Act) or TRI (Toxic Release Inventory).

(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, ~~engineering and testing activities~~ pharmaceutical, software or high technology products, 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) Civic buildings.
  - (J) Warehouses, wholesale and storage facilities, but excluding motor freight terminals.
  - (K) Civic buildings.
  - (L) 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 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:

Abrasive manufacture-

Auxiliary retail and services incidental to the principal uses and shall be for the convenience of the tenants and employees of the building where located, and shall be conducted wholly within a building or structure with no exterior display.

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.

Clinics, medical and dental

Commercial laundries

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.~~

Engineering and testing laboratories and offices

Food packaging

Furniture, bedding, and carpet manufacture-

General manufacturing and ~~wholesaling~~ wholesale

Glass products production and sales.

Heavy machinery production-

Laboratories, offices, and other facilities for research and development including pharmaceutical, software or high technology products and basic, applied, development, and technical services conducted by or for any individual, organization, or concern, whether public or private, excluding chemical research and development.

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

Light machinery production-

Lithographing.

Machine shops.

Metal stamping-

Newspaper publishing.

Offices, business or professional

Parking lots and garages.

Pilot plants in which processing 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.

Pottery and ceramics manufacture-

Printing and publishing establishments.

Production of prototype products when limited to the scale reasonably necessary for full investigation of the merits of a product or process including commercial viability.

Radio and television stations and studios-

Schools, vocational or trade.

Semitruck, semitrailer and bus sales lot.

Stone products manufacture-

Warehousing, storage, and distribution, not (including ministorage) and distribution facilities-

Wearing apparel manufacture-

Wholesale and storage facilities, but excluding motor vehicle terminals

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.

Ice Sales

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.~~

Ministorage facility

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)

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**From:** Steven Manning  
**Sent:** Friday, March 1, 2019 10:21 AM  
**To:** Steven Manning  
**Subject:** RE: Zoning Text Amendment affecting OR&I and I-1 Districts

**From:** Adam Berman <[aberman@mwblawfirm.com](mailto:aberman@mwblawfirm.com)>  
**Sent:** Thursday, February 14, 2019 9:55 AM  
**To:** Steven Manning <[smanning@darienil.gov](mailto:smanning@darienil.gov)>  
**Cc:** Bryon Vana <[bvana@darienil.gov](mailto:bvana@darienil.gov)>; Perry Liu ([perry\\_liu@bestviewintl.com](mailto:perry_liu@bestviewintl.com)) <[perry\\_liu@bestviewintl.com](mailto:perry_liu@bestviewintl.com)>; Mike Plumb <[mplumb@lee-associates.com](mailto:mplumb@lee-associates.com)>; Brian Vanosky <[bvanosky@lee-associates.com](mailto:bvanosky@lee-associates.com)>  
**Subject:** Zoning Text Amendment affecting OR&I and I-1 Districts

Dear Mr. Manning:

As a follow-up my brief conversation with you on February 8, 2019, our firm represents Darien Real Estate, LLC ("DRE"), the owner of the multi-tenant industrial building located at 7879 Lemont Road, Darien, Illinois. DRE's affiliated company, Tile & Top, LLC, occupies approximately 38% of the Building and warehouses custom tile and counter tops. 28% of the Building was recently leased to Hallstar Beauty where they intend to warehouse, conduct light manufacturing and engineering activities relating to beauty, skin care and hair care products, and 18% of the Building was recently leased to Club Fusion for an indoor volleyball training facility. There still remains a vacancy of approximately 25,000 square feet in the Building.

We have reviewed the proposed zoning text amendment to the OR&I District, and while DRE applauds the City's efforts to minimize business uses that pose a hazard to the public, DRE is concerned that the proposed zoning text amendment is over-reaching. For example, warehousing should always be a permitted use in the OR&I District. You should note that the vast majority of commercial warehousing is for inventory and materials that are not hazardous, but yet the City is proposing to eliminate warehousing as a permitted use. Also, general engineering and testing labs are quite common and expected in research districts, and so the elimination of them is puzzling and troubling.

In particular, we recommend the following:

1. The description of prohibited activities should be expanded to include facilities that process or manufacture regulated hazardous waste and chemicals, not merely store or use them.
2. Reinstate the list of permitted uses that were deleted, as these are, and always have been considered, general uses which are customary and appropriate for research and light manufacturing zoning districts.
3. Warehousing that involves the storage of certain hazardous materials or chemicals may be subject to a special use permit.

Eliminating uses that are recognized as permitted in comparable OR&I districts in the area will unnecessarily put Darien at a competitive disadvantage in business development.

Attached are our suggested handwritten changes to the City's proposed text amendment. Since our client's property is not in the I-1 district, we did not comment on those changes, but understand that you received comments from counsel for Sterling Bay. We would be willing to meet with staff if necessary to further discuss our thoughts and concerns. If you have any questions, feel free to contact me.

in addition, please let us know when the Plan Commission is expected to next hear this matter. Thanks.

Adam E. Berman  
Partner



Mason, Wenk + Berman LLC

**Mason, Wenk + Berman LLC**

630 Dundee Road, Suite 220

Northbrook, Illinois 60062

Direct: 847.656.6055

Mobile: 847.971.4692

Fax: 847.715-1962

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**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, tetrazoles, 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~~

Process or Manufacture

Shall not be Permitted

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

(i) or (ii)

**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~~

STET

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)

**SA-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.~~

STET

STET

STET

and as described  
in Section 5A-9-3-4.

(J) Civic buildings.

(K) Auxiliary retail and services.

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

(L) Food Processing Packaging

**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 auxiliary 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 that [move from P. 4]

(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 treat, store or dispose of hazardous wastes and are required to obtain a Resource Conservation and Recovery Act RCRA permit, or (ii) 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.~~

Move  
to  
P. 3

(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.

**AGENDA MEMO**  
**Planning and Zoning Commission**  
**March 6, 2019**

**Case**

PZC 2019-01      419 Plainfield Road      (tower height variation)

**Issue Statement**

Tri-State Fire District seeks approval of a variation to the Darien Zoning Code Section 5A-5-12 (C), that otherwise requires a 60 foot maximum height for transmitting towers, for a proposed tower 130 feet tall to be built in the rear yard of their Fire Station #122 at 419 Plainfield Road.

**General Information**

Petitioner / Property Owner:	Tri-State Fire District
Property Location / PIN#:	419 Plainfield Road / 09-27-207-021
Zoning / Land Use:	Site: R-2 / fire station
	North: R-2 / park
	East: R-2 / library
	South: R-2 / high school
	West: R-5 (Willowbrook) / apartments
Comprehensive Plan:	Future Land Use: Government
Size of Subject Lot:	165 feet wide by 337 feet deep avg. = 55,556 square feet
Natural Features:	Rear yard south of parking lot is grass only sloped to storm sewer inlet in center of yard
Transportation:	Rear yard via parking lot driveway from Plainfield Road

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

1. Petition
2. Plat of Survey
3. Site Plans (4 sheets)
4. Information Packet
5. Letter from Fire Chief 1.7.19

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

6. Photos – aerial and rear yard
7. Decision Criteria for Variations

**Development Description**

Tri-State Fire District receives communications from the Addison Consolidated Dispatch Center (ACDC) via hard wire telephone lines. They are converting to microwave signals between ACDC and the 4 stations in this district (Darien, Willowbrook, Burr Ridge, Willow Springs). Their communications consultant A-Beep, LLC has determined that heights of the sending and receiving microwave antennas needed at their Fire Station #122 is 75 feet and 130 feet. They also determined that collocating their antennas on the nearest cell tower (100 foot tall stealth tower at the Sportsplex site 750 feet west of the fire station site) or the nearest light pole (65 foot tall light poles at the high school sport field 550 feet south of the fire station site) would not be feasible. They also anticipate moving the radio (VHF) antennas from the building roof to the

monopole. The other ports in the monopole at 77, 97, 107, and 120 feet would be available for future collocations such as Verizon and T-Mobile. Their site plan shows the monopole within a fenced compound south of the building.

**Staff Plan Review Comments**

The City Engineer has commented that no storm water management facility is needed for the proposed tower and compound. The site plan shows 20 foot setbacks for the compound. A minimum 5 feet is required. Darien does not have a 'fall zone' requirement.

The fence around the Sportsplex poie is a solid fence that blocks the view of equipment inside the compound. A photo simulation having the tower sketched on a photo of the site was requested to show how the tower would appear to neighbors.

The Fire Chief sent a letter responding to the special use decision criteria in the Zoning Code. However, the proposal does not involve a special use, but does involve a variation. The variation decision criteria that should be used here are attached to this memo, which were in the Zoning Code prior to the most recent revision that was approved 15 days after this variation application was received.

