

AGENDA
Municipal Services Committee
April 24, 2023
6:00 P.M. – Council Chambers

- 1. Call To Order**
- 2. Establish A Quorum**
- 3. Old Business**
- 4. New Business**
 - a. **Motion** – Approval to recommend zoning ordinance revisions pertaining to short-term rentals to the City Council and to forward the draft revisions to the Planning and Zoning Commission for public hearing and commission review.
 - b. **Resolution** - Accepting a proposal from Steve Piper and Sons for Tub Grinding Services in an amount not to exceed \$6,200.00.
 - c. **Resolution** - Authorizing the following Private Property Rear Yard Storm Water Management Assistance Projects.
 - d. **Resolution** – Accepting a quote from Terrain Landscape Contractors, for the Darien Clock Tower Maintenance Project at the northeast corner of Plainfield and Cass Ave for fountain maintenance, wall removal and replacement, resetting of the pavers and electrical upgrades with modified lighting in an amount not to exceed \$74,875.00.
 - e. **Minutes** – **March 27, 2023** Municipal Services Committee
- 5. Director’s Report**
 - a. Update - PZC2023-02 City of Darien Marquee Sign (7702 Cass Avenue)
- 6. Next scheduled meeting – May 22, 2023**
- 7. Adjournment**

AGENDA MEMO
MUNICIPAL SERVICES COMMITTEE
APRIL 24, 2023

ISSUE STATEMENT

Motion to recommend zoning ordinance revisions pertaining to short-term rentals to the City Council and to forward the draft revisions to the Planning and Zoning Commission for public hearing and commission review.

BACKGROUND

On April 3, 2023, the City Council heard public comment regarding short-term rentals (i.e. vacation rentals) and how they are regulated. Staff advised the city regulates use of property through the zoning ordinance and noted that the city code does not directly regulate short-term rentals or specify a minimum number of days for rental periods. For instance, if a property is zoned for single family use and contains a single family home, the code does not regulate the length in which an owner can rent the home, it only specifies that the use of the home must meet the definition of single “family” (see below). Enforcement of this definition in recent years has resulted in compliance.

FAMILY: An individual, two (2) unrelated persons or two (2) or more persons related to the other by blood, marriage, legal adoption, or legal custody, including his or their domestic servants, maintaining a common household in a dwelling unit.

Meeting discussion ensued and Council directed staff to prepare zoning ordinance revisions pertaining to short-term rentals and assigned it for Committee review. The primary component of the ordinance revision is to prohibit rentals for a period of less than thirty (30) days.

To move forward on this priority, staff has developed revisions to the zoning ordinance ([Attachment B](#)) prohibiting rentals for a period of less than thirty (30) days in residential districts. These are short-term rentals by definition, and multiple options for a *short-term rental* definition are included in the document for consideration by the Committee. Also attached to this memo is the current zoning ordinance section for the residence districts ([Attachment A](#)) and other municipal ordinances ([Attachment C](#)) staff researched/used in order to formulate the proposed revisions.

COMMITTEE RECOMMENDATION

The Municipal Services Committee is to forward a recommendation to the City Council. Upon City Council approval, the item will be sent to the Planning and Zoning Commission for a public hearing.

ALTERNATE CONSIDERATION

As recommended by the Municipal Services Committee.

DECISION MODE

This item will be placed on the May 1, 2023 City Council agenda for formal consideration.

CHAPTER 7

RESIDENCE DISTRICTS

SECTION:

5A-7-1: R-1 Single-Family Residence District**5A-7-1-1: Intent****5A-7-1-2: Permitted Uses****5A-7-1-3: Special Uses****5A-7-1-4: Required Conditions****5A-7-1-5: Area, Width And Depth Requirements****5A-7-1-6: Yard Requirements****5A-7-1-7: Height Limitations, Bulk Regulations****5A-7-1-8: Minimum Floor Area****5A-7-2: R-2 Single-Family Residence District****5A-7-2-1: Intent****5A-7-2-2: Permitted Uses****5A-7-2-3: Special Uses****5A-7-2-4: Required Conditions****5A-7-2-5: Area, Width And Depth Requirements****5A-7-2-6: Yard Requirements****5A-7-2-7: Height Limitations, Bulk Regulations****5A-7-2-8: Minimum Floor Area****5A-7-3: R-3 Multi-Family Residence District****5A-7-3-1: Intent****5A-7-3-2: Permitted Uses****5A-7-3-3: Special Uses****5A-7-3-4: Required Conditions****5A-7-3-5: Area, Width And Lot Requirements****5A-7-3-6: Yard Requirements****5A-7-3-7: Height Limitations, Bulk Regulations****5A-7-3-8: Minimum Floor Area****5A-7-1: R-1 SINGLE-FAMILY RESIDENCE DISTRICT:****5A-7-1-1: INTENT:**

The R-1 District is intended to provide single-family areas and protect such areas from the encroachment of incompatible uses.

No R-1 District shall be established by any new regulation unless the proposed district area, by itself or in conjunction with any contiguous territory which either lies within the City and is already zoned R-1 or which lies within an adjacent municipality and is in a similar zoning classification, is at least five (5) acres. (Ord. 0-03-00, 4-3-2000)

5A-7-1-2: 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) Single-family detached dwellings.
- (B) Public, denominational, or private schools, limited to elementary, junior or high schools, without boarding.
- (C) Parks, playgrounds, and forest preserves when publicly owned and operated.
- (D) Accessory uses and buildings to the above permitted uses.
- (E) Home occupations. (Ord. 0-03-00, 4-3-2000)

5A-7-1-3: SPECIAL USES:

(A) The following uses may be permitted in specific situations in accordance with the procedures outlined in Section 5A-2-2-6 of this Title:

1. Civic buildings and governmental uses.
2. Planned unit developments in accordance with the requirements of Chapter 3 of this Title.
3. Public and private utility facilities.
4. Religious institutions, including, but not limited to, churches, rectories, seminaries, convents, and monasteries, including dormitories and other accessory uses required for operation.
5. Swimming, tennis, racquet, and other athletic club facilities.
6. Golf courses, not including commercially operated driving ranges or miniature golf courses.
7. Nursery schools, preschools, and daycare centers.
8. Privately owned parks and playgrounds.
9. Single-family residences subject to the conditions imposed herein and any other conditions required by the special circumstances of the application may be granted special uses to allow their conversion through remodeling to accommodate one of the following businesses: medical, dental, real estate, insurance, attorney, architect, engineer, optometrist, or accountant offices, beauty parlors, barbershops, or animal clinics where animals are housed only during treatment and not for custodial care.

(a) **Applicability:** Special uses authorized under this Section may only be granted to single-family residences on lots at least fifty feet (50') in width, which have addresses on Plainfield Road, Cass Avenue, or Route 83, and which in addition also abut for at least fifty feet (50'):

- (1) A lot zoned B-1 or B-2;
- (2) A lot containing a lawful commercial nonconforming use; or
- (3) A lot granted the special use authorized in this subsection.

(B) **Application:** The application for the special use shall contain preliminary plans, prepared by a person with professional expertise, for the manner in which the single-family residence will be remodeled and shall describe the compatibility of the proposed use with nearby uses. The exterior dimension of the existing single-family residence (footprint) shall not be altered and a copy of a plat of survey prepared by a licensed land surveyor showing the dimensions of the existing structure shall also be submitted with the application for the special use.

(C) **Compliance With Approved Plans And Building Codes:** If the special use is granted, the final remodeling of the property shall proceed in substantial conformity with the preliminary plans as approved by the City Council. The structure granted such special use shall be required to comply with the building codes adopted by the City with respect to the appropriate use category.

(D) **Amendments To Approved Plans:** Minor modifications to approved plans may be approved by the Zoning Enforcement Officer. Any substantial modifications to the interior or the exterior of the structure not approved in the ordinance granting the special use shall require an amendment to the special use by the City Council. Such amendment may only be granted by the City Council after a public hearing before the Plan Commission and recommendation of the Planning and Development Committee.

(E) **Parking:** The parking requirements for a special use granted under this Section shall be those required under other provisions of the ordinances of the City for the particular business for which special use is granted. No parking, however, shall be allowed within the required front yard or within five feet (5') of the lot lines of the rear or side yards of the property. Unless specifically waived in the ordinance granting the special use, the rear yard and side yards of the property shall be completely fenced with a solid fence having a minimum height of four feet (4').

(F) **Storm Water Management:** The storm water management requirements for the subject property may be specified at the time of the granting of the special use or may be required prior to the issuance of the building permits. Such storm water management requirements shall be developed based upon the ordinances of the City, the drainage laws of the State and sound engineering practices directed towards the development of the property in a manner not to cause unreasonable flooding problems upon adjacent properties.

(G) **Signage:** A single-family residence granted the special use herein will be permitted to have only one sign. This sign shall be placed on the front face of the building and shall not exceed eight (8) square feet in area. The size and location of the proposed sign shall be submitted as part of the application and will be approved with the granting of the special use. The sign may be lighted, but only from the top and/or bottom of the sign and shall otherwise conform to the ordinances of the City regarding signs, including illumination and glare standards.

(H) **Additional Conditions Of Approval:** In addition to any specific conditions mentioned within this Section, the Plan Commission may recommend and the City Council may require such other conditions as shall allow the business to operate at the proposed site without interference or adverse effect upon nearby uses. (Ord. 0-03-00, 4-3-2000)

5A-7-1-4: REQUIRED CONDITIONS:

(A) All permitted uses other than single-family detached dwelling units and all special uses shall be subject to the screening and landscaping provisions of Chapter 10 of this Title.

(B) Swimming, tennis, racquet and other athletic clubs and public and private utilities shall be screened with trees, compact hedge or other natural fence of at least seventy five percent (75%) opacity all year long along all property lines. Lighting for operation of the

facilities at night and sound systems shall be directed away from the surrounding properties.

(C) All permitted and special uses in the R-1 District shall comply with the driveway, off-street parking, and loading requirements of Chapter 11 of this Title. (Ord. 0-03-00, 4-3-2000)

5A-7-1-5: AREA, WIDTH AND DEPTH REQUIREMENTS:

The minimum area and width requirements for all buildings and structures in the R-1 District shall be as follows:

(A) Single-Family Detached Dwellings; Nursery Schools, Preschools And Daycare Centers: Not less than twenty thousand (20,000) square feet per lot, with a minimum width at the established building setback line of not less than ninety five feet (95'), and a minimum lot depth of not less than one hundred twenty five feet (125').

(B) Parks, Playgrounds And Forest Preserves; Public And Private Utility Facilities; Golf Courses; Public, Denominational Or Private Schools; Civic Buildings And Governmental Uses: None.

(C) Religious Institutions, Except Churches; Swimming, Tennis, Racquet And Other Athletic Clubs: Not less than two (2) acres with a minimum width at the established building line of not less than three hundred feet (300').

(D) Planned Unit Developments: Three (3) acres with a minimum width at the established building line of not less than three hundred feet (300').

(E) Churches: Not less than one acre. (Ord. 0-03-00, 4-3-2000)

5A-7-1-6: YARD REQUIREMENTS:

The minimum yards required for all buildings and structures in the R-1 District shall be as follows:

(A) Single-family detached dwellings:

1. Required Yard Depth:

Front Yard: Forty five feet (45').

Interior Side Yard: Ten feet (10').

Corner Side Yard: Fifteen feet (15').

Rear Yard: Forty feet (40').

(B) All other permitted and special uses, except for planned unit developments which shall be governed by the provisions of Chapter 3 of this Title:

Front And Corner Side Yard: Forty five feet (45').

Side Yard: Thirty feet (30').

Rear Yard: Fifty feet (50'). (Ord. 0-03-00, 4-3-2000)

5A-7-1-7: HEIGHT LIMITATIONS, BULK REGULATIONS:

The maximum height for all buildings and structures in the R-1 District shall be two and one-half (2¹/₂) stories, not to exceed thirty feet (30'). Not more than thirty five percent (35%) of the net site area shall be covered by principal buildings and structures and not more than fifty percent (50%) of the net site area shall be covered by principal and accessory buildings and structures and paved and impervious areas. (Ord. 0-03-00, 4-3-2000)

5A-7-1-8: MINIMUM FLOOR AREA:

Each single-family dwelling shall provide a minimum of one thousand five hundred (1,500) square feet in floor area. (Ord. 0-03-00, 4-3-2000)

5A-7-2: R-2 SINGLE-FAMILY RESIDENCE DISTRICT:

5A-7-2-1: INTENT:

The R-2 District is intended to provide single-family areas which are characterized by smaller lots than are required in the R-1 District.

