

AGENDA
Municipal Services Committee
September 25, 2017
6:30 P.M. – Council Chambers

1. **Call to Order & Roll Call**
2. **Establishment of Quorum**
3. **New Business**
 - a. **PZC 2016-10** – Petitioners seek approval of an annexation, rezoning map amendment to B-3, special use for mobile home sale and rental with variations.
 - b. **Ordinance** – Approval of an ordinance granting a minor amendment to the PUD for the Violet’s Farm to approve an oversized deck at 8414 Dawn Lane.
 - c. **Motion** - Consideration of a motion acknowledging the City of Darien Stormwater Program Annual Report.
 - d. Minutes – August 7, 2017 Municipal Services Committee - Special Meeting
- August 21, 2017 Municipal Services Committee
4. **Director’s Report**
5. **Next scheduled meeting – October 23, 2017**
6. **Adjournment**

AGENDA MEMO
MUNICIPAL SERVICES COMMITTEE
September 25, 2017

Case

PZC 2016-10 17W615 N. Frontage Road (R&R Motor Homes)

Issue Statement

Petitioners seek approval of annexation, rezoning map amendment to B-3, special use for mobile home sale and rental with variations.

Overview / Discussion

One year ago the Committee considered the petition and Planning and Zoning Commission (PZC) findings and voted to recommend approval with many conditions. Since then, the petitioner has revised their plans mostly to comply with PZC recommendations and have received preliminary approvals from DuPage County Stormwater and IDOT.

The site is a one acre lot between N. Frontage Road and I-55 interstate highway west of Cass Avenue between Public Storage and Woodsprings Suites. The petitioner's plans to renovate the existing single family home into an office for their business of renting and selling motor homes. They would be constructing a new driveway, parking lot, maintenance building, fence, landscaping, stormwater detention and wetland conservation. They had originally planned to build in phases and reuse the existing well and septic systems, however they now plan to build all in one phase and connect to the water main and sanitary sewer.

All previous background material presented last for PZC and MSC are attached to this memo. Of the 17 original variations requested, 14 remain and 3 are withdrawn.

- 4 variations remain due to pre-existing conditions – site size, house setback, parking lot setback, driveway setback
- 8 variations remain due to limited space available to plant more bushes in side yards along the Public Storage building and the Woodsprings parking lot
- 1 variation remains for accessory maintenance building size of 2400 square feet, which would not be out of scale with the surrounding development
- 1 variation remains for not having barrier curbs in parking lot - which allows stormwater runoff to flow into the detention pond
- 3 variations are withdrawn because the revised plans now comply: driveway width is expanded to 24 feet, driveway turning radius and parking stall length is expanded to accommodate large motor homes.

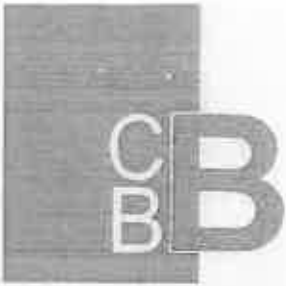
City Engineer Dan Lynch recommends approval provided that before permits are issued final engineering plans be submitted for all site improvements that reflect his comments.

Attached Documents

Development Plans revised
Letter from Dan Lynch August 22, 2017
Staff Report September 26, 2016
MSC minutes September 26, 2016

Motions

1. To recommend approval of the revised site plans with the condition that final development plans comply with City Engineer comments.
2. To recommend that a pre-annexation agreement be prepared and subject to a public hearing by City Council on November 6, 2017.



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

August 22, 2017

City of Darien
1702 Plainfield Road
Darien, IL 60561

Attention: Steve Manning

**Subject: R & R Motor Home
(CBBEL Project No. 950323 H196)**

Dear Steve:

As requested, we have reviewed the site development plan for the aforementioned property prepared by Morris Engineering, Inc and dated March 10, 2017. The following comments must be addressed before we can recommend approval:

1. On sheet 3 in the calculation of Required BMP Volume, the volume must be based on the proposed impervious area of 24,624 square feet, not 21,088 square feet. Also, the volume provided must meet or exceed the calculated required volume.
2. There is no proposed outlet for the proposed BMP basin. If the intent is to rely on infiltration, provide soil borings with a calculation of permeability. It is noted the soil types present likely have limited infiltration capacity. If a pipe outlet is to be proposed, the storm water report must include a calculation of drain down time to demonstrate compliance with Section 15-64.C.3 of the County Ordinance.
3. On sheet 3 southwest of the existing house, the proposed 687.5 contour crosses the 688 contour. It also appears that water will be trapped west of the proposed pavement.
4. The draft floodplain maps show a proposed base flood elevation of 688 for this site. Raise the finished floor of the proposed maintenance building to 690 to meet the city code of the floor being two feet above the BFE. County policy is to elevate buildings based on the proposed BFE.
5. On sheet 6, change the fine amount from \$100 to \$250 on the Handicapped Parking Stall Detail.
6. On sheet 7, the notes for the Bioswale Seed Mix refer to sheet 6. This should refer to sheet 8.
7. On sheet 8, there is a column in the right half of the page which is mostly obscured.
8. With the proposed BMP basin, it is unlikely that the proposed seed will germinate and establish in standing water. Live plant plugs will likely be required.