Although the tower would alter the visual character of the area, the "reasonable return" criteria can be interpreted to mean the tower height is needed to accommodate the technical needs of the new communications system for the essential emergency dispatch function of fire protection services.

**Meeting Schedule**

Municipal Services Committee:	March 25, 2019
City Council:	April 1, 2019

CITY OF DARIEN, ILLINOIS, Community Development Department

Staff Use Only	
Case No.:	PZC 2019-01
Date Received:	1/7/19
Fee Paid:	NA
Check No.:	NA
Hearing Date:	2/6/19

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

PETITIONER INFORMATION

TRISTATE FIRE PROTECTION DISTRICT  
Petitioner's Name

(SAME AS AT LEFT)  
Owner's Name

SAM MOLINARO, FIRE CHIEF  
Contact Name

Address, City, State, Zip Code

419 PLAINFIELD RD DARIEN, IL 60561  
Address, City, State, Zip Code

Phone #

(630) 323-6445  
Phone #

Email

(630) 645-6450  
Fax #

SMOLINARO@TRISTATEFD.COM  
Email

PROPERTY INFORMATION

419 PLAINFIELD ROAD  
Property address

1.5  
Acreage

0927207021  
PIN(s)

R2  
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

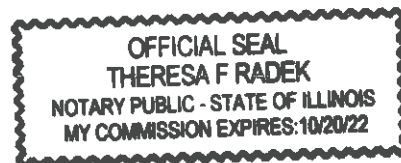
ERECT 150 FOOT MONOPOLE TO ALLOW FOR MICROWAVE CONNECTIVITY TO THE NEW DUPAGE COUNTY C.I.A.D. & FIRE STATION ALERTING SYSTEMS. TO ALSO ALLOW CONNECTIVITY VIA MICROWAVE BETWEEN ALL FOUR TRISTATE STATIONS  
150 FEET

I, SAM MOLINARO, FIRE CHIEF 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.

Sam Molinaro  
Signature

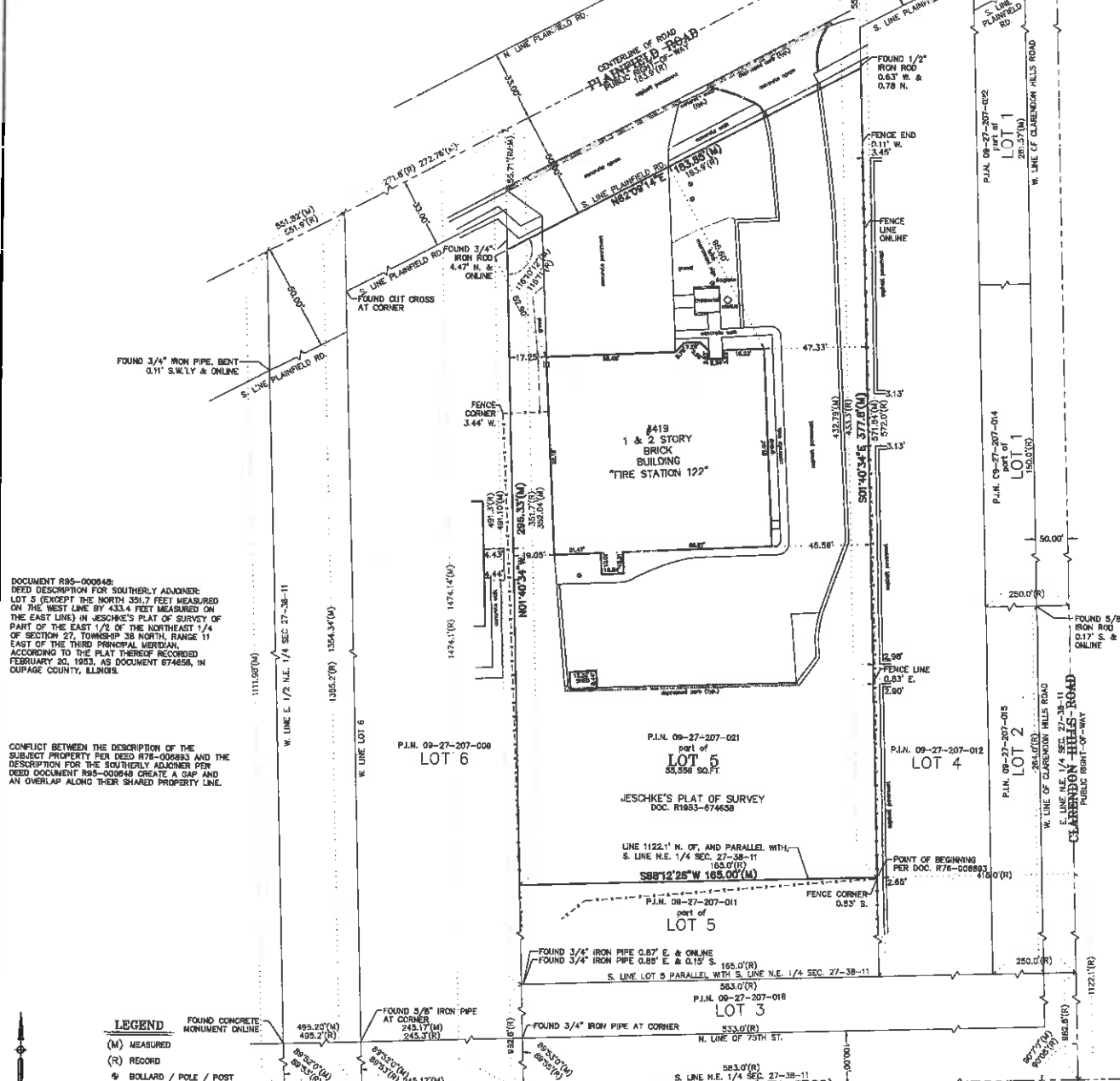
Subscribed and sworn to before this 2nd day of January, 2019

Theresa F. Radek  
Notary Public



# PLAT OF SURVEY

OF  
 THAT PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1122.1 FEET; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 418 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING WEST AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 168 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 361.7 FEET TO THE CENTERLINE OF CHICAGO-PLAINFIELD ROAD; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF THE CHICAGO-PLAINFIELD ROAD, A DISTANCE OF 183.9 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 433.3 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

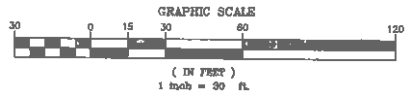


DOCUMENT R85-000848  
 DEED DESCRIPTION FOR SOUTHERLY ADJACENT LOT 5 (EXCEPT THE NORTH 351.7 FEET MEASURED ON THE WEST LINE BY 433.4 FEET MEASURED ON THE EAST LINE) IN JESCHKE'S PLAT OF SURVEY OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 20, 1983, AS DOCUMENT 674656, IN DUPAGE COUNTY, ILLINOIS.

CONFLICT BETWEEN THE DESCRIPTION OF THE SUBJECT PROPERTY PER DEED R78-008893 AND THE DESCRIPTION FOR THE SOUTHERLY ADJACENT PER DEED DOCUMENT R85-000848 CREATE A GAP AND AN OVERLAP ALONG THEIR SHARED PROPERTY LINE.

**LEGEND**  
 FOUND CONCRETE MONUMENT ONLINE  
 (M) MEASURED  
 (R) RECORDED  
 BOLLARD / POLE / POST  
 FENCE, CHAIN-LINK

BASIS OF BEARINGS: ASSUMED  
 JESCHKE'S PLAT OF SURVEY DOCUMENT 674656 DOES NOT FORM A CLOSED GEOMETRIC FIGURE.  
 MONUMENTS NOT SET PER CLIENT'S WRITTEN REQUEST.  
 ALL DISTANCES IN FEET AND DECIMAL PARTS THEREOF. NO DIMENSIONS TO BE ASSUMED FROM SCALING.  
 COMPARE YOUR DESCRIPTION AND SITE MARKINGS WITH THIS PLAT AND AT ONCE REPORT ANY DISCREPANCIES WHICH YOU MAY FIND.  
 REFER TO TITLE REPORT FOR ANY EASEMENTS, COVENANTS OR RESTRICTIONS THAT MAY EXIST BUT ARE NOT SHOWN HEREON.