No R-2 District shall be established by any new regulation unless the proposed district area, by itself or in conjunction with any contiguous territory which either lies within the City and is already zoned R-2 or which lies within an adjacent municipality and is in a similar zoning classification, is at least five (5) acres. (Ord. 0-03-00, 4-3-2000)

5A-7-2-2: 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:

Any permitted use in the R-1 District. (Ord. 0-03-00, 4-3-2000)

5A-7-2-3: SPECIAL USES:

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

Any special use in the R-1 District. (Ord. 0-03-00, 4-3-2000)

5A-7-2-4: REQUIRED CONDITIONS:

(A) All permitted uses except detached single-family dwelling units, and all special uses shall be subject to the landscaping and 5

screening provisions of Chapter 10 of this Title.

(B) Swimming, tennis, racquet and other athletic clubs and public and private utilities shall be screened with trees, compact hedge or other natural fence of at least seventy five percent (75%) opacity all year long along all property lines. Lighting for operation of the facilities at night and sound systems shall be directed away from the surrounding properties.

(C) All permitted and special uses in the R-2 District shall comply with the driveway, off-street parking, and loading requirements of Chapter 11 of this Title. (Ord. 0-03-00, 4-3-2000)

5A-7-2-5: AREA, WIDTH AND DEPTH REQUIREMENTS:

The minimum area and width requirements for all buildings and structures in the R-2 District shall be as follows:

(A) Single-Family Detached Dwellings; Nursery Schools, Preschools And Daycare Centers: Not less than ten thousand (10,000) square feet per lot, with a minimum width at the established building line of not less than seventy five feet (75') for interior lots and eighty five feet (85') for corner lots, and a minimum lot depth of not less than one hundred twenty feet (120').

(B) Parks, Playgrounds And Forest Preserves; Public And Private Utility Facilities; Golf Courses; Public, Denominational Or Private Schools; Civic Buildings And Governmental Uses: None.

(C) Religious Institutions, Except Churches; Swimming, Tennis, Racquet And Other Athletic Clubs: Two (2) acres with a minimum width at the established building line of not less than three hundred feet (300').

(D) Planned Unit Developments: Three (3) acres with a minimum width at the established building line of not less than three hundred feet (300').

(E) Churches: Not less than one acre. (Ord. 0-03-00, 4-3-2000)

5A-7-2-6: YARD REQUIREMENTS:

The minimum yards required for all buildings and structures in the R-2 District shall be as follows:

(A) Single-family detached dwellings:

Front Yard: Thirty five feet (35').

Interior Side Yard: Ten feet (10').

Corner Side Yard: Fifteen feet (15').

Rear Yard: Thirty feet (30').

(B) All other permitted and special uses, except for planned unit developments which shall be governed by the provisions of Chapter 3 of this Title:

Front Yard: Thirty five feet (35').

Side Yard: Thirty feet (30').

Rear Yard: Fifty feet (50'). (Ord. 0-03-00, 4-3-2000)

5A-7-2-7: HEIGHT LIMITATIONS, BULK REGULATIONS:

The maximum height for all buildings and structures in the R-2 District shall be two and one-half (2¹/₂) stories, not to exceed thirty feet (30'). Not more than thirty five percent (35%) of the net site area shall be covered by principal buildings and structures and not more than fifty percent (50%) of the net site area shall be covered by principal and accessory buildings and structures and paved and impervious areas. (Ord. 0-03-00, 4-3-2000)

5A-7-2-8: MINIMUM FLOOR AREA:

Each single-family dwelling shall provide a minimum of one thousand (1,000) square feet in floor area. (Ord. 0-03-00, 4-3-2000)

5A-7-3: R-3 MULTI-FAMILY RESIDENCE DISTRICT:

5A-7-3-1: INTENT:

The R-3 District is intended to provide medium density area occupied primarily by single-family detached and attached dwelling units, two-family dwellings and limited apartment dwellings.

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

5A-7-3-2: 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) Any use permitted in the R-1 District.

(B) Two-family dwellings and duplexes.

(C) Single-family attached dwellings.

(D) Limited multi-family dwellings.

(E) Accessory uses and buildings to the above permitted uses.

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

5A-7-3-3: SPECIAL USES:

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

- (A) Any special use in the R-1 District.
- (B) Multi-family dwellings.
- (C) Nonboarding educational institutions, colleges and universities excluding business and trade schools.
- (D) Undertaking establishments.
- (E) Convalescent and nursing homes.
- (F) Housing for the elderly. (Ord. 0-03-00, 4-3-2000)

5A-7-3-4: REQUIRED CONDITIONS:

The following conditions shall be required:

- (A) Limited multiple-family buildings shall have a maximum of four (4) dwelling units per building or structure.
- (B) Attached single-family dwelling units sharing party walls shall be at least three (3), but limited to no more than four (4) dwellings in a row or building.
- (C) All permitted uses other than single-family attached and detached dwellings and two-family dwellings and duplexes, and all special uses shall be subject to the landscaping and screening provisions of Chapter 10 of this Title.
- (D) Swimming, tennis, racquet and other athletic clubs and public and private utilities shall be screened with trees, compact hedge or other natural fence of at least seventy five percent (75%) opacity all year long along all property lines. Lighting for operation of the facilities at night and sound systems shall be directed away from surrounding properties.
- (E) All permitted and special uses in the R-3 District shall comply with the driveway, off-street parking, and loading requirements of Chapter 11 of this Title. (Ord. 0-03-00, 4-3-2000)

5A-7-3-5: AREA, WIDTH AND LOT REQUIREMENTS:

The minimum area and width requirements for all buildings and structures in the R-3 District shall be as follows:

- (A) Single-Family Detached Dwellings Not Less Than Ten Thousand Square Feet, Two-Family Dwellings And Duplexes: Not less than twenty thousand (20,000) square feet per lot, with a minimum width at the established building line of not less than ninety feet (90') for interior lots and one hundred feet (100') for corner lots, and a minimum lot depth of not less than one hundred feet (100').
- (B) Nursery Schools, Preschools And Daycare Centers: Not less than ten thousand (10,000) square feet per lot, with a minimum width at the established building line of not less than seventy five feet (75') for interior lots and eighty five feet (85') for corner lots, and a minimum lot depth of not less than one hundred twenty feet (120').
- (C) Single-Family Attached Dwellings (Three Or More Attached Dwellings): Not less than eight thousand (8,000) square feet per dwelling unit, with a minimum width at the established building line of not less than seventy five feet (75') for interior lots and eighty five feet (85') for corner lots and a minimum lot depth of not less than one hundred feet (100').
- (D) Limited Multi-Family And Multi-Family Dwellings: Not less than the following lot area per dwelling unit, but in no event less than twenty thousand (20,000) square feet per lot:

Type Of Dwelling	Land Area Per Dwelling Unit
4 bedrooms or more	6,500 square feet
3 bedrooms	5,000 square feet
2 bedrooms	4,500 square feet
1 bedroom	4,000 square feet
Efficiency apartment	3,500 square feet

There shall be a minimum width at the established building line of not less than ninety feet (90') for interior lots and one hundred feet (100') for corner lots and a minimum lot depth of not less than one hundred feet (100').

- (E) Nonboarding Educational Institutions, Colleges And Universities: Not less than seven (7) acres with a minimum width at the established building line of not less than four hundred feet (400').
- (F) Parks, Playgrounds And Forest Preserves; Public And Private Utility Facilities; Golf Courses; Public, Denominational Or Private Schools; Civic Buildings And Governmental Uses: None.
- (G) Religious Institutions, Except Churches; Swimming, Tennis, Racquet And Other Athletic Clubs And Planned Unit Developments: Not less than three (3) acres with a minimum width at the established building line of not less than three hundred feet (300').
- (H) Churches: Not less than one acre. (Ord. 0-03-00, 4-3-2000)

5A-7-3-6: YARD REQUIREMENTS:

The minimum yards required for all buildings and structures in the R-3 District shall be as follows:

(A) Single-family attached and detached dwellings; two-family dwellings and duplexes; limited multi-family dwellings and multi-family dwellings:

Front Yard: Thirty feet (30').

Interior Side Yard: Ten feet (10').

Corner Side Yard: Fifteen feet (15').

Rear Yard: Thirty feet (30').

(B) All other permitted and special uses, except for planned unit developments which shall be governed by the provisions of Chapter 3 of this Title:

Front Yard: Thirty feet (30').

Interior Side Yard: Fifteen feet (15') plus one foot (1') for each two feet (2') by which the building or structure height exceeds twenty eight feet (28').

Corner Side Yard: Twenty feet (20') plus one foot (1') for each two feet (2') by which the building or structure height exceeds twenty eight feet (28').

Rear Yard: Fifty feet (50'). (Ord. 0-03-00, 4-3-2000)

5A-7-3-7: HEIGHT LIMITATIONS, BULK REGULATIONS:

The maximum height for all buildings and structures in the R-3 District shall be three (3) stories not to exceed thirty five feet (35'). Not more than forty percent (40%) of the net site area shall be covered by principal buildings and structures and not more than sixty percent (60%) of the net site area shall be covered by principal and accessory buildings and structures, and paved and impervious areas. (Ord. 0-03-00, 4-3-2000)

5A-7-3-8: MINIMUM FLOOR AREA:

(A) Attached or detached single-family dwellings, two-family dwellings and duplexes shall provide a minimum of one thousand (1,000) square feet in floor area per dwelling unit.

(B) Each limited multi-family and multi-family dwelling unit shall provide the following minimum floor area:

Type Of Dwelling	Land Area Per Dwelling Unit
4 bedroom	1,500 square feet
3 bedroom	1,250 square feet
2 bedroom	1,000 square feet
1 bedroom	850 square feet
Efficiency apartment	750 square feet

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

R-1 SINGLE-FAMILY RESIDENCE DISTRICT (5A-7-1)**5A-7-1-4: REQUIRED CONDITIONS:**

- (A) All permitted uses other than single-family detached dwelling units and all special uses shall be subject to the screening and landscaping provisions of Chapter 10 of this Title.
- (B) Swimming, tennis, racquet and other athletic clubs and public and private utilities shall be screened with trees, compact hedge or other natural fence of at least seventy five percent (75%) opacity all year long along all property lines. Lighting for operation of the facilities at night and sound systems shall be directed away from the surrounding properties.
- (C) All permitted and special uses in the R-1 District shall comply with the driveway, off-street parking, and loading requirements of Chapter 11 of this Title. (Ord. 0-03-00, 4-3-2000)
- (D) No short-term rental shall be permitted.

R-2 SINGLE-FAMILY RESIDENCE DISTRICT (5A-7-2)**5A-7-2-4: REQUIRED CONDITIONS:**

- (A) All permitted uses except detached single-family dwelling units, and all special uses shall be subject to the landscaping and screening provisions of Chapter 10 of this Title.
- (B) Swimming, tennis, racquet and other athletic clubs and public and private utilities shall be screened with trees, compact hedge or other natural fence of at least seventy five percent (75%) opacity all year long along all property lines. Lighting for operation of the facilities at night and sound systems shall be directed away from the surrounding properties.
- (C) All permitted and special uses in the R-2 District shall comply with the driveway, off-street parking, and loading requirements of Chapter 11 of this Title. (Ord. 0-03-00, 4-3-2000)
- (D) No short-term rental shall be permitted.