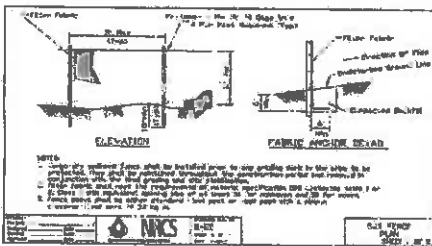
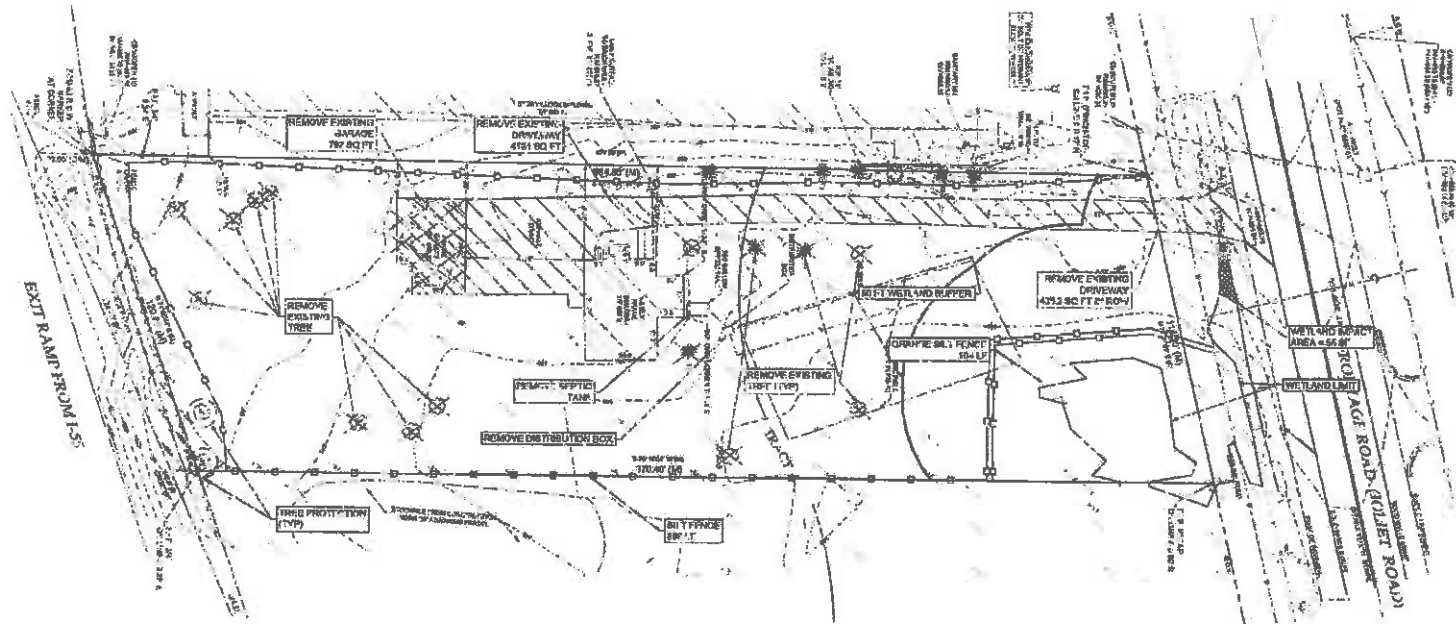
9. Provide a Stormwater Submittal for the proposed project.
10. It is our understanding that the County has approved the wetland aspects of the project. Provide their approval in the Stormwater Submittal.
11. DuPage County Public Works approval is required for the sanitary sewer connection.
12. DuPage County Health Department approval is required for removal of the well and septic system.
13. IDOT approval is required for work in the Frontage Road right of way.
14. The proposed water service must be reviewed by the Plumbing Inspector for compliance with the Illinois Plumbing Code.

Please feel free to contact me if you have any questions or need to discuss these items in more detail.

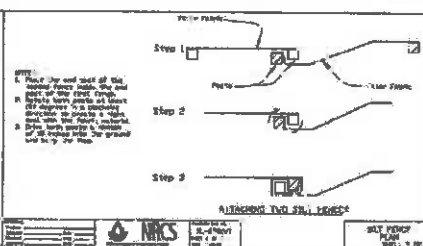
Sincerely,



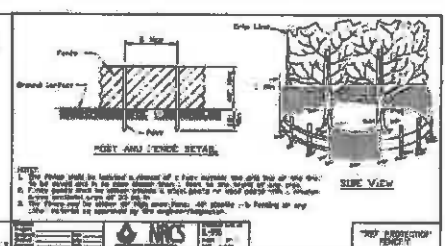
Daniel L. Lynch, PE, CFM
Head, Municipal Engineering Department



NOTE:
1. Fabric and fasteners shall be installed prior to any grading work in the area to be protected and shall be in place in advance of any excavation work.
2. Fabric shall be secured to the curb and shall be secured to the ground with a minimum of 4" x 4" x 1/2" steel plate with 1/2" x 3/4" bolts and nuts. The ground shall be compacted and shall be a minimum of 12" thick.



NOTE:
1. The fabric shall be installed in a minimum of 1 foot outside the curb on the top of the curb and shall be in place in advance of any excavation work.
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NO.	DESCRIPTION	DATE
1	PREPARED BY: NKS	10/2/2014
2	CHECKED BY: NKS	10/2/2014
3	APPROVED BY: NKS	10/2/2014

NO.	DESCRIPTION	DATE
1	PREPARED BY: NKS	10/2/2014
2	CHECKED BY: NKS	10/2/2014
3	APPROVED BY: NKS	10/2/2014

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1	PREPARED BY: NKS	10/2/2014
2	CHECKED BY: NKS	10/2/2014
3	APPROVED BY: NKS	10/2/2014

- NOTE:**
- CONSTRUCTION OF PERM SHALL BE COMPLETED AND READY TO BE IN PLACE BEFORE ANY WORK BEGINS ON THE SITE.
 - EROSION CONTROL IS TO BE IN PLACE BEFORE ANY WORK BEGINS ON THE SITE.
 - IF A TOPSOIL BROADCASTER IS TO REMAIN IN PLACE FOR MORE THAN 30 DAYS, EROSION CONTROL MUST BE INSTALLED AROUND THE STOCKPILE.
 - ALL STRIPPED AREAS SHALL BE PERMANENTLY OR TEMPORARILY PROTECTED FROM EROSION WITHIN 14 DAYS OF REACHING FINAL GRADE. STRIPPED AREAS THAT ARE TO REMAIN UNDISTURBED FOR MORE THAN 14 DAYS AFTER INITIAL DISTURBANCE SHALL BE PROTECTED FROM EROSION. TEMPORARY EROSION AND EROSION CONTROL MEASURES SHALL BE MAINTAINED CONTINUOUSLY UNTIL PERMANENT COVER IS ESTABLISHED.
 - PERMANENT MARKING THAT ARE DAMAGED DURING CONSTRUCTION ARE TO BE REPAIRED TO THE SATISFACTION OF THE LOCAL OFFICER.
 - ANY DAMAGE TO THE EXIT RAMP FENCE AT THE REAR OF THE PROPERTY SHALL RESULT IN THE REPAIR AND MAINTENANCE OF THIS FENCE. THIS DRIVEWAY TO BE USED AS CONSTRUCTION ENTRANCE.