**PLAT OF SURVEY**  
**FIRE STATION 122**  
**419 PLAINFIELD ROAD**  
**DARIEN, ILLINOIS**  
 COPYRIGHT AS DATED © IG CONSULTING, INC.  
 G:\16\18\18545\Survey\18545100.dwg

**IG CONSULTING, INC.**  
 INFRACON & GEOSON  
 CONSULTING CIVIL ENGINEERS & LAND SURVEYORS  
 300 MANHATTAN DRIVE WHEELING ILLINOIS 60090 PH. (847) 218-1133 FAX (847) 218-1177  
 PREPARED FOR: TR-STATE FIRE PROTECTION SCALE: 1" = 30'  
 FIELD CREW: D.A. FIELD WORK: 10/04/2018 DRAFTED BY: J.H. CHECKED BY: K.L.  
 FROM NO. 164-001320

STATE OF ILLINOIS COUNTY OF COOK S.S.  
 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE FOR A BOUNDARY SURVEY.  
 WHEELING, ILL. JANUARY 14TH, A.D. 2019.  
 BY *[Signature]*  
 ILLINOIS PROFESSIONAL LAND SURVEYOR #3681  
 LICENSE EXPIRES NOVEMBER 30, 2020

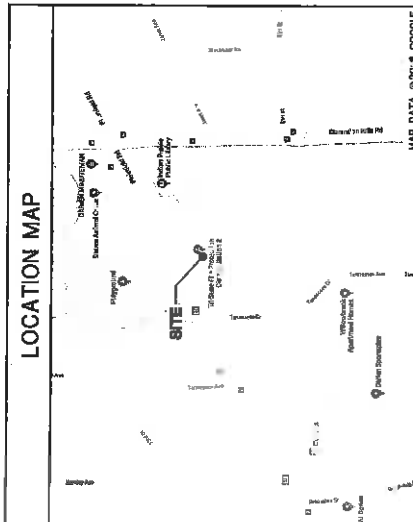


**SITE NAME:  
DARIEN FD**

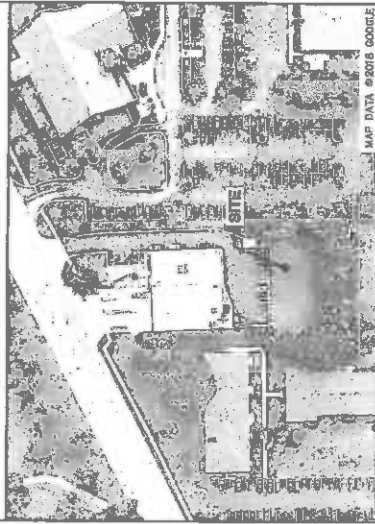
**SITE NUMBER:  
STATION 122**

**419 PLAINFIELD ROAD  
DARIEN, IL 60561**

**PROPOSED MONOPOLE WITHIN PROPOSED FENCED COMPOUND,  
PROPOSED EQUIPMENT LOCATED IN EXISTING BUILDING**



**AERIAL MAP**



**DRIVING DIRECTIONS**

FROM O'HARE INTERNATIONAL AIRPORT - GET ON I-294 S FROM W CHARE AVE. HEAD SOUTHWEST ON I-180 W. TAKE THE EXIT TOWARD BESSIE COLEMAN DR. USE THE RIGHT 2 LANES TO TURN RIGHT ONTO BESSIE COLEMAN DR. TURN LEFT ONTO W CHARE AVE. CONTINUE ONTO BALMORAL AVE. USE THE RIGHT LANE TO TAKE THE RAMP ONTO 294 S. CONTINUE ON I-294 S. TAKE I-83 S TO 63RD ST IN WILMINGTON. MERGE LEFT ONTO I-83 S. TAKE THE EXIT FOR I-57 W TOWARD AURORA. TAKE THE I-83 S EXIT KEEP RIGHT TAKE CLARENDON HILLS ONTO I-57 AND MERGE ONTO I-83 S. TAKE CLARENDON HILLS RD TO PLAINFIELD RD. TURN RIGHT ONTO 63RD ST. TURN LEFT ONTO CLARENDON HILLS RD. TURN RIGHT ONTO PLAINFIELD RD. DESTINATION WILL BE ON THE LEFT. ARRIVE 419 PLAINFIELD RD., DARIEN, IL 60561



**DRAWING INDEX**

SHEET#	TITLE	DESCRIPTION
T-1	TITLE SHEET	
C-1	OVERALL SITE PLAN	
C-2	ENLARGED SITE PLAN	
A-1	TOWER ELEVATION	

**PROJECT INFORMATION**

**APPLICANT/LANDOWNER**  
TRI-STATE FIRE DISTRICT  
419 PLAINFIELD ROAD  
DARIEN, IL 60561  
CONTACT: JOHN K. SULLIVAN  
PHONE: (630) 628-3100 X226

**SITE INFORMATION**  
COUNTY: DUPAGE COUNTY  
TOWN: CITY OF DARIEN  
OCCUPANCY: U - UTILITY  
ZONING: R-2 SINGLE FAMILY RESIDENCE DISTRICT  
CONSTRUCTION TYPE: 'IB'  
DATE: 06/27/2018  
DATA SOURCE: GIS

**A&E**  
W-T COMMUNICATION DESIGN GROUP, LLC  
2675 PRATUN AVE.  
WILMINGTON, IL 60192  
CONTACT: JOHN K. SULLIVAN  
PHONE: (224) 283-8413  
FAX: (224) 283-8444

**COORDINATES**  
LATITUDE: 41.756219  
LONGITUDE: -87.956231

**CODE COMPLIANCE**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE FOLLOWING CODES:

**BUILDING CODE**  
INTERNATIONAL BUILDING CODE 2015

**ELECTRIC CODE**  
NATIONAL ELECTRICAL CODE 2014



**W-T COMMUNICATION DESIGN GROUP, LLC**  
WIRELESS INFRASTRUCTURE  
2675 PRATUN AVE  
WILMINGTON, IL 60192  
PH: (224) 283-8413 FAX: (224) 283-8444  
www.wtcommunications.com

L. Liberman No. 19-00177-2018 Lic. 063919  
Contractor & Designer (www.wtcommunications.com)

**SITE NAME:  
DARIEN FD**

**SITE NUMBER:  
STATION 122**

**419 PLAINFIELD ROAD  
DARIEN, IL 60561**

APPROVED BY: ATK	
APPROVED BY: JKR	
PROJECT NO: T1801764	
SHEET NAME	
TITLE SHEET	
SHEET NUMBER	

NO.	DATE	DESCRIPTION
A	10/07/18	FOR ZONING
B	06/27/18	REVISED FOR ZONING

DATE DRAWN: 10/17/2018



**W-T COMMUNICATIONS DESIGN GROUP, LLC.**  
 WIRELESS TELECOMMUNICATIONS  
 10000 W. 100th Street, Suite 1000  
 Overland Park, KS 66214  
 P: (913) 241-1100  
 F: (913) 241-1101  
 www.wtcomm.com