R-3 MULTI-FAMILY RESIDENCE DISTRICT (5A-7-3)**5A-7-3-4: REQUIRED CONDITIONS:**

- (A) Limited multiple-family buildings shall have a maximum of four (4) dwelling units per building or structure.
- (B) Attached single-family dwelling units sharing party walls shall be at least three (3), but limited to no more than four (4) dwellings in a row or building.
- (C) All permitted uses other than single-family attached and detached dwellings and two-family dwellings and duplexes, and all special uses shall be subject to the landscaping and screening provisions of Chapter 10 of this Title.
- (D) Swimming, tennis, racquet and other athletic clubs and public and private utilities shall be screened with trees, compact hedge or other natural fence of at least seventy five percent (75%) opacity all year long along all property lines. Lighting for operation of the facilities at night and sound systems shall be directed away from surrounding properties.
- (E) All permitted and special uses in the R-3 District shall comply with the driveway, off-street parking, and loading requirements of Chapter 11 of this Title. (Ord. 0-03-00, 4-3-2000)
- (F) No short-term rental shall be permitted.

ZONING DEFINITIONS (5A-13-1):

EXAMPLE NO. (1)

SHORT-TERM RENTAL: A single-family dwelling, or a residential dwelling unit in a multi-unit structure, condominium, cooperative, timeshare or similar joint property ownership arrangement that is rented for a fee for less than 30 consecutive days. "Short-term rental" includes vacation rentals. "Short-term rental" does not include: (a) a dwelling that is used for any non-residential purpose, including educational, health care, retail, restaurant, banquet space, event center or other similar uses; (b) a bed and breakfast establishment as defined in Section 2 of the Bed and Breakfast Act; or (c) transient accommodations, including hotels and motels that are not classified as residential property for real property taxation purposes.

EXAMPLE NO. (2)

SHORT-TERM RENTAL: All or part of a residential principal structure or residential dwelling unit located in a residential zoning district, being leased, rented, loaned, offered for rent, hired out, licensed, or otherwise let as an accessory use or occupancy to a person or persons other than the owner of the subject property or a family member of the owner thereof, whether or not the permission of such occupancy is in exchange for consideration therefore, for a period or term that is less than thirty (30) consecutive days. The term "short-term rental" shall also include a dwelling unit, temporary structure, or accessory structure, or part thereof, used for overnight accommodation that is available for rent by transient guests for a period or term that is less than thirty (30) consecutive days. The term "short term rental" shall not include a hotel or motel located in a commercial zoning district licensed by the City.

EXAMPLE NO. (3)

SHORT-TERM RENTAL: A residential structure/dwelling, as defined in Title 5A hereof (Zoning Regulations), offered for rent for a period which does not exceed thirty (30) consecutive days.

OAKBROOK TERRACE**RESIDENTIAL DISTRICTS****§ 156.075 R-1 SINGLE-FAMILY DETACHED.**

(A) General conditions.

- (1) No adult-use cannabis business establishment shall be permitted.
- (2) No solar panels shall be permitted on the ground.
- (3) No short-term rental shall be permitted.

(B) Permitted uses. The following uses are permitted:

(1) Single-family detached dwellings and permitted accessory buildings and accessory uses, including temporary sales offices for new developments.

(2) Parks and forest preserves.

(3) Home occupations in a dwelling unit, as an accessory use to a detached single-family dwelling, subject to the following restrictions:

(a) Such use shall be conducted entirely within the dwelling;

(b) Such use shall employ only members of the family residing on the premises and no more than one non-family member;

(c) Such use shall not have any sign or display, either outside or in any window of the dwelling, that will indicate from the exterior of that dwelling that it is being used for any use other than a residential dwelling;

(d) Such use shall involve no stock-in-trade or commodity that will be sold to customers who visit the premises to make purchases;

(e) Such use shall not involve the use or storage of any explosive or combustible materials, or the use of any mechanical or electrical equipment on the premises, that would create any offensive noise, vibrations, smoke, sewage, fumes, odor, heat, glare, or electrical interference, or any other noxious effects or dangers, or that would constitute a nuisance that would be noticeable at or beyond the property line;

(f) Such use shall have no separate entrance from outside the dwelling to serve the home occupation, and the area for the home occupation, including any storage, shall not utilize more than 10% of the floor area of the dwelling or 250 square feet, whichever is less;

(g) Such use shall not require any regular receipt or delivery of merchandise, goods, or equipment by any truck tractor drawing a semitrailer.

(4) Antennas as regulated by § 156.047 of this code.

(5) Day care homes, as an accessory use conducted within a detached single-family dwelling, provided that a day care home shall not be considered a home occupation but shall be subject to the following restrictions:

(a) No portion of the activities of the day care home shall be conducted in any attached or detached garage;

(b) Day care homes shall not have any sign or display, either outside or in any window, that will indicate from the exterior that the detached single-family dwelling is being used for any use other than a dwelling;

(c) If the operator of a day care home chooses to fence it yard around the play area, such fence shall be in conformance with the yard requirements for fences in § 156.039 of this code, enclose the entire perimeter of the yard, be a minimum of four feet in height, and self-closing and self-latching, with latches placed at least 42 inches above the ground.

(6) Above ground service facilities, but only in compliance with §156.051.

(7) Roof-mounted private solar collection panels.

(C) Special uses. The following uses may be allowed by special use in accordance with the provisions of §156.022 of this code.

(1) Growing of farm, garden, and plant nursery crops for profit, in the open, provided that no livestock or poultry are kept, and no offensive odors or dust are created.

(2) Day care centers and preschools, with or without kindergartens.

(3) Public uses, police and fire stations, telephone exchanges, sewage lift stations, electric substations, and other similar public service or government uses.

(4) Schools, public and private, elementary and high, including playgrounds and athletic fields auxiliary thereto.

(5) Libraries.

(6) Reserved.

(7) Freestanding antennas as regulated by § 156.047 of this code.

(8) Churches.

(9) Clubhouses and common recreational facilities accessory to single-family detached dwellings, for the sole use of residents and their guests.

(D) Minimum floor area. There shall be provided a minimum floor area as follows:

(1) Not less than 1,500 square feet, not including the basement, and not less than 800 square feet on the ground floor, for each new single-family detached dwelling, or any existing single-family detached dwelling that is enlarged or expanded by 50% or more of the existing floor area of such dwelling.

(2) No minimum floor area shall be required for a nonresidential building.

(E) Lot area and lot width. There shall be provided a minimum lot area and minimum lot width as follows:

(1) Not less than 11,000 square feet for each single-family detached dwelling hereafter erected, and a minimum lot width, measured at the established building line, of not less than 65 feet, except in the case of cul-de-sacs, where the minimum lot width, measured at the established building line shall be not less than 55 feet.

(2) Except for telephone exchanges, sewage lift stations, electrical substations, and similar public service uses, not less than 20,000 square feet for a permitted nonresidential building, and a minimum lot width, measured at the established building line, 100 feet.

(3) The area devoted to streets shall not be used in computing the lot area per dwelling unit.

(F) Yard areas. (See Appendices A and B of this chapter.) There shall be provided minimum yards as follows:

(1) Front yard:

(a) Except as provided in division (G)(2) of this section for additional building height, not less than 30 feet in depth for a lot occupied by a detached single-family dwelling.

(b) Not less than 30 feet in depth for a lot occupied by a nonresidential building, provided that there shall be a minimum front yard of not less than ten feet in depth for paved area.

(2) Side yards: A side yard on each side of the main building of not less than ten feet, except where a side yard adjoins a street, the minimum width of a side yard shall not be less than 30 feet.

(3) Rear yard:

(a) Not less than 25 feet for a lot occupied by a detached single-family dwelling.

(b) Not less than 25 feet in depth for a lot occupied by a permitted nonresidential building; provided that there shall be a minimum rear yard of not less than ten feet in depth for paved area.

(G) Maximum lot coverage. There shall be allowed a maximum lot coverage as follows:

(1) Subject to the applicable restrictions established in §156.045(B) of this code for permitted obstructions in yards, not more than 40% of the lot area may be occupied by a detached single-family dwelling and related structures, including accessory buildings, pavements, driveways, and walkways, and not more than 35% of the required front yard may be occupied by structures, as defined.

(2) Subject to the applicable restrictions established in §156.045(B) of this code for permitted obstructions in yards, not more than 70% of the lot area may be occupied by a permitted nonresidential building and related structures, including accessory buildings, signs, pavements, driveways, and walkways. No maximum front yard coverage is established for lots occupied by a permitted nonresidential building. The floor area for permitted nonresidential buildings shall not exceed 0.5.

(H) Building height. There shall be a maximum height as follows:

(1) Building height for a single-family detached dwelling shall be defined as the vertical distance measured from the average elevation at the top of the shoulder or the top of the curb along the side of the right-of-way adjacent to the building lot to the ridge, or of the average elevation of the finished grade along the front of the proposed building to the ridge.

(2) Not more than 33 feet to the ridge, and two stories facing the street and three stories to the rear if there is a walkout basement, for a single-family detached dwelling.

(3) Not more than 35 feet for a permitted nonresidential building.

(I) Visual environment. In order to conserve existing property values, to preserve the attractiveness of homes and home surroundings, to prevent erosion, to assist in stormwater and flood control, and to provide for clean air, required front yards shall be devoted primarily to landscaped area except for the necessary paving of driveways and sidewalks to reach parking in the side or rear yard. Landscaped areas shall mean that the area is primarily devoted to the growing of shrubbery, grass, and other plant material. The applicable landscaping requirements of § 156.049 shall be met for any construction of a new single-family detached residence, or construction of any addition to an existing detached single-family residence that enlarges such residence by more than 50% of its existing floor area in the R-1 Single-Family Detached Zoning District. No lighting on a residential zoning lot shall cause any glare or excessive light spillover onto any adjacent residential property

from interior or exterior lighting. All exterior lighting fixtures shall be directed or shaded to avoid casting direct light upon any adjacent residential property or into any public streets or parks. In no case shall such lighting exceed two foot candles measured at any lot line.

(Ord. 06-10, passed 7-11-06; Am. Ord. 06-23, passed 11-14-06; Am. Ord. 08-38, passed 11-11-08; Am. Ord. 19-9, passed 3-12-19; Am. Ord. 19-53, passed 11-12-19; Am. Ord. 20-29, passed 8-11-20; Am. Ord. 22-02, passed 1-11-22) Penalty, see § 156.999

§ 156.076 R-2 SINGLE-FAMILY ATTACHED.

(A) General conditions.

- (1) No adult-use cannabis business establishment shall be permitted.
- (2) No solar panels shall be permitted on the ground.
- (3) No short-term rental shall be permitted.

(B) Permitted uses. The following uses are permitted:

- (1) Uses permitted in an R-1 District, except roof-mounted private solar collection panels.
- (2) Attached single-family dwellings, with not more than six dwellings in a row or building, including temporary sales offices for new developments.

(C) Special uses. The following uses may be allowed by special use in accordance with the provisions of §156.022 of this code:

- (1) Special uses permitted in an R-1 District.
- (2) Clubhouses and common recreational facilities accessory to attached single-family dwellings, for the sole use of residents and their guests.

(3) Roof-mounted private solar collection panels.

(D) Minimum floor area. There shall be provided a minimum floor area as follows:

- (1) Not less than 1,500 square feet, and not less than 800 square feet on the ground floor, for each dwelling unit in an attached single-family dwelling.
- (2) As required in the R-1 District for detached single-family dwellings.
- (3) No minimum floor area shall be required for a nonresidential building.

(E) Lot area and lot width. There shall be provided a minimum lot area and minimum lot width as follows:

- (1) Not less than 14,000 square feet for each attached single-family building with not more than two dwelling units, and a minimum lot width measured at the established building line of not less than 65 feet.
- (2) Not less than 7,000 square feet per dwelling unit for each attached single-family building with more than two dwelling units hereafter erected, and a minimum lot width measured at the established building line of not less than 75 feet.
- (3) As required in the R-1 District for detached single-family dwellings.
- (4) As required in the R-1 District for a permitted nonresidential building.
- (5) The area devoted to streets shall not be used in computing the lot area per dwelling unit.

(F) Yard areas. (See Appendices C and D of this chapter.) There shall be provided minimum yards as follows:

(1) Front yard:

(a) Single-family attached buildings:

1. Not less than 30 feet in depth on a subdivided lot, or along the exterior boundaries of a lot developed as a planned unit development.