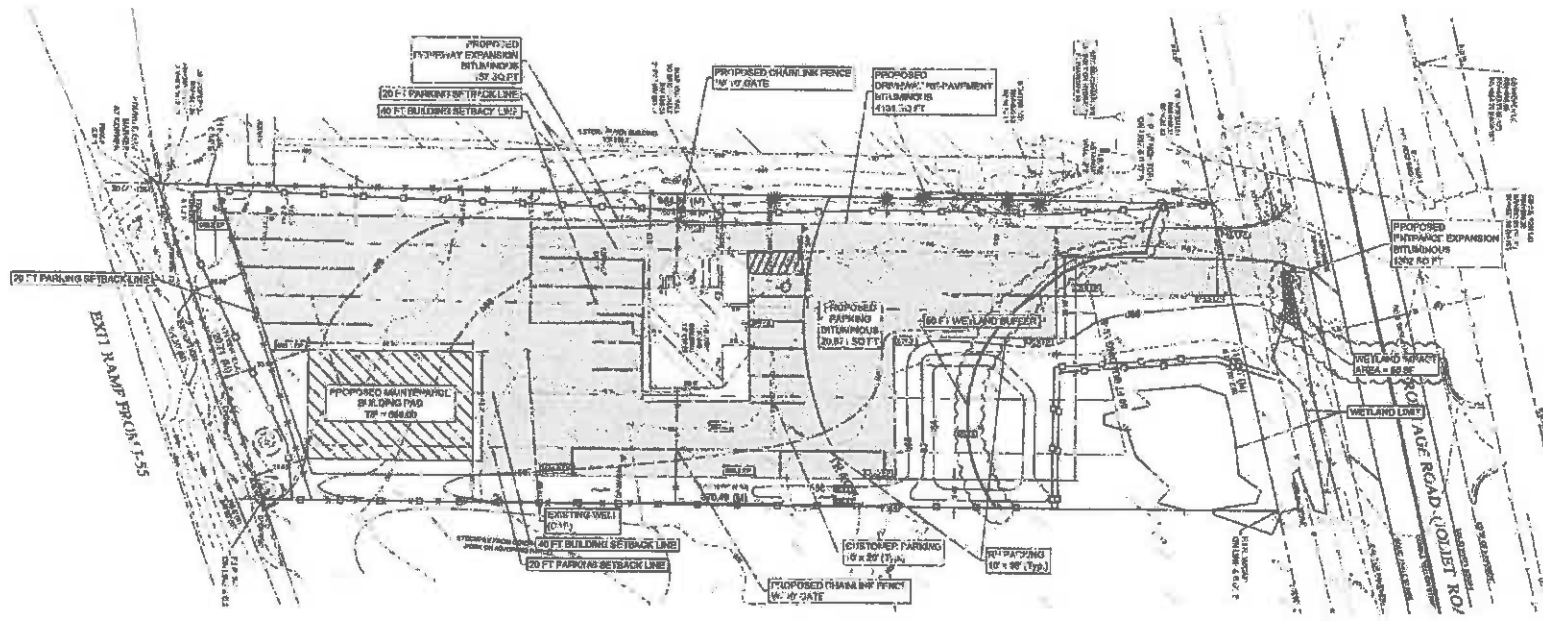
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2	CHECKED BY: NKS	10/2/2014
3	APPROVED BY: NKS	10/2/2014

DEMOLITION PLAN
17 W 615 NORTH FRONTAGE ROAD
DARIEN, ILLINOIS



2
16-20-2000
16-20-2000

SITE DEVELOPMENT PLAN



NOTE:
 1. CONSTRUCTION OF FCMP SHALL BE COMPLETED AS PART OF PHASE I.
 2. COUNTY PROVIDED FROM FE-1 BPE-125.33.
 3. PRELIMINARY: 373A BFC- 898.00.
 TOTAL P. WORK SPACES: 13 SPACES
 BY PARKING: 13 SPACES
 BUS, VAN, EMPLOYEE PARKING: 8 SPACES

SUPERVISED AREA		BUILDING AREAS (SF)	
TOTAL SITE AREA (SF)	42815	EXISTING BLDG. ONC.	1140
EXISTING (80') PROPOSED (20')	1140	EXISTING GARAGE EXISTING	725
GARAGE	765	TOTAL EXISTING AREA	1865
PROPOSED PARKING	4151	PROPOSED BUILDING PAU	2340
PROPOSED BUILDING PAD	2604	TOTAL PROPOSED AREA	3540
TOTAL IMPERVIOUS AREA	6072	IMP VOLUME PROVIDED	
NET NEW IMPERVIOUS AREA	8664	ELEVATION (MPA) (SF)	VOLUME (K-F)
TOTAL PERVIOUS AREA	34433	120.0	0.0
		100.0	1411
		80.0	2128.8
		60.0	2438.4
		40.0	2748.0
		20.0	3057.6
		0.0	3367.2
		TOTAL IMP. VOLUME	2392.8