**SITE NAME:**  
DARIEN FD

**SITE NUMBER:**  
STATION 122

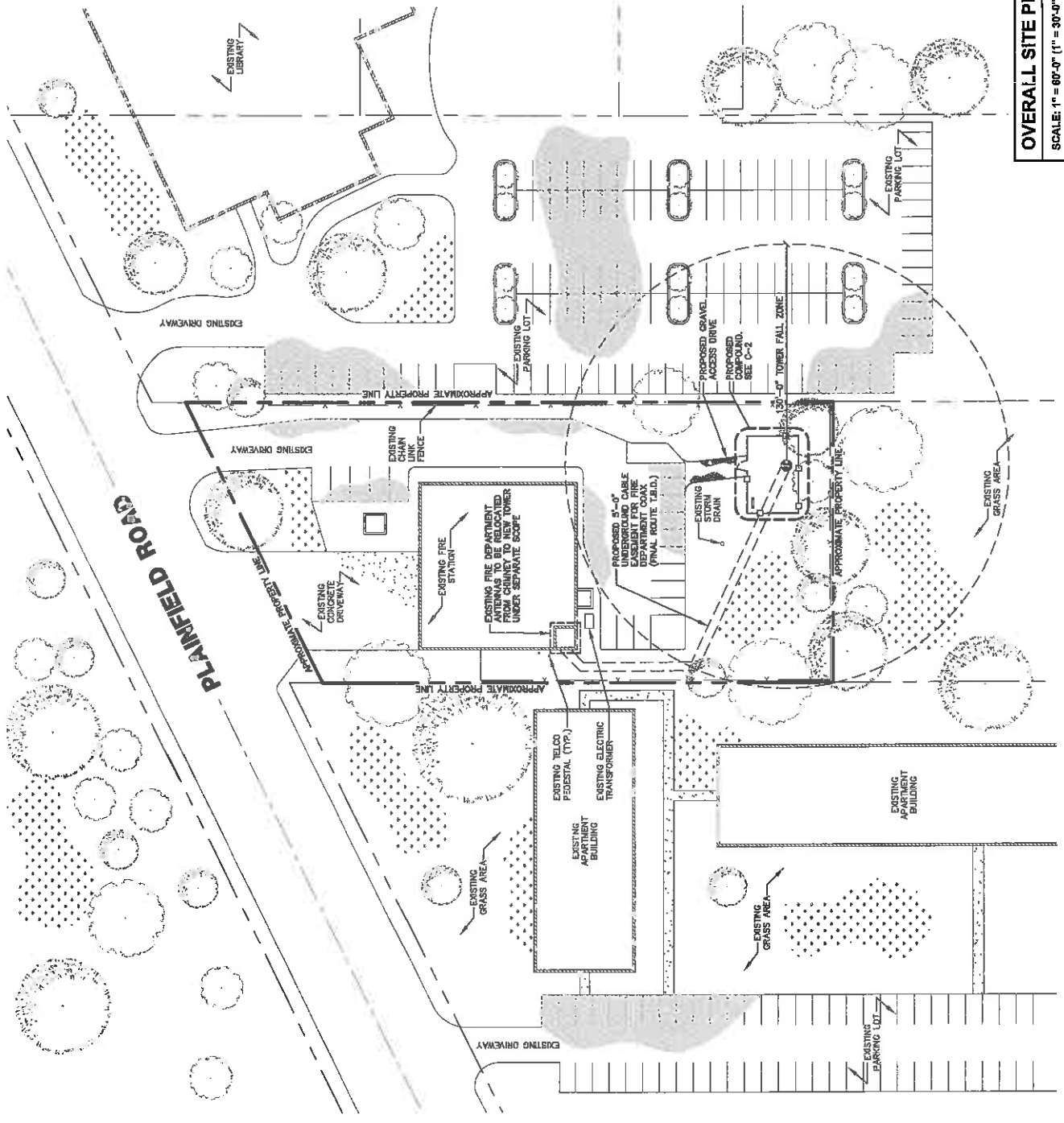
418 PLAINFIELD ROAD  
DARIEN, IL 60017

JEFFREY S. COTTELL  
 PROFESSIONAL ENGINEER  
 LICENSE # 121-072538  
 EXPIRES 12/31/18

REV	DATE	DESCRIPTION
B	02/19/18	REVISED FOR ZONING
A	10/17/18	FOR ZONING
1	10/17/18	REVISION
DATE DRAWN: 10/12/2018		
DRAWN BY: ATK		
APPROVED: JKR		
PROJECT NO: T1807164		
SHEET NAME		

**OVERALL SITE PLAN**  
 SHEET NUMBER  
 C-1

NOTE: THIS SURVEY HAS BEEN PERFORMED ON THIS SITE. ALL PARCELS/PROPERTY LINES SHOWN ARE APPROXIMATE LOCATIONS.



**OVERALL SITE PLAN**  
 SCALE: 1" = 60'-0" (1" = 30'-0" ON 22"x34" SHEET)  
 1



**W-T COMMUNICATION DESIGN GROUP, LLC.**  
WIRELESS INFRASTRUCTURE  
10100 W. 111th Street, Suite 100  
Morton Grove, IL 60053  
PH: (847) 225-0333 FAX: (847) 225-0444  
www.wtcd.com  
ILLINOIS LICENSE NO. 134-0002040-0001 ENG. 2400043

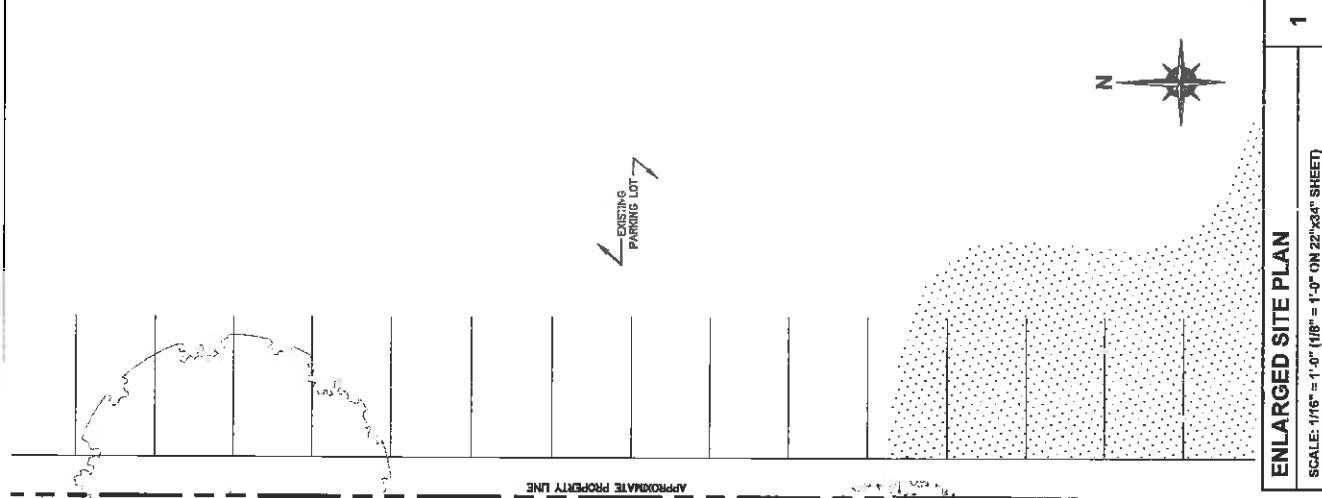
**SITE NAME:  
DARIEN FD**

**SITE NUMBER:  
STATION 122**

**419 PLAINFIELD ROAD  
DARIEN, IL 60861**

REVISION	DATE	DESCRIPTION
B	02/27/13	REVISED FOR ZONING
A	10/11/10	FOR ZONING
NO.	DATE	REVISION
DATE DRAWN:	10/11/2010	
DRAWN BY:	ATK	
APPROVED:	JKR	
PROJECT NO.:	T1601764	
SHEET NAME		

**ENLARGED SITE PLAN**  
SHEET NUMBER  
**C-2**



**ENLARGED SITE PLAN**  
SCALE: 1/16" = 1'-0" (1/8" = 1'-0" ON 22"x34" SHEET)  
**1**





**W-T COMMUNICATION DESIGN GROUP, LLC.**  
 WIRELESS INFRASTRUCTURE  
 8077 Pleasant Meadows  
 Naperville, Illinois 60563  
 PK: (630) 223-2530 Fax: (630) 223-2544  
 www.wtcomm.com  
 IL License No. 0400237020210 Site: 00000119  
 Company # 00000000000000000000000000000000