2. Not less than a 126-foot interval of separation between adjacent single-family attached buildings if the lot is not subdivided, which interval is consistent with the required interval of separation in a subdivision based on a 66-foot right-of-way and a 30-foot front yard on either side. If the lot is not subdivided, the front yard shall be the yard between a street and the building.

(b) As required in the R-1 District for detached single-family dwellings.

(c) As required in the R-1 District for permitted nonresidential buildings.

(d) Visual environment. In order to conserve existing property values, to preserve the attractiveness of homes and home surroundings, to prevent erosion, to assist in stormwater and flood control, and to provide for clean air, required front yards shall be devoted primarily to landscaped area except for the necessary paving of driveways and sidewalks to reach

parking in the side or rear yard. Landscaped areas shall mean that the area is primarily devoted to the growing of shrubbery, grass, and other plant material.

(2) Interior side yards:

(a) Single-family attached buildings:

1. Not less than ten feet in depth on each side of a single-family attached building on a subdivided lot, or along the exterior boundaries of a lot developed as a planned unit development.

2. Not less than a 20-foot interval of separation between adjacent single-family attached buildings if the lot is not subdivided. If the lot is not subdivided, the interior side yards shall be the yards between the front yard and the rear yard on either side of the building.

(b) As required in the R-1 District for detached single-family dwellings.

(c) As required in the R-1 District for a permitted nonresidential building.

(3) Rear yard:

(a) Single-family attached buildings:

1. Not less than 30 feet in depth on a subdivided lot, or along the exterior boundaries of a lot developed as a planned unit development.

2. Not less than a 45-foot interval of separation between single-family attached buildings that are adjacent at the rear of each building if the lot is not subdivided. Not less than a 40-foot interval of separation between single-family attached buildings that are adjacent at the rear of one building and at the side of the other if the lot is not subdivided. If the lot is not subdivided, the rear yard shall be the yard opposite the street.

(b) As required in the R-1 District for permitted nonresidential buildings.

(G) Maximum lot coverage. There shall be allowed a maximum lot coverage as follows:

(1) Subject to the applicable restrictions established in §156.045(B) for permitted obstructions in yards, not more than 70% of the net lot area may be occupied by an attached single-family building, including but not limited to streets, sidewalks, driveways, signs, and parking lots, including aisles.

(2) As required in the R-1 District for detached single-family dwellings.

(3) As required in the R-1 District for permitted nonresidential buildings.

(H) Building height.

(1) No more than 35 feet in height for an attached single-family building.

(2) As required in the R-1 District for detached single-family dwellings.

(3) As required in the R-1 District for permitted nonresidential buildings.

(I) Visual environment. In order to conserve existing property values, to preserve the attractiveness of homes and home surroundings, to prevent erosion, to assist in stormwater and flood control, and to provide for clean air, a sum of money, as set forth on the approved building permits, shall be budgeted and used by the owners to purchase, plant, and maintain mature sized trees, shrubbery, grass, and other suitable landscaping upon the grounds. Plans for the installation of such landscaping shall be subject to the approval of the Director of Community and Economic Development prior to the issuance of permits. No lighting on a residential zoning lot shall cause any glare or excessive light spillover onto any adjacent residential property from interior or exterior lighting. All exterior lighting fixtures shall be directed or shaded to avoid casting direct light upon any adjacent residential property or into any public streets or parks. In no case shall such lighting exceed two foot candles measured at any lot line.

(Ord. 06-10, passed 7-11-06; Am. Ord. 06-23, passed 11-14-06; Am. Ord. 19-53, passed 11-12-19; Am. Ord. 20-29, passed 8-11-20; Am. Ord. 22-02, passed 1-11-22; Am. Ord. 22-24, passed 8-23-22) Penalty, see § 156.999

§ 156.077 R-3 MULTIPLE-FAMILY.

(A) General conditions.

(1) No adult-use cannabis business establishment shall be permitted.

(2) No short-term rental shall be permitted.

(B) Permitted uses. The following uses are permitted:

(1) Multiple-family dwellings and permitted accessory buildings and accessory uses, including temporary sales offices. Rental offices and property management offices shall be permitted as accessory uses if they are located within a multiple-family building, and common recreational and meeting areas shall be permitted as accessory uses for the sole use of residents and their guests, if they are located within a multiple-family building.

(2) Nonresidential uses permitted in the R-2 District.

(C) Special uses. The following uses may be allowed by special use in accordance with the provisions of §156.022 of this code:

(1) Special uses permitted in an R-2 District.

(2) Senior citizen housing.

(3) Assisted living facilities.

(4) Nursing facilities.

(5) Retail uses, not including offices, on the ground floor of a multiple-family building, as follows:

(a) Barbershops.

(b) Beauty parlors.

(c) Book and stationery stores, excluding adult book stores.

(d) Candy and ice cream stores.

(e) Drug stores.

(f) Dry cleaning and laundry service, drop-off and pick-up only.

(g) Florist shops.

(h) Convenience food markets, meat markets, bakeries, and delicatessens.

(i) Card and gift shops.

(j) Package liquor stores.

(k) Restaurants, subject to approval of a site plan and floor plan, and evidence provided by the petitioner to show that building construction and venting of odor and smoke will be provided in a manner appropriate to the type of restaurant proposed and to a multiple-family, multiple use building.

(l) Tailor shops.

(6) Freestanding rental offices and property management offices accessory to multiple-family dwellings, and freestanding clubhouses and common recreational facilities accessory to multiple-family dwellings, for the sole use of residents and their guests.

(D) Minimum floor area. There shall be provided a minimum floor area as follows:

(1) For each dwelling unit in a multiple-family building, exclusive of common halls, stairways, or other common areas:

<i>Dwelling Unit</i>	<i>Minimum Floor Area (sq. ft.)</i>
Efficiency and one-bedroom	700
Two-bedroom	900
Three-bedroom	1,050
Four or more bedrooms	1,200

Rooms designated as a den, study, library or similar use shall be counted as a bedroom in computing the minimum floor area.

(2) No minimum floor area shall be required for a nonresidential building.

(E) Lot area and lot width. There shall be provided a minimum lot area and minimum lot width as follows:

(1) Not less than 20,000 square feet for each multiple-family residential building hereafter erected and a minimum lot width measured at the established building line of 100 feet, provided that minimum lot area shall be determined as follows:

<i>Type of Dwelling Unit</i>	<i>Land Area Per Dwelling Unit (sq. ft.)</i>
3 or more bedrooms	7,260 square feet/unit
2 bedrooms	6,225 square feet/unit
1 bedroom and efficiency	5,450 square feet/unit

(2) Not less than 20,000 square feet for each multiple-family residential building erected prior to 1993 and a minimum lot width measured at the established building line of 100 feet, provided that minimum lot area shall be determined as follows:

Type of Dwelling Unit	Land Area Per Dwelling Unit (sq. ft.)
3 or more bedrooms	3,000 square feet/unit
2 bedrooms	2,400 square feet/unit
1 bedroom and efficiency	2,200 square feet/unit

(3) As required in the R-1 District for permitted nonresidential uses.

(4) The area devoted to streets shall not be used in computing the lot area per dwelling unit.

(F) Yard areas. (See Appendices B and D of this chapter.) There shall be provided minimum yards as follows:

(1) Front yard:

(a) Multiple-family buildings:

1. Not less than 30 feet in depth on a subdivided lot, or along the exterior boundaries of a lot developed as a planned unit development. One additional foot in depth shall be provided for each two feet in height for a multiple-family building that is 35 feet to 50 feet in height, and a minimum front yard of not less than 50 feet in depth shall be provided for a multiple-family building that is over 50 feet in height, as permitted, by exception, in a planned unit development pursuant to § 156.025 of this code. A minimum front yard of not less than ten feet in depth shall be provided for paved area.

2. Not less than a 126 foot interval of separation between adjacent multiple-family buildings if the lot is not subdivided, which interval is consistent with the required interval of separation in a subdivision, based on a 66-foot right-of-way and a 30-foot front yard on either side. One additional foot shall be added to the interval of separation for each two feet in height for a multiple-family building that is 35 feet to 50 feet in height, and a minimum of a 50-foot interval of separation shall be provided for a multiple-family building that is over 50 feet in height, as permitted, by exception, in a planned unit development pursuant to § 156.025 of this code. A minimum interval of separation of not less than ten feet shall be provided between paved area and the front wall of the building and a paved area shall be permitted at or behind a line 43 feet from the center line of the street pavement. If the lot is not subdivided, the front yard shall be the yard between a street and the building.

(b) As required in the R-1 District for permitted nonresidential buildings.

(c) Visual environment. In order to conserve existing property values, to preserve the attractiveness of homes and home surroundings, to prevent erosion, to assist in stormwater and flood control, and to provide for clean air, required front yards shall be devoted primarily to landscaped area except for the necessary paving of driveways and sidewalks to reach parking in the side or rear yard. Landscaped areas shall mean that the area is primarily devoted to the growing of shrubbery, grass, and other plant material.

(2) Interior side yards:

(a) Multiple-family buildings:

1. Not less than 20 feet in depth on each side of a multiple-family building if the lot is subdivided, or along the exterior boundaries of a lot developed as a planned unit development. One additional foot in depth shall be provided for each one foot in height for a multiple-family building that is 35 feet to 50 feet in height. A minimum side yard of not less than five feet in depth shall be provided for paved area.

2. Not less than a 40-foot interval of separation between adjacent multiple-family buildings if the lot is not subdivided. One additional foot shall be added to the interval of separation for each one foot in height by which the building height exceeds 30 feet. A minimum interval of separation of not less than ten feet shall be provided between paved area and the side wall of a building. If the lot is not subdivided, the interior side yards shall be the yards between the front yard and the rear yard on either side of the building.

(b) As required in the R-1 District for permitted nonresidential buildings.

(3) Rear yard:

(a) Multiple-family buildings:

1. Not less than 30 feet in depth on a subdivided lot, or along the exterior boundaries of a lot developed as a planned unit development. One additional foot in depth shall be provided for each one foot in height for a multiple-family building that is 35 feet to 50 feet in height. A minimum rear yard of not less than five feet in depth shall be provided for paved area.

2. Not less than a 60-foot interval of separation between multiple-family buildings that are adjacent at the rear of each building if the lot is not subdivided. Not less than a 50-foot interval of separation between multiple-family buildings that are adjacent at the rear of one building and at the side of the other if the lot is not subdivided. One foot shall be added to the

interval of separation for each one foot by which the building height exceeds 30 feet. A minimum interval of separation of not less than ten feet shall be provided between paved area and the rear wall of a building. If the lot is not subdivided, the rear yard shall be the yard opposite the street.

(b) As required in the R-1 District for permitted nonresidential buildings.

(G) Maximum lot coverage. There shall be allowed a maximum lot coverage as follows:

(1) Subject to the applicable restrictions established in §156.045(B) of this code for permitted obstructions in yards, not more than 70% of the net lot area may be occupied by a multiple-family building, combining building and pavement coverage, and including but not limited to streets, sidewalks, driveways, and parking lots, including aisles.

(2) As required in the R-1 District for permitted nonresidential buildings.

(H) Building height. There shall be allowed a maximum building height as follows:

(1) Not more than 50 feet in height for multiple-family buildings, except as permitted, by exception, in a planned unit development pursuant to § 156.025 of this code.

(2) As required in the R-1 District for permitted nonresidential buildings.

(I) Visual environment. In order to conserve existing property values, to preserve the attractiveness of homes and home surroundings, to prevent erosion, to assist in water and flood control, and to further provide for clean air, a sum of money, as set forth on the approved building permits, shall be budgeted and used by the owners to purchase, plant, and maintain mature sized trees, shrubbery, grass, and other suitable landscaping upon the grounds. Plans for the installation of such landscaping shall be subject to the approval of the Director of Community and Economic Development prior to the issuance of permits. No lighting on a residential zoning lot shall cause any glare or excessive light spillover onto any adjacent residential property from interior or exterior lighting. All exterior lighting fixtures shall be directed or shaded to avoid casting direct light upon any adjacent residential property or into any public streets or parks. In no case shall such lighting exceed two foot candles measured at any lot line.