IMP VOLUME REQUIRED
 2392.8 K-F

SITE DEVELOPMENT PLAN

17 W 815 NORTH FRONTAGE ROAD
DARIEN, ILLINOIS

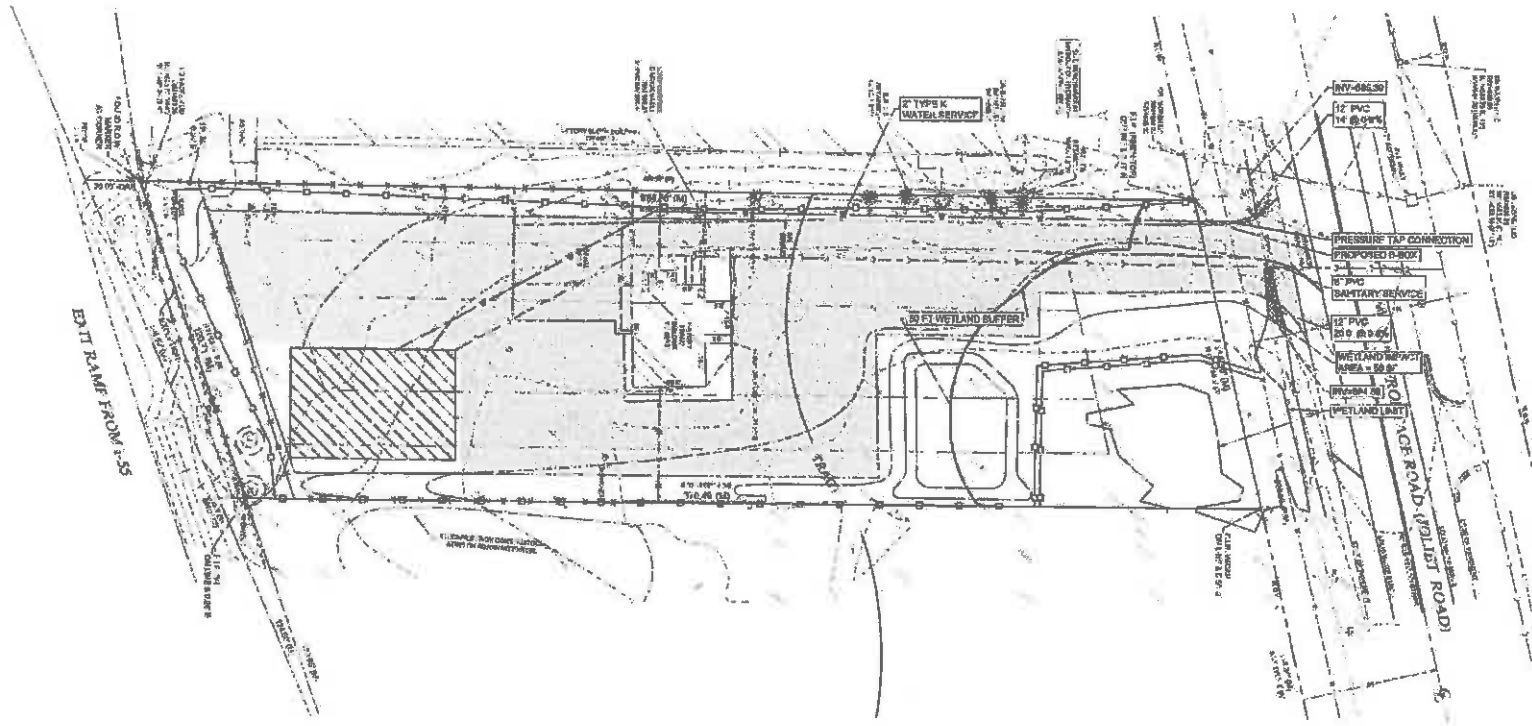
Morris Engineering, Inc.
 Civil Engineering - Consulting
 1701 N. Lincoln St., Suite 200
 Naperville, IL 60563
 Phone: 630.331.1234
 Fax: 630.331.1235
 Website: www.morriseng.com

3

OF 4 SHEETS

MOORE 10/20/20

UTILITY PLAN



1. DATE	11/11/2011
2. PROJECT	17 W 616 NORTH FRONTAGE ROAD
3. SHEET NO.	4
4. SHEET TOTAL	4
5. DRAWN BY	J. J. JONES
6. CHECKED BY	J. J. JONES