**SITE NAME:**  
 DARIEN FD

**SITE NUMBER:**  
 STATION 122

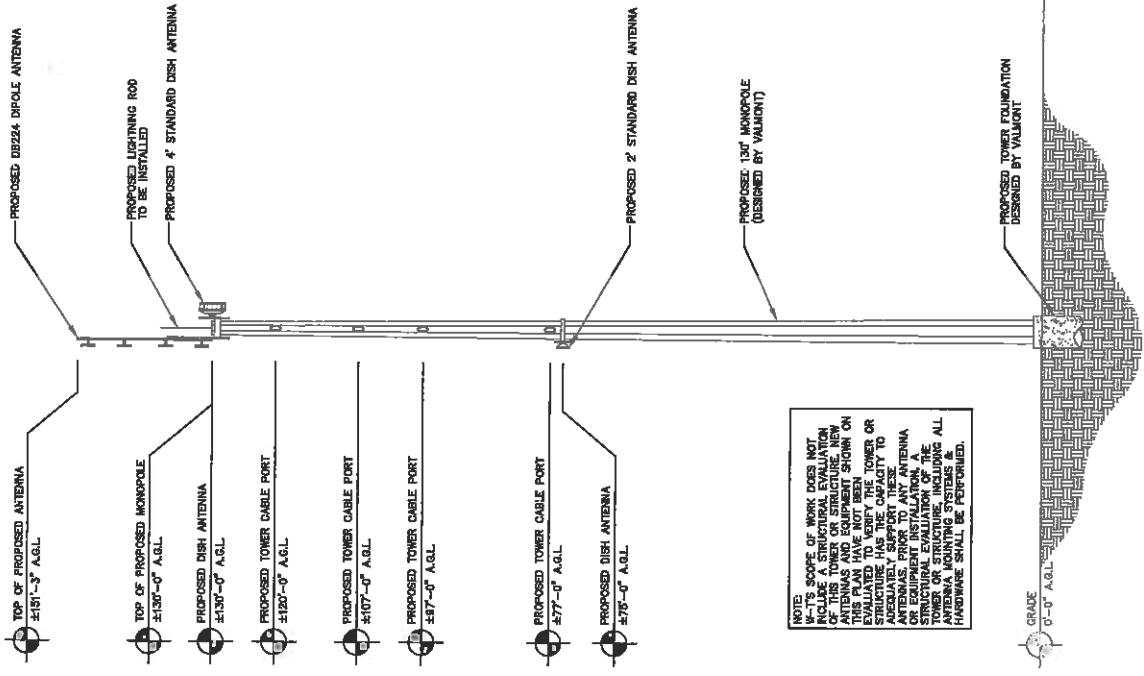
418 PLAINFIELD ROAD  
 DARIEN, IL 60861

NO.	DATE	REVISION
1	10/17/18	FOR 200000
2	02/12/19	REVISION FOR 200018

DATE DRAWN: 10/11/2018  
 DRAWN BY: ATK  
 APPROVED: JKR  
 PROJECT NO: 11801764  
 SHEET NAME

TOWER ELEVATION

SHEET NUMBER  
 A-1



**NOTE:**  
 W-T'S SCOPE OF WORK DOES NOT INCLUDE THE DESIGN OF THE TOWER OR STRUCTURE. NEW ANTENNAS AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS OR EQUIPMENT INSTALLATION. A STRUCTURAL EVALUATION OF THE PROPOSED TOWER INCLUDING ANTENNA MOUNTING SYSTEMS AND HARDWARE SHALL BE PERFORMED.

**TOWER ELEVATION**

SCALE: 1" = 20'-0" (1" = 10'-0" ON 22" x 34" SHEET)

1

## District Fire Station Connectivity/Communication Project



### Information Packet February 2019

Sam Molinaro, Fire Chief  
[smolinaro@tristatefd.com](mailto:smolinaro@tristatefd.com)

Patrick Brenn, Deputy Chief  
[pbrenn@tristatefd.com](mailto:pbrenn@tristatefd.com)

Tri-State Fire Protection District  
419 Plainfield Road  
Darien, IL 60561

## **Fire District**

The Tri-State Fire Protection District ("District") is 27 square miles and has a population of approximately 50,000. The District provides fire suppression, rescue and emergency medical services for four municipalities in both Cook and DuPage Counties. This municipalities include Burr Ridge, Darien, Willowbrook, Willow Springs as well as unincorporated areas of southeast DuPage County. The District has 56 full-time personnel and 7 part-time personnel.

The District operates out of four fire stations:

Fire Station 121	236 Sunrise Willowbrook, IL 60527
Fire Station 122	419 Plainfield Road Darien, IL 60561
Fire Station 123	10 S. 110 Madison Street Burr Ridge, IL 60527
Fire Station 124	8259 Willow Springs Road Willow Springs, IL 60480

## **Background**

In January 2016 Illinois passed legislation requiring consolidation of 911 dispatch centers. Since that time DuPage County has gone from over twenty (20) dispatch centers to three (3):

- Addison Consolidated Dispatch Center (ACDC)
- DuPage Public Safety Communications (DU-COMM)
- DuPage County Sheriff

Along with consolidation of dispatch centers, the County and ETSB (Emergency Telephone System Board) have been working on two (2) other major projects which will be introduced in 2019:

### **1. New Computer Aided Dispatch (CAD) and Records Management System (RMS) Systems**

This County-Wide system consists of four components and will be replacing an outdated system:

Computer Aided Dispatch - When a dispatcher receives a 9-1-1 call, the name, address, and nature of the call is entered into the CAD system. The information is transmitted from CAD directly to the first responders' in-vehicle computers.

In-Vehicle Mobile Data & Mapping - First responders receive information about the call on their in-vehicle computers, including maps of the response area. Responding staff members use this system to send and receive information to each other and the dispatch center. This system is also used to access federal and State law enforcement databases.

Field Reporting - This system allows police officers to complete incident reports in their vehicles. Completed reports are automatically sent to the Records Management System.

Records Management System - This system stores all Police and Fire Departments reports and the information entered into the CAD system. It is used to retrieve historical data, respond to resident requests for information and conduct analyses.

### **2. Fire Station Alerting System (FSA)**

In 2017, the DuPage ETSB voted to support and subsequently approve the funding for new fire station alerting systems in all fire station facilities (66 total) throughout DuPage County. The intent of the project is to capture the optimal integrated functions of the new CAD system which includes automated station notification of emergency calls to dispatch emergency requests as quickly and efficiently as possible.

The current (legacy) systems require manual activation with human interaction for operation which has inherent delays due to the processes. Most legacy systems within DuPage County have been in operation for over fifteen years including the equipment located in our facilities. The total costs for the legacy equipment were borne by each of the respective agencies at the time they were installed.

### Fire District's Connectivity/Communications Project Overview

To coincide with the implementation of the CAD and FSA projects mentioned above, the District is looking to not only complete work to fully implement the DuPage County Systems in our fire stations, but to also improve our internal connectivity and communications systems to bring them to current standards.

***It is important to note that the DuPage County projects referenced above do not address connectivity between our four (4) fire stations.***

The DuPage County CAD and FSA systems are connected to our agency via one connection provided by our dispatch center Addison Consolidated Dispatch Center (ACDC). We will receive that connection at our Fire Station 122, 419 Plainfield Road, Darien by means of a microwave link between Fire Station 122 and a microwave located on the 315' radio tower (Tower B) at the Darien Public Works facility located at Cass Avenue & I-55.

***The responsibility of then connecting Fire Station 122 and the DuPage CAD and FSA systems to our remaining fire stations falls upon the Tri-State Fire District, not DuPage County or ACDC. The proposed project described within this document accomplishes this goal.***

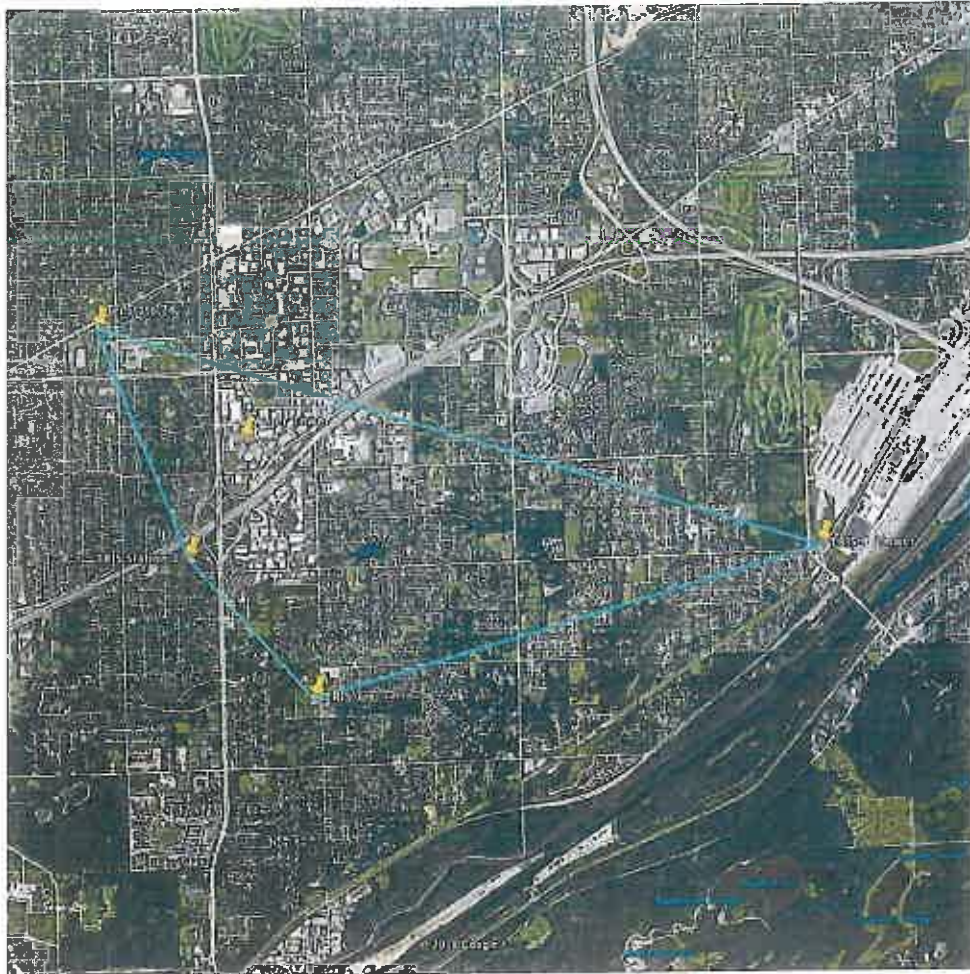
The District has been working with the following consultants/agencies in evaluating current infrastructure in place and upgrades that are needed to not only meet the current connectivity requirements of the DuPage County CAD and FSA systems but also communications and connectivity needs of the Fire District for the next 10-20 years:

Addison Consolidated Dispatch Center	1 Friendship Plaza Addison, IL 60101	Michael Sampey
A-Beep, LLC	452 N. Chicago Street Joliet, IL 60432	John Sullivan
Mid America Towers, Inc.	2300 Bethelview Drive, Suite 110-434 Cumming, GA 30040	Jay Panozzo
Class Computing	566 W. Adams, Suite 260 Chicago, IL 60661	Dale Schwer

Based on recommendations from these consultants/agencies the District seeks to build a self-maintained microwave radio network ring that connects all four (4) fire stations (see Figure 1). Not shown in Figure 1 is the microwave link from Fire Station 122 to the ACDC microwave at I-55 & Cass Avenue. This microwave radio network would replace the District's current outdated technology consisting of analog circuits, copper phone lines, T-1 lines and coax cable data connections.