(Ord. 06-10, passed 7-11-06; Am. Ord. 06-23, passed 11-14-06; Am. Ord. 19-53, passed 11-12-19; Am. Ord. 22-02, passed 1-11-22; Am. Ord. 22-24, passed 8-23-22) Penalty, see §156.999

§ 121.01 DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them as follows:

DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT. The Director of Community and Economic Development of the City of Oakbrook Terrace or a designee duly authorized by the Director of Community and Economic Development.

DWELLING. Any building or portion thereof that is designed and used exclusively for residential purposes, but not including a hotel, nursing home or other state-licensed facility.

DWELLING, ATTACHED. A building which was originally designed and constructed to accommodate two or more single-family dwelling units, with each dwelling unit to have its own ground floor entrance and its own living space, and with the dwelling units to be joined together by a common wall or walls.

DWELLING, DETACHED. A single-family dwelling unit that does not share a common wall with any other dwelling unit and is surrounded on all sides by open space that is located on the same lot.

DWELLING, MULTIPLE-FAMILY. A building containing three or more dwelling units, with more than one of the dwelling units connecting to a common corridor or entranceway.

DWELLING, SINGLE-FAMILY. A building designed for or occupied exclusively by one family.

DWELLING UNIT. One or more rooms in a dwelling that are occupied or intended to be occupied as separate independent living quarters by a single family, with facilities for cooking, living, eating, sleeping and sanitary uses, including a detached dwelling, a single unit in an attached dwelling, or a single unit in a multiple-family dwelling.

FAMILY. One or more persons related by blood, marriage, or adoption, occupying a dwelling unit as an individual housekeeping organization; provided that such a family may include not more than two persons who are not related by blood, marriage, adoption, or foster care as regulated by the state; and further provided that not more than three persons who are not related by blood, marriage or adoption may also be considered a family.

MANAGING AGENT. Any person or firm, acting for another, with authority to rent, manage, or make expenditures related to a dwelling unit.

OWNER. The record owner of any property in the city on which a rental dwelling is located.

RENTAL DWELLING. Any dwelling unit which is not owner-occupied, and which is either rented or leased, or for which the owner is otherwise compensated by others, whether through a managing agent or in some other manner; provided that a dwelling in which a single room is rented or in which a dwelling unit is shared between the property owner and others shall not be deemed a rental dwelling; and further provided that, for purposes of this chapter only, a rental dwelling shall not include multiple-family dwellings in a building with more than seven dwelling units under single ownership and shall not include a short-term rental.

SHORT-TERM RENTAL. A single-family dwelling, or a residential dwelling unit in a multi-unit structure, condominium, cooperative, timeshare or similar joint property ownership arrangement that is rented for a fee for less than 28 consecutive days. "Short-term rental" includes vacation rentals. "Short-term rental" does not include: (a) a dwelling that is used for any non-residential purpose, including educational, health care, retail, restaurant, banquet space, event center or other similar uses; (b) a bed and breakfast establishment as defined in Section 2 of the Bed and Breakfast Act; or (c) transient accommodations, including hotels and motels that are not classified as residential property for real property taxation purposes.

(Ord. 07-17, passed 10-23-07; Am. Ord. 17-26, passed 11-28-17; Am. Ord. 22-02, passed 1-11-22; Am. Ord. 22-24, passed 8-23-22)



VILLAGE OF
SCHILLER PARK

PAMPHLET

PUBLICATION OF
ORDINANCE NO. 18-4109

AN ORDINANCE OF THE VILLAGE OF SCHILLER PARK, COOK COUNTY,
ILLINOIS, AMENDING CHAPTER 120 OF TITLE ELEVEN OF THE
NEW MILLENNIUM CODE OF THE VILLAGE OF SCHILLER PARK
TO PROHIBIT SHORT TERM RENTAL UNITS

An Ordinance of the Village of Schiller Park, Cook County,
Illinois, Amending Chapter 120 of Title Eleven of the
New Millennium Code of the Village of Schiller Park
to Prohibit Short Term Rental Units

following passage and approval on December 20, 2018
for the inspection, use, and examination by the public.

Filed in the Office of:
Rosa Jos, Clerk
Village of Schiller Park

ORDINANCE NUMBER 18-4109

**AN ORDINANCE OF THE VILLAGE OF SCHILLER PARK, COOK COUNTY,
ILLINOIS, AMENDING CHAPTER 120 OF TITLE ELEVEN OF THE
NEW MILLENNIUM CODE OF THE VILLAGE OF SCHILLER PARK
TO PROHIBIT SHORT TERM RENTAL UNITS**

WHEREAS, the Village of Schiller Park, Cook County, Illinois (the “*Village*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “*Home Rule Powers*”); and

WHEREAS, the President and Board of Trustees of the Village of Schiller Park (the “*Corporate Authorities*”) are charged with the responsibility of protecting the health, safety and welfare of the residents of the Village; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the New Millennium Code of the Village of Schiller Park when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities determined that it is necessary to address short term rentals of residential properties located within the Village due to the significant negative impacts that short term rentals have on adjacent neighbors and other nearby properties; and

WHEREAS, the Corporate Authorities find that short term rentals of residential properties are not in harmony with the character of surrounding properties and neighborhoods due to the high intensity of transient guests who have little, if any, connection to nearby properties and that said rentals have the potential to reduce the availability of on-street parking for adjacent residents due to a lack of suitable on-sight parking or other parking arrangements; and

WHEREAS, the Corporate Authorities find that numerous short term rentals of residential properties are likely to decrease the values of other properties in the neighborhood, unnecessarily burden Village services and reduce the availability of affordable long-term rental housing; and

WHEREAS, the Corporate Authorities find that short term rentals of residential properties lead to overcrowding in residential structures not properly equipped with the necessary health, safety and building code requirements needed to safeguard and protect residents and further increases the risk of excessive noise, litter, light pollution, criminal activity, and other nuisance activities occurring in the Village due to the nature of said rentals; and

WHEREAS, the Corporate Authorities find that prohibiting short term rentals of residential properties will not interfere with the ability of transient guests and travelers to find lodging in the Village as numerous motels and hotels are located in the Village's non-residential zoning districts, which have ample rooms constructed for such activities and services available for short term rental purposes; and

WHEREAS, the Corporate Authorities have further determined that it is in the best interest of the health, safety and welfare of the residents of the Village to prohibit short term rentals of residential properties as herein specified.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Schiller Park, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Chapter 120 (“*Lodging*”) of Title XI (“*Business Regulations*”) of the New Millennium Code of the Village of Schiller Park is hereby amended by inserting the following underlined language to read, as follows:

SHORT TERM RENTAL UNITS

§ 120.100 PURPOSE.

The purpose of this subchapter is to protect and preserve the quiet enjoyment of residential properties and neighborhoods within the Village and to mitigate or eliminate adverse secondary effects the Village and its residents may experience by reason of short term rentals of residential structures in the Village, including, but not limited to, excessive noise, litter, and light pollution; overcrowded parking; and criminal activity.

§ 120.101 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SHORT TERM RENTAL UNIT. All or part of a residential principal structure or residential dwelling unit located in a residential zoning district, being leased, rented, loaned, offered for rent, hired out, licensed, or otherwise let as an accessory use or occupancy to a person or persons other than the owner of the subject property or a family member of the owner thereof, whether or not the permission of such occupancy is in exchange for consideration therefore, for a period or term that is less than thirty (30) consecutive days. The term “short term rental unit” shall also include a dwelling unit, temporary structure, or accessory structure, or part thereof, used for overnight accommodation that is available for rent by transient guests for a period or term that is less than thirty (30) consecutive days. The term “short term rental unit” shall not include a hotel or motel located in a commercial zoning district licensed by the Village.

§ 120.102 SHORT TERM RENTAL UNITS RESTRICTED; EXCEPTIONS.

(A) Except as otherwise provided herein, leasing, renting, loaning, hiring out, licensing, or letting; offering or inviting the leasing, renting, loaning, hiring out, licensing, or letting; or otherwise permitting a short term rental unit or occupancy thereof for a period or term that is less than thirty (30) consecutive days shall be prohibited, and such conduct shall be prohibited, whether engaged in or participated in by the owner of the property, one or more agents of the property owner, or by any person leasing, or seeking to lease as a lessor, or renting or seeking to rent as lessee or otherwise occupy a premises, or part thereof, as tenant or temporary occupant thereof.

(B) Dwellings, or parts thereof, shall not be leased, rented, loaned, hired out, licensed, let, or otherwise permitted to be occupied more than two (2) times during any consecutive twelve

(12) month period other than by the same tenant unless the rental agreement therefore has been terminated by reason of a tenant default.

(C) Whether or not consideration is exchanged for the lease, rental, loan, hiring out, licensing, or letting of a premises shall not affect the fact that the occupancy thereof is treated as a short term rental unit for the purposes of this subchapter if the definition thereof is otherwise applicable to such activity.

(D) The term of any lease or occupancy agreement which has satisfied the minimum term required by this subchapter may be extended on a month-to-month basis on the condition that the tenant or tenants remain the same.

(E) The prohibition on short term rental units shall not apply when the immediately preceding owner of a property maintains possession of the dwelling unit after closing on a real estate transaction for the sale thereof and leases said property back from the successor owner for a period of time pursuant to a written agreement.

§ 120.103 PENALTIES.

(A) Notwithstanding anything otherwise provided in this Code to the contrary, any person found guilty of violating any provision of this subchapter shall be subject to a mandatory fine of not less than one hundred dollars (\$100.00) per day, nor more than seven hundred fifty dollars (\$750.00) per day. Unless exempted by this subchapter, each day a residential principal structure, residential dwelling unit, temporary structure, or any accessory structure, or part thereof, is offered for rent as a short term rental unit; is leased, rented, loaned, hired out, licensed, or let as a short term rental unit; or is occupied as a short term rental unit shall constitute a separate violation of this subchapter. Without any limitation on the foregoing, each day a violation of this subchapter occurs or continues shall be a separate offense, and each such offense shall be subject to not less than the minimum mandatory daily fine.

(B) The restrictions contained in this subchapter shall be interpreted as minimum standards, and shall be in addition to any other applicable Village ordinances and requirements that apply to short term rental units or the properties on which they are located.

Section 3. The prohibition against short term rental units as set forth in Section 2 shall not take effect until ninety (90) days after the effective date of this Ordinance.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 5. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the Board of Trustees of the Village of Schiller Park, Cook County, Illinois this 20th day of December 2018, pursuant to a roll call vote, as follows:

AYES: Trustees Diaz, Klug, Golembiewski, Deegan, Lima, and Gorzynski

NAYES: None

ABSENT: None

APPROVED by the President of the Village of Schiller Park, Cook County, Illinois on this 20th day of December 2018.



NICK CAIAFA
VILLAGE PRESIDENT

ATTEST:



ROSA JOS
VILLAGE CLERK

(SEAL)

ORDINANCE NO. 20 – 087

**AN ORDINANCE ADDING CHAPTER 18 (SHORT-TERM RESIDENTIAL RENTALS)
OF TITLE 3 (BUSINESS AND LICENSE REGULATIONS)
OF THE NAPERVILLE MUNICIPAL CODE**

RECITALS

- A. WHEREAS**, the rental of residential homes within the corporate limits of the City of Naperville as a commercial enterprise has resulted in instances of significant negative impact on neighboring properties and their residents; and
- B. WHEREAS**, short-term residential rentals are often used for gatherings and parties by occupants and attendees who have no connection to the neighborhood, which gatherings and parties subject adjoining property owners and neighborhoods to a constant turn-over of occupants and visitors attending events at such properties, along with excessive noise, traffic, and spillover parking; and
- C. WHEREAS**, short-term residential rentals have also been the sites of volatile and at times violent activity in neighboring municipalities and across the country; and
- D. WHEREAS**, the City of Naperville is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals, and welfare; and
- E. WHEREAS**, the Naperville City Council has determined that it is appropriate to add a new Chapter 18 (Short-Term Residential Rentals) to Title 3 (Business and License Regulations) prohibiting the use of residential properties for short term rental purposes as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The Recitals set forth above are incorporated herein and made part hereof as though fully set forth in this Section 1.