7. SCALE	AS SHOWN
8. NOTES	SEE ALL NOTES ON THIS SHEET AND ALL PREVIOUS SHEETS.

UTILITY PLAN
 17 W 616 NORTH FRONTAGE ROAD
 DARIEN, ILLINOIS

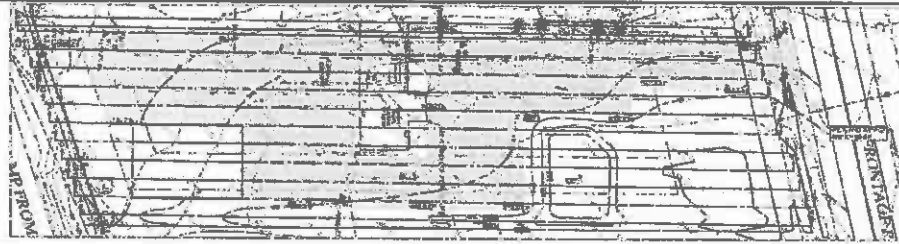
Moss Engineering, Inc.
 11111 S. Halsted Street, Suite 100
 Chicago, IL 60658
 Phone: (773) 271-7000
 Fax: (773) 271-7001
 www.mosseng.com



DATE	11/11/2011
TIME	10:00 AM
PROJECT	17 W 616 NORTH FRONTAGE ROAD
SHEET	4
TOTAL SHEETS	4

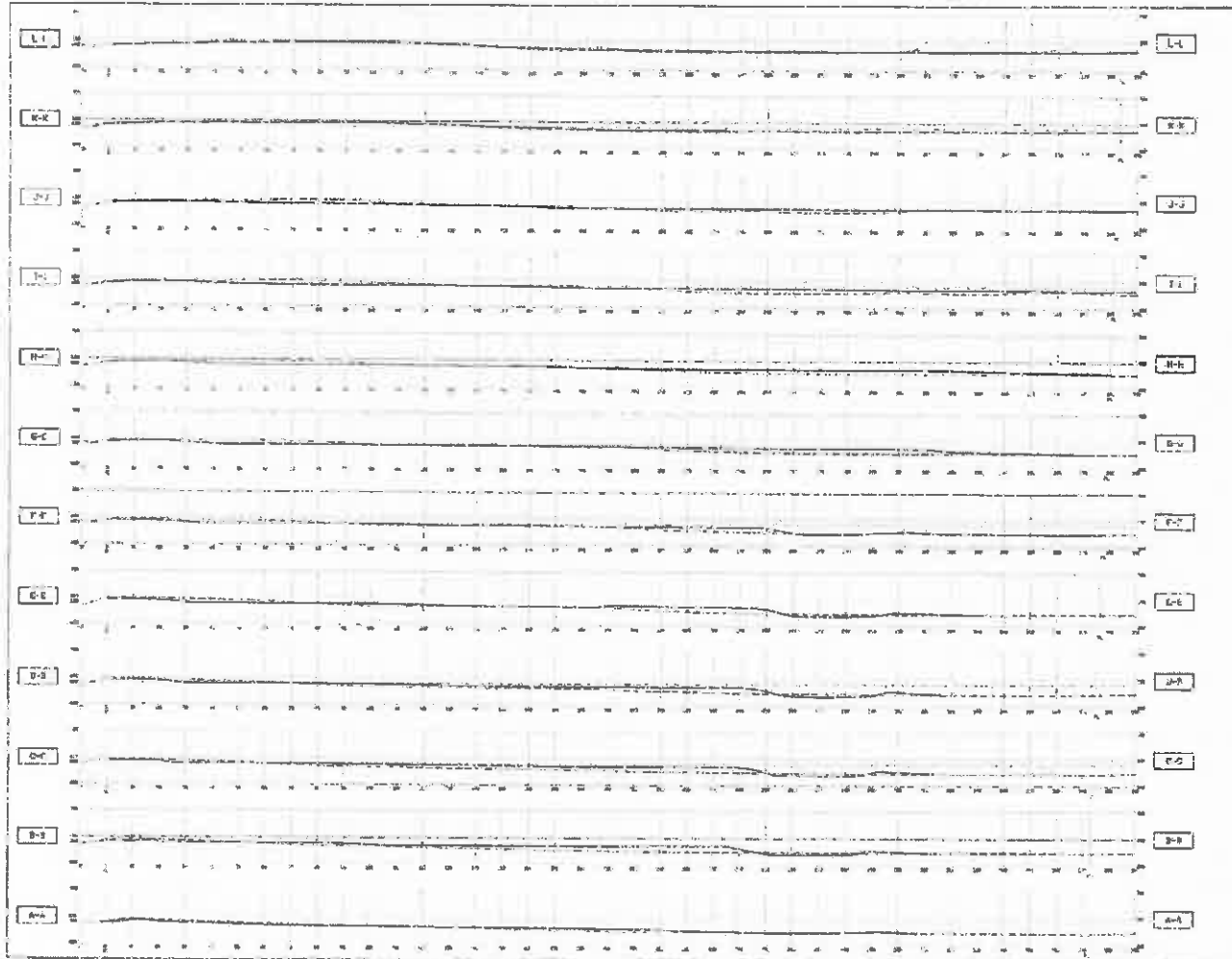
11/11/2011 10:00 AM 17 W 616 NORTH FRONTAGE ROAD 4