The microwave radio network ring will ensure redundancy in that if one microwave connection is lost the ring continues to function from the microwave connection going in the opposite direction. The microwave ring would provide ample bandwidth today and will be upgradeable in the future to continue to meet the growing demands of the District.

In the scope of this project, the District will also be looking at the feasibility of improving VHF radio coverage through the addition of radio antennas so that in-building radio communications are improved.



*Figure 1-Microwave Ring*

### **Scope of Work**

For this microwave radio network the District would construct monopoles at the fire stations located in Darien, Burr Ridge and unincorporated Willowbrook. At the fire station located in Willow Springs there is an existing lattice-type radio tower adjacent to the building. We would use this existing tower to install the microwave equipment on. The microwaves would be installed at varying heights at each location to meet minimum line-of-sight requirements between the different fire stations.

#### **Station 122 – Darien**

- 1 – 4' microwave dish at 130' pointed towards Station 124 in Willow Springs
- 1 - 2' microwave dish at 75' pointed towards Station 121 in unincorporated Willowbrook
- Monopole minimum height required is 130'
- Future - addition of an antenna at top of monopole for improved VHF radio/portable coverage

#### **Station 121 – unincorporated Willowbrook**

- 1 – 2' microwave dish at 134' pointed towards Station 123 in Burr Ridge
- 1 - 2' microwave dish at 70' pointed towards Station 122 in Darien
- Monopole minimum height required is 134'
- The District is seeking the tower to be at 140'
- Future - addition of an antenna at top of monopole for improved VHF radio/portable coverage

#### Station 123 – Burr Ridge

- 1 – 3' microwave dish at 100' pointed towards Station 124 in Willow Springs
- 1 - 2' microwave dish at 75' pointed towards Station 121 in unincorporated Willowbrook
- Monopole minimum height required is 100'
- Future - addition of an antenna at top of monopole for improved VHF radio/portable coverage

#### Station 124 – Willow Springs

- 1 – 3' microwave dish at 130' pointed towards Station 122 in Darien
- 1 - 2' microwave dish at 100' pointed towards Station 123 Burr Ridge
- Existing tower is in place with microwave equipment on it and feed into the fire station from the former Willow Springs FD and SEDCERN

The microwave radio network design calls for all equipment to be located on Fire District property and power will be backed up by emergency generators already in place at each fire station.

Included in this packet are the following:

1. Letter from the Village of Addison IT Manager
2. Letter from A-Beep LLC – the consultant and contractor for the microwave equipment/towers
3. Microwave Path Studies
4. VHF Radio Coverage Study
5. Letter from the Fire District's IT Firm Class Computing
6. Tower Plans for each fire station site from W-T Communications Design Group, LLC

**Letter from the Village of Addison/ACDC  
IT Manager**





# Village of Addison

February 1, 2019

Dear City of Darien,

The Addison Consolidated Dispatch Center is currently working with the City of Darien to bring the DuPage County ETSB network to Tri-State Fire Protection District Station 2, and to increase the coverage for the Addison Consolidated Dispatch Center's backup public safety radio systems.

This project is completely independent from the Tri-State Fire Protection District's project for network connectivity between the Fire Stations. The DuPage County ETSB will be moving to new Computer Aided Dispatch and Fire Station Alerting systems in 2019; both of these systems will require network connectivity between all of the Tri-State Fire Protection District's fire stations. The network connectivity is the responsibility of the individual fire agencies and not the responsibility of DuPage County or the Addison Consolidated Dispatch Center.

The Addison Consolidated Dispatch Center technical team will work to ensure that the DuPage County connection to Tri-State Fire Protection Station 2 is functional and stable. The Addison Consolidated Dispatch Center will also be looking at a backup IP connection to one Tri-State Fire Protection District station through a VPN tunnel as a secondary connection. The connection to all of the other stations should meet the standards required for Computer Aided Dispatch and Fire Station Alerting systems in 2019. The responsibility to meet these standards is at the individual agency level.

As a point of reference, the Addison Consolidated Dispatch Center will be installing one microwave connection which will be installed at Tri-State Fire Protection Station 2 back to the Addison Consolidated Dispatch Center located in Addison, for access to the DuPage County ETSB system. The Addison Consolidated Dispatch Center has had success with the use of a private microwave network. The microwave network has the security required to help ensure reliable communications for public safety. The negative aspects of these systems include the initial capital cost and design costs compared to using public lines provided by Comcast or AT&T, weather related issues, and replacement costs. The positive aspects of utilizing this system include the elimination of ongoing usage charges, controlled maintenance windows for equipment, and built in redundancy on equipment or in design.

Please feel free to contact me with any questions or concerns.

Thank you,

A handwritten signature in black ink, appearing to read "Michael Sampey".

**Michael Sampey**  
Information Technology Manager  
Village of Addison  
1 Friendship Plaza  
Addison, IL 60101-2786  
Phone: 630-693-7514  
Email: [msampey@addison-il.org](mailto:msampey@addison-il.org)



**Letter from A-Beep LLC**  
**Consultant & Contractor for the Project**



## **Background:**

The Tri-State Fire Protection District operates out of four fire stations to provide Fire, Rescue, and Emergency Medical Services to residents and business in the communities of Darien, Willowbrook, Burr Ridge, Willow Springs, and unincorporated DuPage and Cook Counties.

Communications and Networking between the stations are vital to the District's daily operations and prompt responses to emergencies. The ability for Fire and EMS personnel to communicate and share data is expected on a daily basis as well as in times of great disasters and emergencies. The fire stations serve as hubs to provide field communications between units as well as communications back to the Public Safety Answering Point, Addison Consolidated Dispatch Center (ACDC), where 9-1-1 calls are processed and dispatched to the stations.

Currently the district operates its network on out dated and end of life copper technology including copper phone lines, RTNC circuits, T1 lines and coax cable data connections. These lines have become unstable and unreliable. These circuits are no longer able to provide the bandwidth and redundancy required for the daily operations of a modern Fire and EMS provider and will not support the new Computer Aided Dispatch and Fire Station Alerting Systems required by the DuPage County Emergency Telephone Systems Board. Alternative fiber solutions are not an option due the expense and logistics to install dedicated fiber to each building. These alternatives have many drawbacks, including an inability to withstand power outages and rely on 3<sup>rd</sup> party providers.

In addition to networking, the Fire District seeks to improve its radio coverage and to provide in building penetration for its portable radios. These radios are the lifeline for firefighters and paramedics to communicate with the PSAP as well as each other. Modern building construction and the abundance of large industrial, commercial, and residential structures within the district require additional receive sites to assist in providing the much-needed coverage.

The DuPage County ETSB is in the process of installing a new state of the art IP-based Fire Station Alerting system. This system will not operate reliably on the District's current technology. To be compliant with the NFPA standards redundant IP connections to each station must be provided.

Microwave is the chosen primary network option by ACDC. Construction of the towers will enable the Fire District to install a microwave link between two or more sites in the geographic area providing reliable redundant connectivity for dispatch. ACDC currently provides connectivity and radio coverage to the

geographic areas they serve from the I55/Cass tower located at the Darien Public Works facility. It is, however the responsibility of each agency to provide the last-mile connectivity between their own locations. Additionally, ACDC provides outside mobile level coverage on the VHF radio network and it is the responsibility of each agency to provide additional enhanced in building portable radio level coverage.

## Project Plan

After reviewing several options we feel the best means to meet the goals and needs of the Tri-State Fire Protection District would be to construct a self-maintained microwave radio network ring between the four Fire District locations. The towers would link to the ACDC equipment located at the I-55/Cass tower and then complete connectivity of the DuPage County systems to the remaining fire stations.