SECTION 2: Chapter 18 (Short-Term Residential Rentals) of Title 3 (Business and License Regulations) of the Naperville Municipal Code is hereby amended by adding the Chapter and language, as follows:

TITLE 3 (BUSINESS AND LICENSE REGULATIONS)

CHAPTER 18 – SHORT-TERM RESIDENTIAL RENTALS

SECTION:

3-18-1: - DEFINITIONS:

The following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this Section, as follows:

RESIDENTIAL STRUCTURE:	A residential structure located in a residential zoning district within the corporate limits of the City of Naperville, as residential districts are defined in Title 6 hereof (Zoning Regulations), as amended from time to time.
SHORT-TERM RESIDENTIAL RENTAL:	A Residential Structure, as defined herein, offered for rent for a period which does not exceed thirty (30) consecutive days. The term "Short-Term Residential Rental" or shall not include hotels, bed and breakfast establishments, or boarding facilities as those terms are defined in Title 6 hereof (Zoning Ordinance) as amended from time to time.
SHORT-TERM RESIDENTIAL RENTAL PROPERTY OWNER:	The individual or entity which has title to the property which is the subject of a Short-Term Residential Rental.

3-18-2: - PURPOSE AND APPLICABILITY:

It is the intent and purpose of this Chapter (Short-Term Residential Rentals) to preserve the character and integrity of residential neighborhoods within the City by prohibiting Residential Structures from being used for the commercial purpose of providing Short-Term Residential Rentals.

3-18-3: - SHORT-TERM RESIDENTIAL RENTALS PROHIBITED:

1. It shall be unlawful for any person or entity to operate, use, offer for rent or use, or advertise for rent or use, any property within the City of Naperville as a Short-Term Residential Rental, except as set forth in Section 3-18-3:2 below.
2. Notwithstanding the provisions set forth in Section 3-18-3:1 above, it shall not be considered a Short-Term Residential Rental when the preceding owner of a property maintains possession of a Residential Structure after closing for the sale thereof, but leases the property back from the successor owner for a period of time pursuant to a written agreement.

3-18-4: - PUBLIC NUISANCE DECLARED:

Operation of any Short-Term Residential Rental within the City of Naperville in violation of the provisions of this Chapter may be deemed a public nuisance and abated pursuant

to all available remedies, including but not limited to injunctive relief. In addition to the penalties provided for herein, the City of Naperville shall be entitled to receive from the Short-Term Residential Rental Owner reimbursement for the cost of the City's reasonable attorney fees, costs and expenses incurred by the City of Naperville to abate a Short-Term Residential Rental operating as a public nuisance.

3-18-5: - PENALTIES:

Any Short-Term Residential Rental Owner or other person or entity who violates any of the provisions set forth or referenced in this Chapter, shall be subject to the following penalties:

1. A fine of one thousand dollars (\$1,000.00) for a first offense within a 12-month period, and a fine of two thousand five hundred dollars (\$2,500.00) for a second or subsequent offense within a 12-month period.
2. Each day that a violation of this Chapter continues shall be considered a separate and distinct offense and a fine shall be assessed for each day a provision of this Chapter is found to have been violated. Notwithstanding the forgoing, the escalation of fines as set forth above shall not occur until a prior adjudication of a violation against the same individual or entity has been entered.
3. Continued violations of this Chapter are subject to an injunction to enforce this Chapter.

3-18-6: NOTICE OF VIOLATION:

The notice of a violation of the provisions set forth or referenced in this Chapter shall be served in any of the following manners:

1. Personal service of process by handing the notice of violation to the respondent, or their employees or agents, by any authorized City of Naperville official, police officer; or code enforcement officer.
2. Personal service of process as authorized by the Illinois Code of Civil Procedure, 735 ILCS 5/2-203.
3. Mailing the notice by certified mail, return receipt requested to the respondent's last known address, or in the case of a business, to the address for the registered agent or the address for its principal place of business.
4. Emailing the notice to the Short-Term Residential Rental Owner's last known email address when the respondent is the Short-Term Residential Rental Owner.
5. Posting the notice upon the property where the violation is found when the respondent is the Short-Term Residential Rental Owner.

SECTION 3: This Ordinance shall take effect on September 1, 2020 except as follows:

A property owner that can demonstrate to the City Attorney that a rental agreement was fully executed prior to August 19, 2020 permitting the use and occupancy of a Naperville residential property as a short-term rental for dates up to and including October 19, 2020 shall be considered a pre-existing short-term residential rental (hereinafter "Pre-Existing Short-Term Rental"). For said Pre-Existing Short-Term Rentals, the residence may continue to be used as previously agreed upon through said rental agreement, even if said use is found to be in violation of the new provisions of Chapter 18 (Short-Term Residential Rentals) of Title 3 (Business and License Regulations). Any rental agreements executed prior to August 5, 2020 that would permit occupancy of a residence as a short-term rental on or after October 20, 2020, or any rental agreement executed on or after August 5, 2020, shall be required to comply with all provisions of Chapter 18 (Short-Term Residential Rentals) of Title 3 (Business and License Regulations).


PASSED this 18th day of August, 2020.

AYES: CHIRICO, BRODHEAD, COYNE, GUSTIN, HINTERLONG, KELLY,
KRUMMEN, SULLIVAN, WHITE

APPROVED this 19th day of August, 2020.


Steve Chirico
Mayor

ATTEST:


Grace Michalak
Records Clerk



AGENDA MEMO
Municipal Services Committee
April 24, 2023

ISSUE STATEMENT

A [resolution](#) accepting a proposal from Steve Piper and Sons for Tub Grinding Services in an amount not to exceed \$6,200.00.

BACKGROUND

The City of Darien requires the services of re-grinding wood mulch accumulated through the City's brush pick-up program twice a year. The wood chips are then utilized for City planters throughout town and are delivered at a cost to residents. Residents also have the opportunity to pick up the double ground chips at no cost from the Public Works facility. The work would be completed at the Municipal Services Facility.

The scope of work includes the vendor to supply and stage an industrial tub grinder and the Municipal Services Department assists the vendor with a loader to load the chips and restack.

The City sales for wood chips for FYE23 were \$3,610.00 to date. The sale of wood chips are advertised through the City's media portals and the costs for delivery are as follows: \$35.00 for half a load (covers 3-4 cubic yards) and \$55.00 for a full load (covers 7-8 cubic yards).

The City requested competitive quotes for the tub grinding and received two responses.

VENDOR	COST
Smitty's Tree	no response
Homer Tree	no response
Steve Piper and Sons	\$3,046 per occurrence
Kramer Tree	\$4,480 per occurrence

Steve Piper and Sons has provided very satisfactory tub grinding services for the City in the past.

The budgeted expenditure would be expended from the following account:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 23-24 BUDGET	PROPOSED EXPENDITURE
01-30-4243	Rent - Equipment	\$ 6,200	\$ 6,200

STAFF RECOMMENDATION

Staff recommends approval of a resolution accepting a proposal from Steve Piper and Sons for Tub Grinding Services in an amount not to exceed \$6,200.00.

ALTERNATE CONSIDERATION

As directed by the Committee.

DECISION MODE

This item will be placed on the May 1, 2023 City Council agenda for formal consideration.



RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A PROPOSAL FROM
STEVE PIPER AND SONS, INC., FOR TUB GRINDING SERVICES
IN AN AMOUNT NOT TO EXCEED \$6,200.00**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU
PAGE COUNTY, ILLINOIS**, as follows:

SECTION 1: The City Council of the City of Darien hereby accepts a proposal from Steve Piper and Sons, Inc., for Tub Grinding Services in an amount not to exceed \$6,200.00, a copy of which is attached hereto as "**Exhibit A**".

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE
COUNTY, ILLINOIS**, this 1st day of May, 2023.

AYES: _____

NAYS: _____

ABSENT: _____

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS**, this 1st day of May, 2023.

JOSEPH MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM

CITY ATTORNEY



2023 TUB GRINDING SERVICES

Vendor Name: STEVE PIPER AND SONS

The City of Darien is seeking quotes for the services of re-grinding wood mulch accumulated through the City's brush pick-up program. The proposed work would be completed at the Municipal Services Facility located at 1041 South Frontage Road. The proposed vendor shall provide 1, minimal 800 horsepower tub-grinder, and operator(s) to double grind the woodchips at the above-mentioned site. A Case wheel loader shall be supplied by the City for the awarded vendor's use. The City of Darien will supply the fuel required for the equipment.

Proposed Tub Grinder Schedule:

- May 10, 2023
July 12, 2023
September 6, 2023
November 6, 2023

It is estimated that each frequency will require 4-12 hours of double grinding. Each day shall have a minimal of 4 hours. The proposed rate shall include travel, equipment, permits (not required by the City of Darien) and labor.


The vendor shall complete the following:

Table with 2 columns: Description of service and Price. Includes rates for 4 hours, 8 hours, and every hour over 8 hours.

*MOBILIZATION FEE MUST BE INCLUDED FOR ALL HOURLY RATES

CITY OF DARIEN

THIS FORM MUST BE COMPLETED AND FAXED BACK TO 630-852-4709
BY NO LATER THAN MARCH 20, 2023 @ 10:00 A.M.
ATTN: MUNICIPAL SERVICES
QUESTIONS MAY BE DIRECTED TO MUNICIPAL SERVICES AT 630-353-8105

Submitted by: STEVE PIPER
Vendor Name: STEVE PIPER AND SONS
Address: 31 W 320 RAMM DR, NAPERVILLE
Date: 3/7/2023
Phone: 630 898-6050 cell: 708 997 5096
Fax #: N/A
E-mail Address: info@stevepiperandsons.com
Authorized Signature: 

The vendor shall provide three references with phone numbers below:

1. CITY OF YORDBVILLE
2. CITY OF NAPERVILLE 630.420.6111
3. VILLAGE OF LAGRANGE 708.528.6324

Acceptance of Quote:

By: _____ Date: _____
City of Darien

Authorized and Accepted:

By: _____
Title: _____
Date: _____

AGENDA MEMO
Municipal Services Committee
April 24, 2023

ISSUE STATEMENT

Approval of a [resolution](#) authorizing the following Private Property Rear Yard Storm Water Management Assistance Projects for:

1. Project FYE24-NN – 8519-8523 Carriage Green Dr. & 1622 Coachmans Rd. in an amount not to exceed \$15,927, (City Cost \$11,195 Resident Reimbursement \$4,732)
2. Project FYE24-ELC – 1521 Evergreen Ln. in an amount not to exceed \$6,640, (City Cost \$4,230 Resident Reimbursement \$2,410)
3. Project FYE24-LLL – 7125-29 Exner Rd. & 7126-30-7201 Summit Rd. in an amount not to exceed \$12,841, (City Cost \$8,881 Resident Reimbursement \$3,960)
4. Project FYE24-WWW – 7612-17-25 Sawyer Rd. in an amount not to exceed \$4,150, (City Cost \$2,362 Resident Reimbursement \$1,788)
5. Project FYE24-LL – 1625-27-29 Arbor Ct & 7314-18-22 Bayberry Ln. in an amount not to exceed \$13,718, (City Cost \$9,538 Resident Reimbursement \$4,180)
6. Project FYE24-OO – 7713-17 Florence Ave. in an amount not to exceed \$8,538, (City Cost \$5,654 Resident Reimbursement \$2,884)
7. Project FYE24-QQ – 7341-45 Bunker Rd. & 7402-06-14 Richmond Ave. & 7413 Seminole Dr. in an amount not to exceed \$16,037, (City Cost \$11,278 Resident Reimbursement \$4,759)
8. Project FYE24-TT – 1358 Urban Dr. in an amount not to exceed \$15,190, (City Cost \$10,642 Resident Reimbursement \$4,548)
9. Project FYE24-YY – 8917-25 Brandon Rd & 8904-12-20-24 Kilkenny Dr. in an amount not to exceed \$16,732, (City Cost \$11,800 Resident Reimbursement \$4,932)
10. Project FYE24-WW – 7921-25-29-33-7701 Farmingdale Dr. in an amount not to exceed \$12,790, (City Cost \$8,843 & Resident Reimbursement \$3,947)
11. Project FYE24-ZZ – 1018-22-26 71st St. & 1017-21-25 Ironwood Ln. in an amount not to exceed \$17,783, (City Cost \$12,588 Resident Reimbursement \$5,195)

For further cost breakdowns, see attached spreadsheet labeled as [Attachment A](#). (Please note the amounts above have been rounded to the nearest dollar.)