17 W 615 NORTH FRONTAGE ROAD
DARIEN, ILLINOIS



SCALE 1/8" = 1'-0"

CROSS SECTIONS



SCALE: 1/8" = 1'-0"

NO.	DATE	DESCRIPTION
1	11/11/11	ISSUED FOR PERMITS
2	11/11/11	ISSUED FOR PERMITS
3	11/11/11	ISSUED FOR PERMITS
4	11/11/11	ISSUED FOR PERMITS
5	11/11/11	ISSUED FOR PERMITS
6	11/11/11	ISSUED FOR PERMITS
7	11/11/11	ISSUED FOR PERMITS
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9	11/11/11	ISSUED FOR PERMITS
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12	11/11/11	ISSUED FOR PERMITS
13	11/11/11	ISSUED FOR PERMITS
14	11/11/11	ISSUED FOR PERMITS
15	11/11/11	ISSUED FOR PERMITS
16	11/11/11	ISSUED FOR PERMITS
17	11/11/11	ISSUED FOR PERMITS
18	11/11/11	ISSUED FOR PERMITS
19	11/11/11	ISSUED FOR PERMITS

CROSS SECTIONS
17 W 615 NORTH FRONTAGE ROAD
DARIEN, ILLINOIS

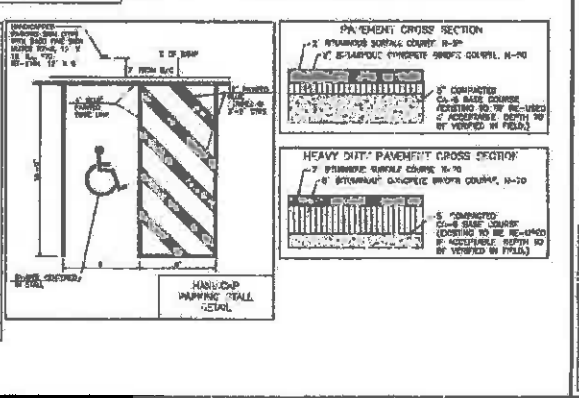
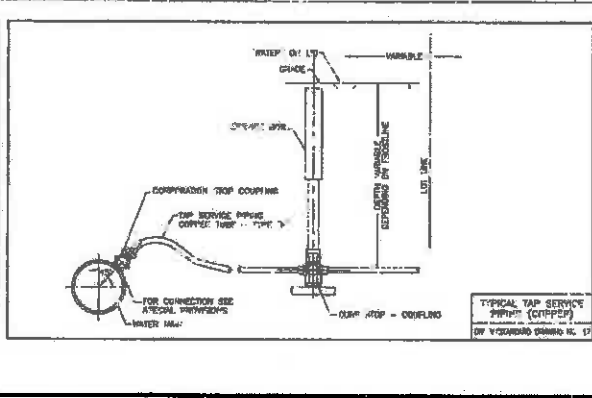
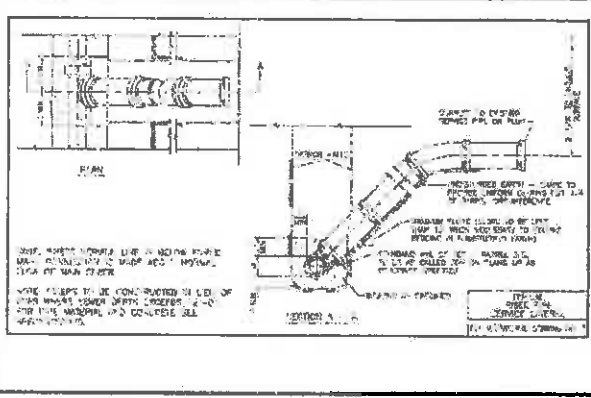
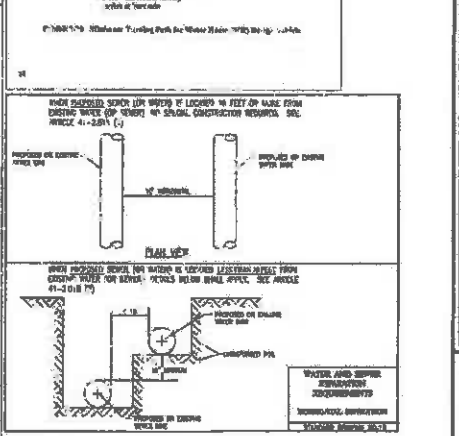
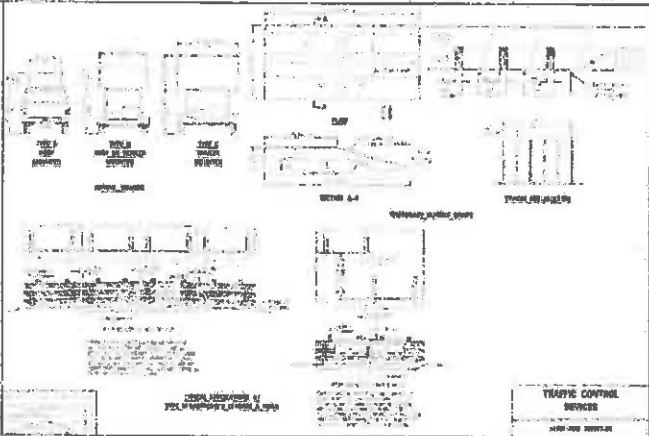
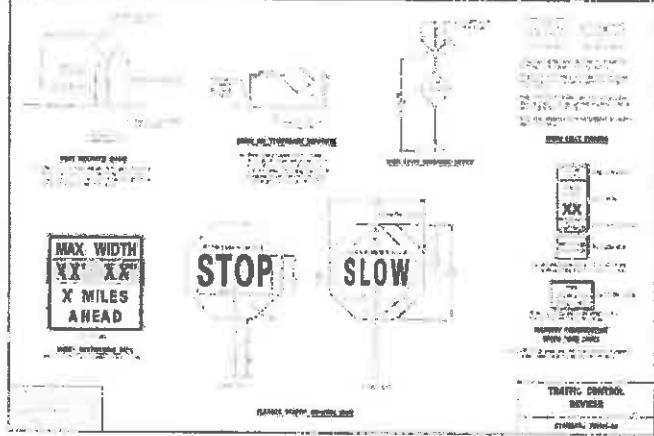
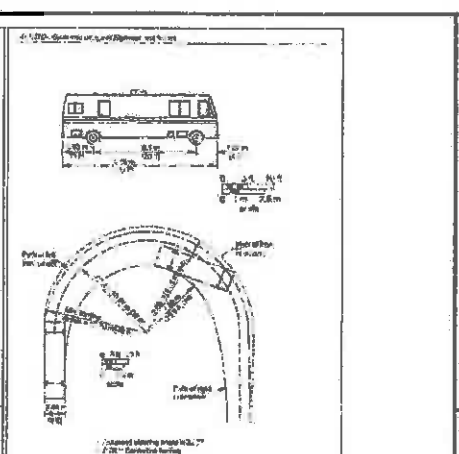
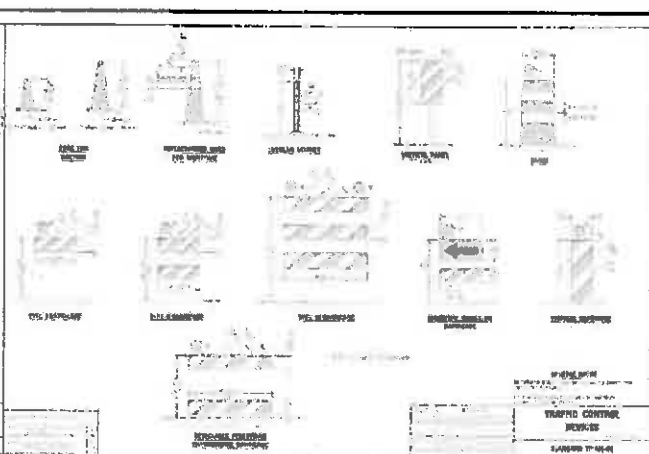
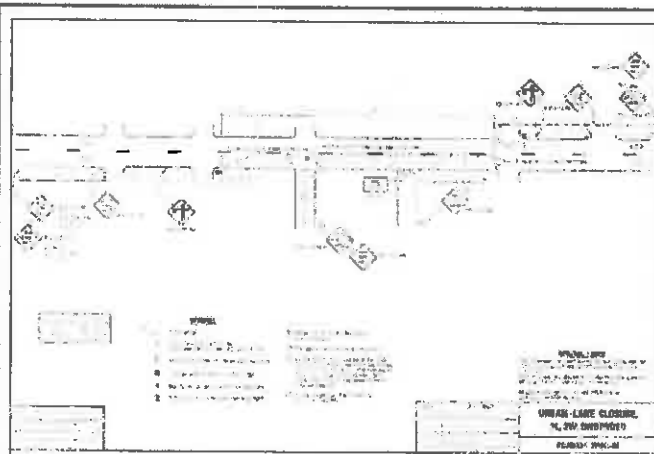
Morris Engineering, Inc.
Civil Engineering - Consulting
Land Surveying - Surveying
614 W. 11th Street, Suite 100
Darien, IL 60155
Phone: 708.271.4679
Fax: 708.271.4680
www.morriseng.com
Project: 17 W 615 North Frontage Road