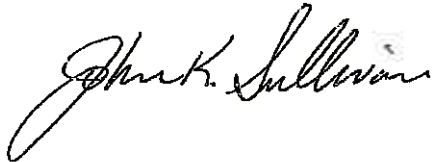
This microwave ring will provide ample bandwidth today and be upgradeable in the future to continue to meet the growing demands of the Fire District. Providing direct connections to each station eliminates third-party locations and failures making the network much more reliable. For this reason the use of surrounding towers would be prohibited, with the exception of the District's station in Willow Springs which has an existing radio tower with microwave equipment adjacent to the building.

The microwave ring technology provides the redundancy needed to meet industry standards. The design calls for all items to be located on Fire District property and power will be backed up by the already in place public safety grade emergency generators. The towers needed to achieve line of site for the microwave paths will also be able to host VHF antennas to provide much improved radio receive coverage for Fire District communications.

These towers will be designed with expansion and co-location in mind. This means that in the future other public safety entities or commercial service providers may be able to take advantage of these existing sites. The tower heights vary at each location based on line-of-site requirements between the four locations for the microwave technology to network the stations in a reliable ring configuration. These towers are also designed to provide for VHF radio antennas to enhance coverage into the area surrounding each tower. Due to the expense in constructing this network, care is being taken to ensure the towers are designed to meet the current and future needs of the Fire District.

The use of nearby stealth towers is not an option for the Fire District. The use of off-site facilities greatly reduces the reliability of the network design as well as adds tremendous expense. In most cases the off-site location was not designed or intended for public safety use and does not have the required floor space for equipment or tower space for the required antennas and microwave dishes to be installed. AC power requirements and generators would be required to be added to the sites for public safety. Additional microwave direct connections back to the fire stations would be required and may still require the construction of towers on the fire station property. These sites would also require expensive contracts and rental expenses. Multiple stealth sites will be needed in the future due to lack of single stealth capacity and stealth sites are four times the cost of a regular tower.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John K. Sullivan". The signature is fluid and cursive, with a large initial "J" and "S".

John K. Sullivan



**TRI-STATE  
FIRE PROTECTION DISTRICT**

419 PLAINFIELD ROAD • DARIEN, ILLINOIS 60561 • (630) 323-6445

January 7, 2019

To whom it may concern:

I write today to address the criteria necessary to secure approval of a special use rezoning request as specified in the application. The following addresses each criteria listed:

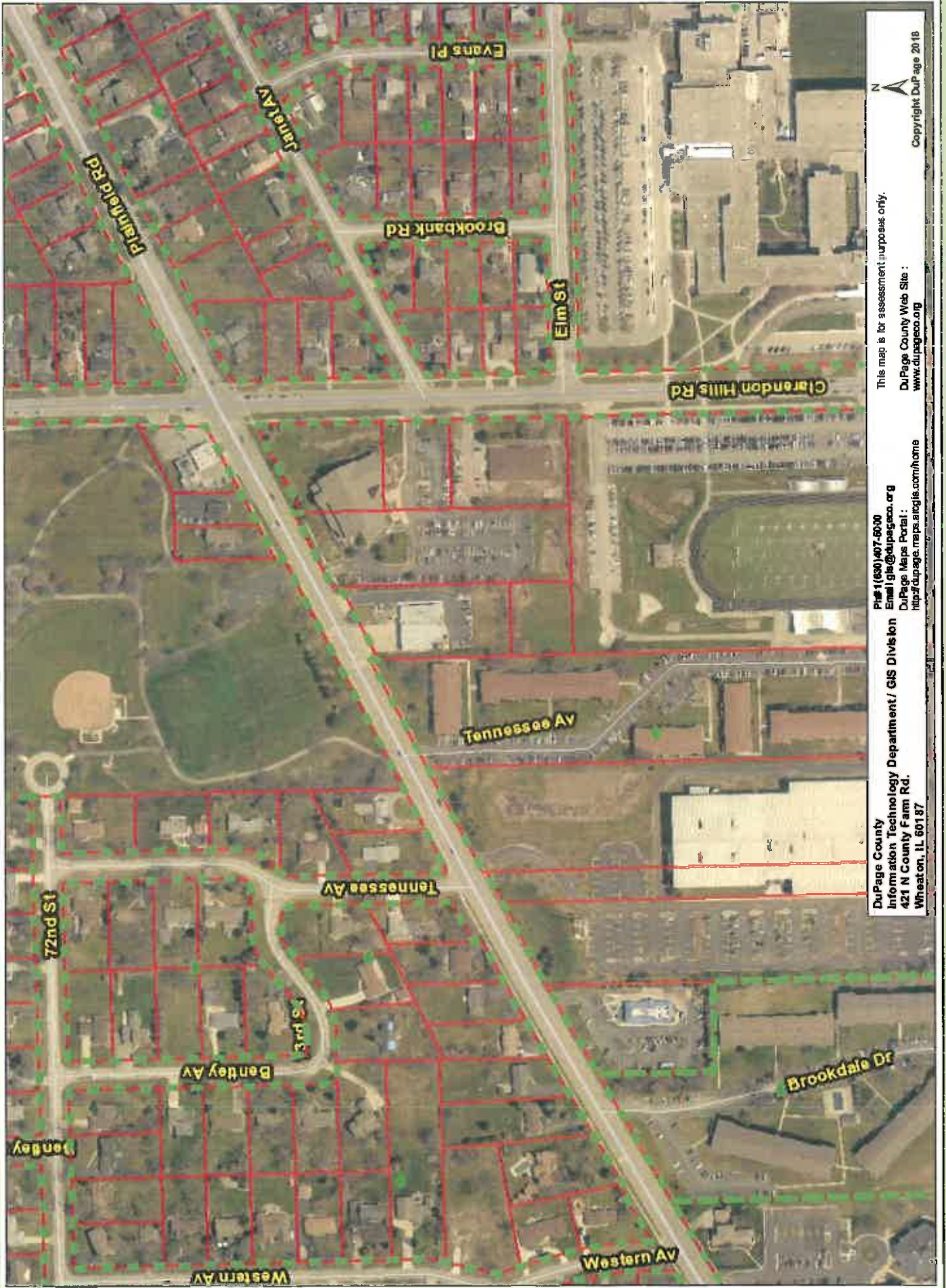
- #1. In order to meet the current and anticipated future connectivity and communication requirements (addressed under separate correspondence from our consultant), placing a monopole at each of our stations (including the Plainfield Road station on our current property footprint) will provide the physical means necessary to economically do so well into the future.
- #2. Placement of a monopole as described in the submitted plan will not be detrimental. There already are light towers on the Hinsdale South Property at the Stadium, and the cell tower/flag pole just to the west of the Fire District. In fact this project will provide for improved emergency communications from the ACDC dispatch center and improve public safety.
- #3. The special use will not be injurious to the other property in the immediate vicinity nor substantially diminish property value for the same reasons stated in answer #2.
- #4. The special use will not impede the development of surrounding property as the properties are already developed and use is determined.
- #5. The only structures proposed are the monopole and a fenced and gated area at the rear of District owned property.
- #6. Yes, as specified on the submitted drawings.
- #7. Yes, the only additional ingress and egress needed is provided from existing paved areas of district owned property as specified on the submitted drawings.
- #8. It is my understanding that the special use designation will conform to all other applicable regulations of the zoning district which would allow for this project.

Sincerely,

A handwritten signature in purple ink that reads "Sam Molinaro".

Sam Molinaro  
Fire Chief





This map is for assessment purposes only.