BACKGROUND

Throughout the year, the City receives complaints regarding drainage issues within the rear or side

yard lot lines/easements. The complaints are due to standing water that stems from active sump pumps, grading issues and mature landscaping. The areas further stay saturated throughout the season, thereby making it difficult to mow and maintain these areas and further creates conditions for mosquito breeding. The City’s Private Property-Rear Yard Storm Water Management Assistance Policy or further referred to as the *Rear Yard Drainage Program* allows residents, multifamily, commercial property owners and the City to work together in resolving these nuisance ponding and drainage issues. The projects would rid the area of the nuisance ponding, and allow for positive storm water conveyance within the rear yard easement.

Recently, final updated letters have been sent to the residents regarding the project and costs. The Staff will be forwarding an additional set of proposed projects pending survey results.

The scope of the projects consist of the following work:

- City Staff Field Layout
- Purchase of infrastructure materials
- Outsource of Installation of Infrastructure and Restoration - City Council awarded vendor JC Landscaping and Tree Services.

The proposed expenditure would be expended from the following line account:

Account Number	Account Description	FY 23/24 Budget	Proposed Expenditure City Portion	Proposed Resident Reimbursement	Account Balance
01-30-4374	Drainage Assistance Projects	\$ 105,000	\$ 140,346	\$ 43,335	\$ 7,989

STAFF RECOMMENDATION

Staff recommends approval of a resolution authorizing Rear Yard Storm Water Management Assistance Projects.

ALTERNATE CONSIDERATION

As directed by the Committee.

DECISION MODE

This item will be placed on the May 1, 2023, City Council agenda for formal approval.

FY 2023-2024 REAR YARD DRAINAGE PROJECTS

<u>Project/Name</u>	<u>Street Addresses</u>	<u>Project Cost- Estimate</u>	<u>City Contribution Estimate</u>	<u>Resident Reimbursement Estimate</u>	<u>*EASEMENT REQUIRED NON PARTICIPATING FUNDING</u>	<u>Total Resident Reimbursement Estimate</u>
FYE24-NN	8519-8523 Carriage Green Dr / 1622 Coachmans Rd	\$ 15,926.79	\$ 11,195.11	\$ 4,731.68	\$ 750.00	\$ 5,481.68
FYE24-ELC	1521 Evergreen Ln	\$ 6,639.50	\$ 4,229.62	\$ 2,409.88	\$ -	\$ 2,409.88
FYE24-LLL	7126-30-7202 Exner Rd / 7125-29-7201 Summit Rd	\$ 12,841.19	\$ 8,880.91	\$ 3,960.28	\$ -	\$ 3,960.28
FYE24-WWW	7609-13-17-21-25 Sawyer Rd	\$ 4,150.04	\$ 2,362.52	\$ 1,787.52	\$ -	\$ 1,787.52
FYE24-LL	1625-27-29 Arbor Ct / 7314-18-22 Bayberry Ln	\$ 13,718.41	\$ 9,538.81	\$ 4,179.60	\$ -	\$ 4,179.60
FYE24-OO	7713-17 Florence Ave	\$ 8,537.72	\$ 5,653.28	\$ 2,884.44	\$ -	\$ 2,884.44
FYE24-QQ	7341-45 Bunker Rd / 7402-06-14 Richmond Ave / 7413 Seminole Dr	\$ 16,037.16	\$ 11,277.88	\$ 4,759.28	\$ -	\$ 4,759.28
FYE24-TT	1358 Urban Dr	\$ 15,190.47	\$ 10,642.87	\$ 4,547.60	\$ -	\$ 4,547.60
FYE24-YY	8917-25 Brandon Rd / 8904-12-20-24 Kilkenny Dr	\$ 16,731.89	\$ 11,799.55	\$ 4,932.34	\$ -	\$ 4,932.34
FYE24-WW	7621-25-29-33-7701 Farmingdale Dr	\$ 12,789.56	\$ 8,842.66	\$ 3,946.90	\$ -	\$ 3,946.90
FYE24-ZZ	1018-22-26 71st St / 1017-21-25 Ironwood Ln	\$ 17,783.14	\$ 12,588.00	\$ 5,195.14		\$ 5,195.14
	TOTALS	\$ 140,345.87	\$ 97,011.21	\$ 43,334.66	\$ 750.00	\$ 44,084.66

* not included in total-easement must be paid prior to project commencement

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE FOLLOWING PRIVATE PROPERTY REAR
YARD STORM WATER MANAGEMENT ASSISTANCE PROJECTS:**

1. Project FYE24-NN – 8519-8523 Carriage Green Dr. & 1622 Coachmans Rd. in an amount not to exceed \$15,927, (City Cost \$11,195 Resident Reimbursement \$4,732)
2. Project FYE24-ELC – 1521 Evergreen Ln. in an amount not to exceed \$6,640, (City Cost \$4,230 Resident Reimbursement \$2,410)
3. Project FYE24-LLL – 7125-29 Exner Rd. & 7126-30-7201 Summit Rd. in an amount not to exceed \$12,841, (City Cost \$8,881 Resident Reimbursement \$3,960)
4. Project FYE24-WWW – 7612-17-25 Sawyer Rd. in an amount not to exceed \$4,150, (City Cost \$2,362 Resident Reimbursement \$1,788)
5. Project FYE24-LL – 1625-27-29 Arbor Ct & 7314-18-22 Bayberry Ln. in an amount not to exceed \$13,718, (City Cost \$9,538 Resident Reimbursement \$4,180)
6. Project FYE24-OO – 7713-17 Florence Ave. in an amount not to exceed \$8,538, (City Cost \$5,654 Resident Reimbursement \$2,884)
7. Project FYE24-QQ – 7341-45 Bunker Rd. & 7402-06-14 Richmond Ave. & 7413 Seminole Dr. in an amount not to exceed \$16,037, (City Cost \$11,278 Resident Reimbursement \$4,759)
8. Project FYE24-TT – 1358 Urban Dr. in an amount not to exceed \$15,190, (City Cost \$10,642 Resident Reimbursement \$4,548)
9. Project FYE24-YY – 8917-25 Brandon Rd & 8904-12-20-24 Kilkenny Dr. in an amount not to exceed \$16,732, (City Cost \$11,800 Resident Reimbursement \$4,932)
10. Project FYE24-WW – 7921-25-29-33-7701 Farmingdale Dr. in an amount not to exceed \$12,790, (City Cost \$8,843 & Resident Reimbursement \$3,947)
11. Project FYE24-ZZ – 1018-22-26 71st St. & 1017-21-25 Ironwood Ln. in an amount not to exceed \$17,783, (City Cost \$12,588 Resident Reimbursement \$5,195)

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU
PAGE COUNTY, ILLINOIS, as follows:**

SECTION 1: The City Council of the City of Darien hereby authorizes the Mayor and City Clerk to approve the Private Property Rear Yard Storm Water Management Assistance 1. Project FYE24-NN – 8519-8523 Carriage Green Dr. & 1622 Coachmans Rd. in an amount not to exceed \$15,927, (City Cost \$11,195 Resident Reimbursement \$4,732) 2. Project FYE24-ELC – 1521 Evergreen Ln. in an amount not to exceed \$6,640, (City Cost \$4,230 Resident Reimbursement \$2,410) 3. Project FYE24-LLL – 7125-29 Exner Rd. & 7126-30 Summit Rd. in

RESOLUTION NO. _____

an amount not to exceed \$12,841, (City Cost \$8,881 Resident Reimbursement \$3,960) 4. Project FYE24-WWW – 7612-17-25 Sawyer Rd. in an amount not to exceed \$4,150, (City Cost \$2,362 Resident Reimbursement \$1,788) 5. Project FYE24-LL – 1625-27-29 Arbor Ct & 7314-18-22 Bayberry Ln. in an amount not to exceed \$13,718, (City Cost \$9,538 Resident Reimbursement \$4,180) 6. Project FYE24-OO – 7713-17 Florence Ave. in an amount not to exceed \$8,538, (City Cost \$5,654 Resident Reimbursement \$2,884) 7. Project FYE24-QQ – 7341-45 Bunker Rd. & 7402-06-14 Richmond Ave. & 7413 Seminole Dr. in an amount not to exceed \$16,037, (City Cost \$11,278 Resident Reimbursement \$4,759) 8. Project FYE24-TT – 1358 Urban Dr. in an amount not to exceed \$15,190, (City Cost \$10,642 Resident Reimbursement \$4,548) 9. Project FYE24-YY – 8917-25 Brandon Rd & 8904-12-20-24 Kilkenny Dr. in an amount not to exceed \$16,732, (City Cost \$11,800 Resident Reimbursement \$4,932) 10. Project FYE24-WW – 7921-25-29-33-7701 Farmingdale Dr. in an amount not to exceed \$12,790, (City Cost \$8,843 & Resident Reimbursement \$3,947) 11. Project FYE24-ZZ – 1018-22-26 71st St. & 1017-21-25 Ironwood Ln. in an amount not to exceed \$17,783, (City Cost \$12,588 Resident Reimbursement \$5,195)

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1st day of May, 2023.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1st day of May, 2023.

JOSEPH MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

AGENDA MEMO
Municipal Services Committee
March 27, 2023

ISSUE STATEMENT

A [resolution](#) accepting a quote from Terrain Landscape Contractors, for the Darien Clock Tower Maintenance Project at the northeast corner of Plainfield and Cass Ave. for fountain maintenance, wall removal and replacement, resetting of the pavers and electrical upgrades with modified lighting in an amount not to exceed \$74,875.00.

BACKGROUND

The clock tower was built in 2014 in partnership with the developer of the Darien Pointe. The total cost then was approximately \$205,000. Additional enhancements such as an irrigation system, holiday treatments and limited landscaping lighting have been added since it was constructed. The maintenance for the clock tower structure and components is less than \$1,000 a year.

This year's FY23/24 Budget includes funding for extensive maintenance and overhaul for the water feature and the existing modular wall units and paver block. The maintenance issues will be addressing the following:

- Currently there are two walls in place and both shall be removed. The walls have bowed through settlement and/or are scaling due to salt residue and water entering through the top cap seams. The walls will be removed and disposed.
- Removal of existing pavers shall be removed from up to 10 feet from the existing outer wall. The pavers have settled and require resetting.
- The existing concrete water feature columns require to be removed for the replacement of a liner which over the years has pulled away from the inner modular wall, again due to settlement. Technology advancement include adding underlayment prior to the rubber membrane to prevent future damage. The concrete water feature columns will be reset to a plumb position with a concrete base foundation.
- The lighting controller, lighting, and underground wiring consisting of line and low voltage components require inspection and minor upgrades.

Due to the extent of the maintenance, Staff is recommending to modify the existing round design to a geometrical shape that will be square. The outer wall dimensions will be built to 15 feet x15 feet with the Unilock Sienna Edge Retaining Wall with coping, 4 modular block high. The inner wall shall be 13 feet x 13 feet with the Unilock Siena Edge Retaining Wall with coping, 7 modular block high. See attached modular blocks labeled as [Attachment A](#). The revised geometrical configuration will provide an optimal structural integrity and substantially reduce the overspray onto the pavers, due to high winds.

The scope of the work includes the following:

- Deconstruction of site

- Pump inspection
- Layout
- Valving and PVC supply line upgrades
- Crate inspection
- Reset concrete columns
- Prepare base
- Installation of Unilock inner wall - Siena Edge - Fieldstone Color
- Install rubber underlayment including the sides of the block wall
- Install new rubber liner to be locked in with the upper Unilock modular block
- The inner area of the squares shall include approximately 3 tons of a small ¾-1-inch decorative stone.
- Sealing of the modular block wall will be required-the sealer shall be provided by the awarded vendor through Unilock
- Lighting

Staff requested competitive quotes for the bid opening on April 18, 2023 and staff received four (4) competitive quotes. See [Attachment B](#). The lowest competitive quote was provided by Terrain Landscape Contractors.