DATE: 11/11/11
SCALE: 1/8" = 1'-0"

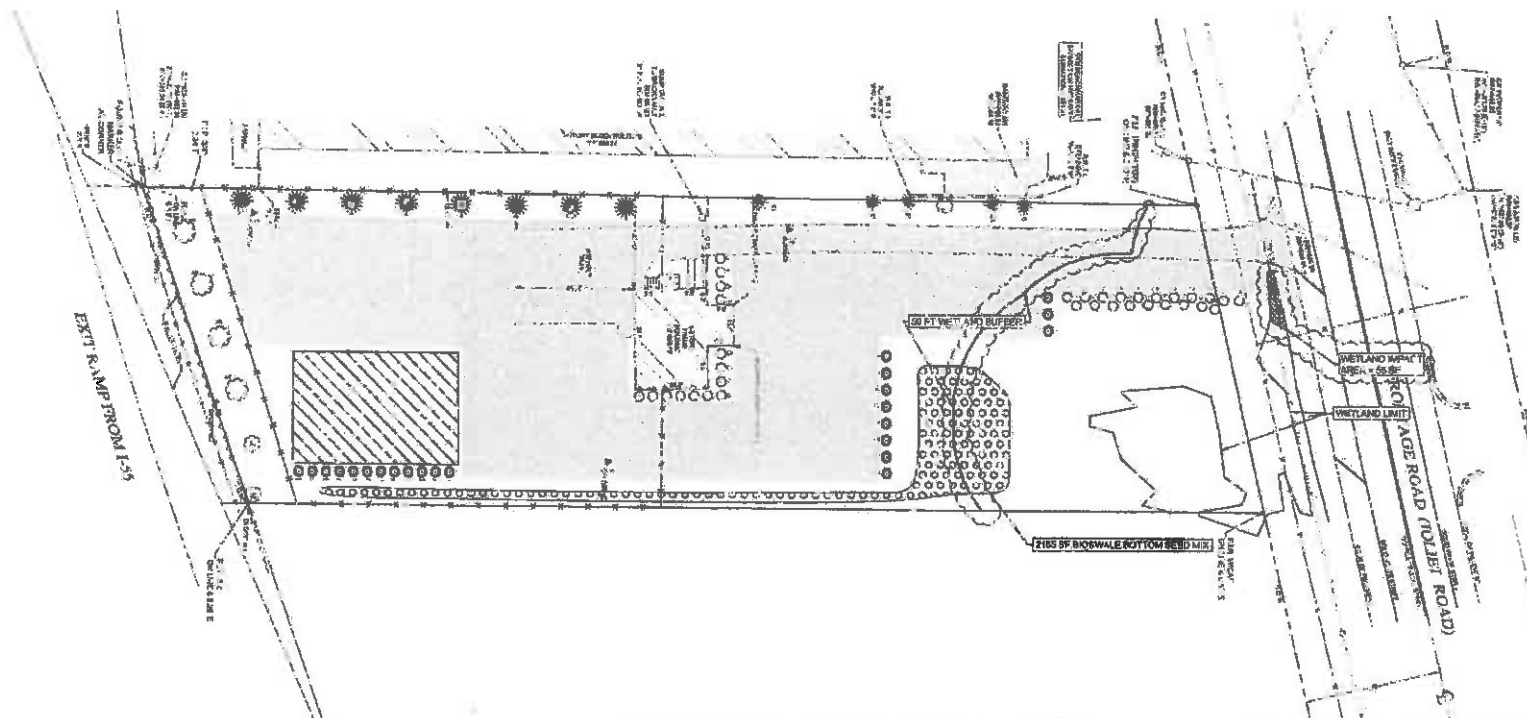
5

17 W 615 NORTH FRONTAGE ROAD
DARIEN, ILLINOIS



<p>DETAILS</p> <p>17 W 615 NORTH FRONTAGE ROAD</p> <p>DARIEN, ILLINOIS</p>	
<p>1. DATE: 10/15/10</p> <p>2. DRAWN BY: J. J. ...</p> <p>3. CHECKED BY: ...</p> <p>4. APPROVED BY: ...</p>	<p>1. PROJECT NO. ...</p> <p>2. SHEET NO. ...</p> <p>3. TOTAL SHEETS ...</p> <p>4. SCALE: ...</p>
<p>Myers Engineering, Inc.</p> <p>Civil Engineering - Consulting</p> <p>1111 North ...</p> <p>Chicago, IL 60610</p> <p>Phone: (773) ...</p> <p>Fax: (773) ...</p> <p>Website: ...</p>	
<p>6</p> <p>17 W 615 NORTH FRONTAGE ROAD</p>	

LANDSCAPE PLAN



PLANT SCHEDULE

SYMBOL	PLANT NAME	PLANT SIZE	PLANT TYPE	PLANT QUANTITY
...

...
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Plant	Common Name	Scientific Name	Soil Depth (Feet)	Total Quantity
...

APPENDIX B - PERFORMANCE STANDARDS

TABLE 1. BUFFERS, WETLAND ENHANCEMENT, STREAMBANK STABILIZATION AND NATIVE PLANTED PCMPs (See Footnote 1)

Monitoring and Management Period as Required by City Ordinance	Temporary Vegetative Cover (TVC) Installation	Percent Cover Required	Herbicide Quality Index (HQI)***	Frequency of Maintenance (Per Year)	Height of Buffer Feet (Non-Invasive, Invasive)	Survival Rate for Plants and Trees**
Year 1	Must meet NPDES standards	10%	20	2	Lower crop acceptable	100%
Year 2	No unvegetated areas >1m ²	25%	20	2	Required	100%
Year 3	No unvegetated areas >1m ²	75%	20	2.5	Required	100%

LANDSCAPE PLAN

**17 W 313 NORTH FRONTAGE ROAD
DARWIN, ILLINOIS**

Rabala Engineering, Inc.
Civil Engineering - Consulting
and Surveying
1700 N. 17th St., Suite 100
Naperville, IL 60563
Tel: 630.330.1100
Fax: 630.330.1101
www.rabala.com

7

PROJECT NO. 17-000000

AGENDA MEMO
MUNICIPAL SERVICES COMMITTEE
September 26, 2016

Case

PZC 2016-10 17W615 N. Frontage Road (R&R Motor Homes)

Issue Statement

Petitioners seek approval of annexation, rezoning map amendment to B-3, special use for RV rental, sales, and service, and variations to lot area, side yard, accessory building size, parking and driveway setbacks, driveway width, driveway turning radius, parking stall depth, parking curb, and landscaping.

General Information

Petitioner/Property Owner: Arthur Dallner Trust, Judith Greiman – Trustee
322 Thistle Drive, Bolingbrook, IL 60490

Petitioner/Buyer Renata Zach (and Zach Radovan)
169 Glendale Drive, Bolingbrook, IL 60440

Property Location: 17W615 N. Frontage Road

PIN: 09-34-302-007

Zoning / Land Use: Site: B-1 (DuPage County) / house
Northwest: R-2 / day care (Ready Set Go)
Northeast: R-3 / townhouses (Violet's Farm)
East: B-3 / hotel (Woodspring Suites)
South: R-1 / interstate highway (I-55)
West: ORI / interior storage (Public Storage)

Comprehensive Plan: Office

Size of Property: 114 feet (frontage) x 370 feet (east side) x 120 feet (rear adjacent to I-55 ROW) x 385 feet (west side) = 42,504 square feet = .976 acres

Natural Features: Lawn, bushes, trees and wetlands in northeast corner

Transportation: Existing driveway access from N. Frontage Road also known as former Joliet Road and former Route 66

Site History: Site is unincorporated Downers Grove Township and has a vacant house with detached garage being the former residence of Arthur Dallner (deceased).

Documents Submitted

1. Zoning petition notarized 7/26/16
2. Boundary & Topographic Survey, certified by Thomas Cesal, dated 2/24/16
3. Site Development Plan, (8 sheets), prepared by Morris Engineering, dated 08/15/2016

Development Description

R&R Motor Homes has a RV business in Bolingbrook and they would like to open another facility in Darien. They primary rent large driving RV campers, but also sell used campers and do minor mechanical maintenance of campers. They propose to convert the existing house into an office for the business and pave areas for parking and storage of about a dozen RV's. No exterior lighting or signage has been proposed. They propose to develop in phases:

1. Convert the interior of the existing house into an office, reuse the existing well and septic system, widen the driveway, pave in front of the house, regrade the yard for stormwater detention and add wetland plantings and trees and bushes.
2. Pave the side yard and part of the rear yard and fence the side and rear yards.
3. Pave more of the rear yard.
4. Demolish the existing garage, build a larger maintenance building with office space, and pave more of the front yard.