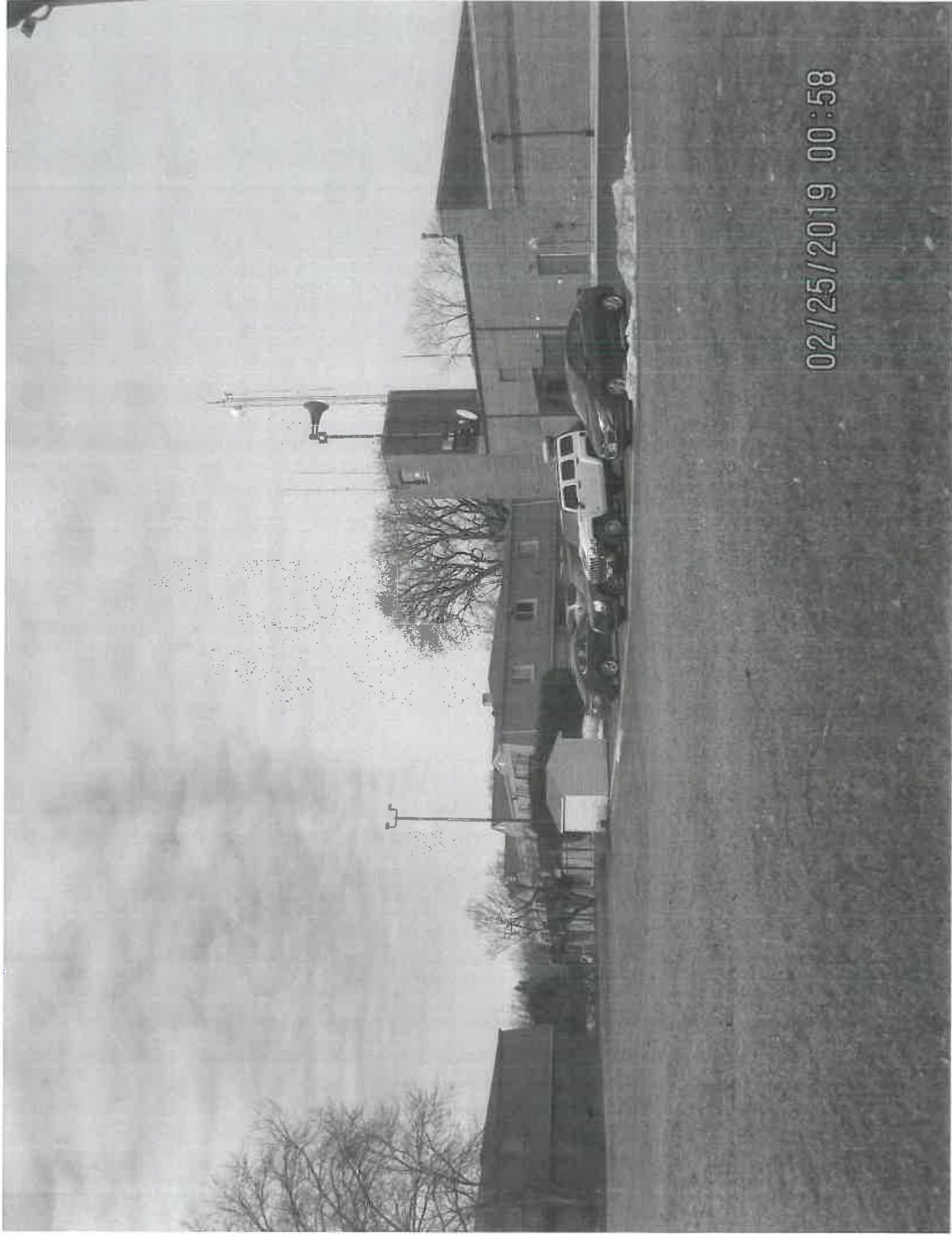
Phone: (630) 407-6000  
Email: [gis@dupageco.org](mailto:gis@dupageco.org)

DuPage County  
Information Technology Department / GIS Division  
421 N County Farm Rd.  
Wheaton, IL 60187

DuPage County Web Site:  
[www.dupageco.org](http://www.dupageco.org)

DuPage Maps Portal:  
[dupage.maps.arcgis.com/home](http://dupage.maps.arcgis.com/home)





02/25/2019 00:58



## **VARIATION CONDITIONS**

**ILLINOIS MUNICIPAL CODE 65 ILCS Sections 11-13-4 and 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.**

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- 2. The plight of the owner is due to unique circumstances.**

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- 3. The variation if granted will not alter the essential character of the locality.**

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





**VARIATION AUTHORITY and STANDARDS**  
**CITY OF DARIEN Zoning Code Section 5A-2-2-3 (A) and (G)**

**Authority**

In cases where there are practical difficulties or particular hardships in the way of carrying out the strict letter of any of the regulations adopted by this Title, the City Council may, by ordinance, determine and vary the application of such regulations in harmony with their general purpose and intent.

**Standards**

The Planning and Zoning 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.**  
\_\_\_\_\_



# CITY OF DARIEN

In the County of DuPage and the State of Illinois  
Incorporated 1969

## **SPECIAL USE STANDARDS**

Zoning Code Section 5A-2-2-6(G)

No special use shall be recommended to the City Council by the Plan Commission, nor approved by the City Council, unless findings of fact have been made on those of the following factors which relate to the special use being sought:

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 or 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 at variation with either the exterior architectural design, landscape treatment, and functional plan of 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 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 Plan Commission and the Planning and Development Committee.

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
February 6, 2019**

**PRESENT:** Robert Cortez, Michael Desmond, Robert Erickson, Brian Gay, Mary Sullivan, Raiph Stompanato, Steven Manning - City Planner

**ABSENT:** John Laratta, Brian Liedtke, Lou Mallers

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

**REGULAR MEETING:**

**A. Public Hearing - Continued**

**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.**

Mr. Steve Manning, City Planner reported that at the last hearing Mr. Peter Friedman, attorney representing Sterling Bay was present and asked for time to prepare a written testimony. Mr. Manning reported that staff has received written testimony and that the City Administrator would like to go through his letter and respond and therefore asking for a continuation to the March 6, 2019 meeting. He reported that the letter will be provided in the next meeting packet.

Acting Chairperson Cortez opened the meeting to anyone wishing to present public comment.

Mr. Keith Lang stated that he watched the City Council meeting and it seemed that the Sterogenics problems are Tier II. He stated that there are only three permits in the City of Darien and he questioned why the City is changing anything when there is not a problem in Darien.

Mr. Manning reported that the intent is to take a proactive approach and that this was at the direction of the City Council to investigate the topic.

Acting Chairperson Cortez stated that the City is taking a proactive approach to align for the future and that he felt it was not a bad idea.

Mr. Lang stated that his business was all that he has and that it seems anti-business and that the changes will affect his business.

Commissioner Desmond stated that it is not the intent to drive business away and that there are clearly things that need to be revised. He stated that this is a process and that the Committee is cognizant of what is happening. He further stated that the City is being proactive.

Mr. Manning reported that the goal is to have final language by March 6th.

**Commissioner Sullivan made a motion and it was seconded by Commissioner Gay to continue PZC 2018-11 to the March 6, 2019 meeting.**

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

### **B. Public Hearing**

**Case: PZC 2019-01 419 Plainfield Road (tower height variation)**

**Tri-State Fire Protection District has petitioned for approval of a variation to Section 5A-5-12 (C) of the Zoning Code, that otherwise limits the height of towers to 60 feet, for a proposed communications tower 150 feet tall to be built in the rear yard of the Tri-State Fire Station at 419 Plainfield Road.**

Mr. Steve Manning, City Planner reported that the new Fire Chief has asked for more time to prepare a presentation and meet with neighbors.

Commissioner Sullivan questioned the height of the Darien Park District tower.

Commissioner Desmond questioned if any other Fire Districts are doing the same thing.

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

**Commissioner Sullivan made a motion and it was seconded by Commissioner Gay to continue Public Hearing Case: PZC 2019-01 to the March 6, 2019 meeting.**

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

### **CORRESPONDENCE**

None

### **OLD BUSINESS**

Mr. Steve Manning, City Planner reported that there was a tie vote at the last hearing on the Auto-Mobile Center sign variance request. A tie is not approval or disapproval. There also was not a clear statement on the reasons for and against the variation in terms of the decision criteria. As a result, the applicant and the Municipal Services Committee are left without a clear direction. One way to avoid a tie is for each PZC member to voice their thoughts before a vote. If it looks like there may be a tie or a majority leaning towards a no vote, then the Chair can ask for reconsideration or the members can discuss with the applicant potential changes to the plan.

### **NEW BUSINESS**

Mr. Steve Manning, City Planner announced that Mr. John Laratta resigned from the Commission saying that he regretted that he could no longer attend meetings year round.

Mr. Manning reported that the variation decision criteria were approved by City Council January 21. He presented a revised application form including the new criteria. Commissioner Gay suggested putting more emphasis on getting applicants to write their responses to the decision criteria. Mr. Manning reported that he will redraft and bring to the next meeting.

**APPROVAL OF MINUTES**

**Commissioner Desmond made a motion and it was seconded by Commissioner Gay to approve the January 16, 2019 Regular Meeting Minutes.**

**Upon voice vote, THE MOTION CARRIED 6-0.**

**NEXT MEETING**

Acting Chairperson Cortez announced that the next meeting was scheduled for February 20 but that meeting will be canceled and the next meeting will be March 6.

**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 Sullivan made a motion and it was seconded by Commissioner Gay. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:10 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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

\_\_\_\_\_  
**Robert Cortez**  
**Acting Chairperson**