The proposed expenditure would be expended from the following accounts:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY23/24 BUDGET	PROPOSED EXPENDITURE	BALANCE
01-30-4223	Maintenance –Clock Tower Paver, Fountain Resetting	\$40,000	\$54,875	(\$14,875)
01-30-4223	Maintenance –Clock Tower Electrical, Lighting Upgrade	\$20,000	\$20,000	\$ 0
TOTALS		\$60,000	\$74,875	*(\$14,875)

*The project is proposed to be at \$14,875 over budget and opportunities will be reviewed for additional savings within the street budget throughout the year.

STAFF RECOMMENDATION

A resolution accepting a quote from Terrain Landscape Contractors, for the Darien Clock Tower Maintenance Project at the northeast corner of Plainfield and Cass Ave. for fountain maintenance, wall removal and replacement, resetting of the pavers and electrical upgrades with modified lighting in an amount not to exceed \$74,875.00.

ALTERNATE CONSIDERATION

As directed by the Committee.

DECISION MODE

This item will be placed on the May 1, 2023, City Council agenda for formal approval.

CLASSIC

SienaEdge™



GRANITE



SIERRA



FIELDSTONE **NEW**



STANDARD / CORNER UNIT

11½ x 39 x 7"
290 x 1000 x 180mm



COPING

11½ x 39 x 7"
290 x 1000 x 180mm

NOTE: Coping Unit can also act as a closed end unit with the unique patented locking mechanism.



**CITY OF DARIEN PUBLIC WORKS
1702 PLAINFIELD ROAD
DARIEN, IL 60561**

REQUEST FOR QUOTE: 2023 Clock Tower Project
OPENING DATE/TIME: April 18, 2023 @ 10:00 a.m.

		Terrain Landscape Contractors		JC Landscape & Tree Service	Haven Landscape Contractors	Misfits Construction Company	
ITEM DESCRIPTION		Total		Total	Total	Total	
	Clock Tower Project		\$ 74,875.00	\$ 125,000.00	\$ 84,540.00		\$ 94,888.00
	Total		<u>\$ 74,875.00</u>	<u>\$ 125,000.00</u>	<u>\$ 84,540.00</u>		<u>\$ 94,888.00</u>

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A QUOTE FROM TERRAIN LANDSCAPE CONTRACTORS, FOR THE DARIEN CLOCK TOWER MAINTENANCE PROJECT AT THE NORTHEAST CORNER OF PLAINFIELD AND CASS AVE FOR FOUNTAIN MAINTENANCE, WALL REMOVAL AND REPLACEMENT, RESETTING OF THE PAVERS AND ELECTRICAL UPGRADES WITH MODIFIED LIGHTING IN AN AMOUNT NOT TO EXCEED \$74,875.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The City Council of the City of Darien hereby accepts a quote from Terrain Landscape Contractors, for the Darien Clock Tower Maintenance Project at the northeast corner of Plainfield and Cass Ave. for fountain maintenance, wall removal and replacement, resetting of the pavers and electrical upgrades with modified lighting in an amount not to exceed \$74,875.00, a copy of which is attached hereto as “[Exhibit A](#)”.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1st day of May, 2023.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1st day of May, 2023.

JOSEPH MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Any and all requests or addendums shall be made in writing to the attention of Director of Municipal Services via e-mail to dgombac@darienil.gov. All requests will be responded to within 48 hours to all bidders on file.

Total Cost for the City of Darien \$ 74,875⁰⁰

CITY OF DARIEN

THIS FORM MUST BE COMPLETED & SUBMITTED
BY NO LATER THAN APRIL 18, 2023 @ 10:00 A.M.
ATTN: MUNICIPAL SERVICES

Submitted by: Tim Ascolani
Vendor Name: Terrain Landscape Contractors
Address: 7748 Surrey Drive Darien, IL 60561
Phone: 630-675-9534 Cell: 630-675-9534
E-mail Address: tim@terrainlandscaping.com
Authorized Signature: [Signature]

The vendor shall provide three references with phone numbers below:

1. Tameling Landscape Supply 630-323-7171 Dave Martinet
2. Hinsdale Nurseries 630-323-1411 Dave Kohlsoat
3. Hidden Gardens 630-655-8283 Jeff Schultz

Acceptance of Quote:

By: _____ Date: _____

City of Darien

Authorized and Accepted:

By: _____

Title: _____

Date: _____

**MINUTES
CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE MEETING
March 27, 2023**

PRESENT: Alderman Thomas Belczak-Chairman, Alderman Eric Gustafson, Alderman Joseph Kenny, Dan Gombac – Director, Jordan Yanke – City Planner

ABSENT: None

ESTABLISH QUORUM

Chairperson Thomas Belczak called the meeting to order at 6:00 p.m. at the City of Darien City Hall, 1702 Plainfield Road, Darien, Illinois. Chairperson Belczak declared a quorum present.

New Business

a. PZC2023-01 Noe (6805 Scotch Pine Trail) - Petitioner seeks approval of a Variation from Section 5A-7-3-6 (A) of the Zoning Ordinance.

Mr. Jordan Yanke, City Planner reported that the parcel is improved with a single-family residence and unenclosed deck in the rear yard. He reported that the petitioner is proposing a sunroom addition on the rear part of the residence where the deck is currently located.

Mr. Yanke reported that the residence maintains a distance slightly greater than 30' from the rear property line while the existing deck is 18.2' from the rear lot line. He reported that the proposed sunroom would replace the deck and have a setback no less than 18.2' from the rear lot line. He further reported that there is a required rear yard setback of 30' and that the sunroom will encroach 11.8'.

Mr. Yanke reported that the homeowner's association instructed the petitioners to seek approval from the City first. He reported that the PZC approved the request 6-0.

Alderman Eric Gustafson questioned the existing deck size and if they will be constructing a deck.

The petitioners, Mr. Don and Joan Noe stated that there will be a portion for a deck.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson to approval of a Variation from Section 5A-7-3-6 (A) of the Zoning Ordinance.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

b. Resolution - Authorizing the disposal of surplus property.

Mr. Dan Gombac, Director reported that staff has provided a list in the Agenda Memo of surplus property. He reported that the items will be auctioned utilizing the services of GovDeal, Inc.

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

Alderman Gustafson made a motion, and it was seconded by Alderman Kenny approval of a Resolution authoring the disposal of surplus property.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- c. Resolution - Authorizing the purchase of one new trailer, Model No. P8CAM164STTXW Tilt Trailer, from A&W Trailer LLC in the amount of \$15,039.**

Mr. Dan Gombac, Director reported that The existing trailer utilized within the Water Department, is approximately 22 years in age and has served its useful life. He reported that the trailer continues to rust and the metal is fatiguing in locations.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of a Resolution authorizing the purchase of one new trailer, Model No. P8CAM164STTXW Tilt Trailer, from A&W Trailer LLC in the amount of \$15,039.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- d. Resolution - Authorizing the purchase and delivery of one new sewer grate set, from L&G Welding Services, Inc., in the amount of \$7,060.**

Mr. Dan Gombac, Director reported that the proposed grate would be utilized to replace an existing grate in Pinewood Park adjacent to Portsmouth Drive. He reported that the grate continues to collect upstream debris, tree branches, leaves, mowed turf clippings and general trash and that during the significant rain events as the grate becomes restricted the surrounding area is inundated with localized street flooding on Portsmouth along with adjacent properties.

Mr. Gombac reported that while the Department maintains the grates prior to and post rain events, heavy equipment is required to remove the grate during the event to allow storm water to recede and remove the debris from the grate.

Alderman Joe Kenny questioned why the vendor bid was so low.

Mr. Gombac reported that the vendor is new and hungry for work. He reported that this project will end up \$10k under budget.

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

Alderman Gustafson made a motion, and it was seconded by Alderman Kenny approval of a Resolution authorizing the purchase of one new trailer, Model No. P8CAM164STTXW Tilt Trailer, from A&W Trailer LLC in the amount of \$15,039.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- e. **Resolution – Accepting a proposal from TAPCO for the purchase of a Pedestrian Crosswalk Signalization System for a mid-block crosswalk application at Clarendon Hills Road and Roger Road in an amount not to exceed \$11,779.02.**

Mr. Dan Gombac, reported that the pedestrian crossing will increase pedestrian safety, improve visibility of the crossing to motorists, calm traffic speeds, and draw pedestrians to the crosswalk instead of crossing Clarendon Hills Road at other unmarked locations. He reported that the project will include a raised refuge island, pedestrian crossing signs, advance pedestrian crossing and/or Park Zone signs, and sidewalk extensions and relocations. He further reported that staff has partnered with TAPCO to build the pedestrian signal.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of a Resolution accepting a proposal from TAPCO for the purchase of a Pedestrian Crosswalk Signalization System for a mid-block crosswalk application at Clarendon Hills Road and Roger Road in an amount not to exceed \$11,779.02.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- f. **Resolution – Accepting a proposal from Dorner Company for the City’s water system in an amount not to exceed \$54,935 to re-build internal critical components of pump control valves and altitude valves.**

Mr. Dan Gombac, Director reported that the proposed expenditure is for the maintenance of the City’s water variable speed water pumps. He reported that the pumps are independent inline components of the water system utilized to deliver potable water to maintain pressures. He further reported that the maintenance is considered preventive maintenance and consists of rebuilding the various valves and critical components.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of a Resolution accepting a proposal from Dorner Company for the City’s water system in an amount not to exceed \$54,935 to re-build internal critical components of pump control valves and altitude valves.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- g. **Resolution – Waiving the competitive bid process and accepting a quote from Landmark Construction Services, Inc., for the City Hall Balcony Deck Remodel Project at 1702 Plainfield Road for the removal of the existing balcony and the material and installation of the replacement balcony deck, in an amount not to exceed \$85,000.00.**

Mr. Dan Gombac, Director reported that this proposal is to remove and replace the City Hall Balcony Deck facing Plainfield Road. He reported that the existing balcony’s structure is deteriorating and requires an updated look. He further reported that staff requested

competitive quotes for the bid opening and with no submitted bids, staff contacted Landmark Construction Services, Inc., and negotiated a quote in the amount of \$85,000.

Alderman Joe Kenny questioned why the need for a balcony and suggested closing off the door.

Mr. Gombac reported that staff uses the balcony to hang banners and that there needs to be some type of roof or awning.

Chairperson Tom Belczak stated that he would like to see other options with an awning and less money.

The Committee agreed to get cross comparisons.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson to deny a Resolution waiving the competitive bid process and accepting a quote from Landmark Construction Services, Inc., for the City Hall Balcony Deck Remodel Project at 1702 Plainfield Road for the removal of the existing balcony and the material and installation of the replacement balcony deck, in an amount not to exceed \$85,000.00.

Upon voice vote, the MOTION WAS DENIED 3-0.

Mr. Gombac reported that he would have comparisons available for the City Council meeting.

h. Motion - A contingency in the amount of \$5,000 due to unforeseen structural deficiencies items that may be encountered during the building construction.

Mr. Dan Gombac, Director reported that a \$5,000 contingency is proposed for any unforeseen structural items that may be encountered during construction.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson to deny a contingency in the amount of \$5,000 due to unforeseen structural deficiencies items that may be encountered during the building construction.

Upon voice vote, the MOTION WAS DENIED 3-0.

j. Minutes – February 27, 2023 Municipal Services Committee

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of the February 27, 2023, Municipal Services Committee Meeting Minutes.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

DIRECTOR'S REPORT

Mr. Dan Gombac, Director reported that the Ailsworth project will be completed by May.

Mr. Gombac reported that the traffic signal will be done in May and the sidewalk by mid to end of April followed by the curb and gutter, pending budget approval.

NEXT SCHEDULED MEETING

Chairperson Tom Belczak announced that the next meeting is scheduled for Monday, April 24, 2022.

ADJOURNMENT

With no further business before the Committee, Alderman Kenny made a motion, and it was seconded by Alderman Gustafson to adjourn. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 6:54 p.m.

RESPECTFULLY SUBMITTED:

Thomas Belczak
Chairman

Eric Gustafson
Alderman

Joseph Kenny
Alderman