Plan Review Comments

This parcel is completely surrounded by parcels that have been annexed into Darien. There is a mixed use trend of development in this neighborhood including industrial, brewery, storage, hotel, restaurant, contractor's yards, day care, dog kennel, and residential. *[see attached Land Use and Zoning maps]* There is a corresponding mix of zoning districts including B-3, ORI, and R-3 in the City and B-1 in the County. The Comprehensive Plan recommended in 2005 that future land use in this area be Office if the small parcels could be assembled to create a unified development. Development and zoning since 2005 has negated the potential for parcel assemblage. The most recent zoning map amendment was B-3 (special use) in 2015 for Woodsprings Suites hotel east of the subject site. *[see attached Zoning Amendment Standards]*
The proposed B-3 zoning would not be out of character for this area.

The shape of the lot being extra deep but narrow somewhat limits the redevelopment potential for other uses. The low intensity character of RV rental, especially for the small lot size/capacity as proposed, is compatible with surrounding uses. *[see attached Special Use Standards]* The 'exterior architectural design' referenced in Standard #5, which would be the reuse of the small, wood frame, modest 1950's style house, would not be in character with the existing surrounding new brick buildings of Woodspring Suites, Public Storage, and Miskatonic. Any impact on property values would be difficult to measure.

The proposed special use would not be out of character for this area.

The engineering plans are not finalized. *[see attached City engineer's letter]* In a preliminary meeting, DuPage County they indicated that the plan concept for the wetlands on site would probably be acceptable. Petitioner wanted to go through the zoning process before they finalized the engineering. The Petitioner's proposal to reuse the existing well and septic is still pending DuPage County review. Also, site plan review was requested from the Tri-State Fire District.

There are 17 variations requested. *[see attached Plan Review checklist and Variations map]*

1. Subject site is about 1 acre – minimum required is 6 acres.
The subject site is surrounded by developed property, so the size cannot be increased. Also, the Woodsprings Suites hotel was approved on a 3.5 acre site in the B-3 district.
2. Existing house has 27.5 foot west side yard – minimum required is 40 feet.
Impact on the neighboring property to the west (Public Storage) is minimal since their building is a long brick wall with no windows about 15 feet off the property line.
3. Proposed size of maintenance building is 40 feet by 60 feet – required is 800 square feet.
The building size would not be out of scale with nearby buildings.
4. Proposed parking lot side setback is 10 feet – required minimum is 20'.
The impact will be minimized on the west side being across from the long brick wall of Public Storage and on the east side by Woodsprings Suites having extra setback and extra landscaping along side the subject site.
5. Proposed is no parking lot barrier curb - minimum required is 6 inches.
Petitioner wants to allow surface runoff into the drainage swale.
6. Existing driveway side setback is 9 feet – minimum required is 20 feet.
7. Proposed driveway width is 12 feet – minimum required for two-way traffic is 24 feet.
The potential exists for vehicles stopping on N. Frontage Road waiting for vehicles to exit from the facility, thus causing traffic congestion.
8. Existing driveway (west edge at street) has little or no turning radius – at least 27.6 foot radius is needed to accommodate the longest RV's on site being 38 feet.
[Driveway radius and design within the ROW is the jurisdiction of IDOT]
9. -16. The proposed landscape plan shows trees and bushes being added in all available green spaces except in the detention, drainage swale, and wetland areas on the front and east edges of the property.
Adding more trees and bushes to the west would have minimum benefit due to the long brick wall of Public Storage, or to the south along I-55 expressway, or to the east where WoodSpring Suites is planting extra landscaping.
17. Proposed length of some RV parking stalls is 30 feet – at least 38 feet is needed to accommodate the longest RV's on site being 38 feet.
The aisles are extra wide at 60 feet, so the longer stall length is possible if the front parking lot striping is re-configured.

PZC Meeting 9.7.16

Steve Daul from Morris Engineering and petitioner Renata Zach made presentation at the public hearing. They said they are in agreement with staff recommendations. They have received preliminary feedback from the County that widening the driveway to 24 feet is feasible pending a redesign of the wetland buffer protections. The also received preliminary feedback from IDOT that enlarging the turning radius of the driveway at the street is feasible pending final review. They said that the only vehicle maintenance on site will be 'minor things like changing carpeting and repairing appliances'. Ultimate build-out may be as long as 15 years. Commissioner Bob Cortez noted that trucks on N. Frontage Road, especially at the curve just west of the site may be a problem. Audience comments from Rich Venom of Mystic Trace townhomes saying that traffic on N. Frontage Road is 'unbelievable' and perhaps a stop sign is needed. Paul Schoenbeck also was in favor of a stop sign and curb and gutter along N. Frontage Road. Staff noted that all design and improvements in the N. Frontage Road right-of-way are the jurisdiction of IDOT. PZC voted 8-0 in favor per the motion recommended by staff.

Recommended Motion

To recommend to the City Council to approve petition PZC 2016-10 for B-3 zoning, special use, and variations as presented based on our findings of fact in regards to the Zoning Map Amendment Standards, the Special Use Standards, and the Variation Authority and Standards, subject to;

1. Re-design of the site plan to widen the driveway to 24 feet
2. Increase the turning radius of the driveway at the street to at least 27.6 feet pending review and approval by IDOT
3. Lengthening the RV parking stalls to 38 feet
4. Pending review and approval of stormwater and wetland plans by DuPage County
5. Pending review and approval of the well and septic plans by DuPage County
6. Pending review and approval of final engineering plans by the City

Decision Mode

Planning and Zoning Commission:	September 7, 2016
Municipal Services Committee:	September 26, 2016
City Council:	October 3, 2016

CITY OF DARIEN, ILLINOIS, Community Development Department

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

Staff Use Only	10
Case No.	PZC 2016-08
Date Received	7/25/16 + 8/15/16
Fee Paid	\$3,585.00
Check No.	1025, 1021
Hearing Date	8/7/16

PETITIONER INFORMATION

Renata Zach and Estate of Arthur Dallner

Petitioner's Name

Renata Zach

Contact Name

169 Glendale Drive, Bolingbrook, IL 60440

Address, City, State, Zip Code

(630) 854-8949

Phone #

Fax #

randrrvrental@yahoo.com

Email

JUDITH E. GREIMAN

Owner's Name

322 TRUSTEE DR, IL 60490

Address, City, State, Zip Code

630 378 0051

Phone #

jgreiman@comcast.net

Email

PROPERTY INFORMATION

17W615 Frontage Road

Property address

09-34-302-007

PIN(s)

42,504 sq. ft. or 0.976 acres

Acreage

B1(County) to B3(City)

Zoning

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

REQUEST

Brief description of the request(s):

Variation

Simple Variation

Special Use

Rezoning

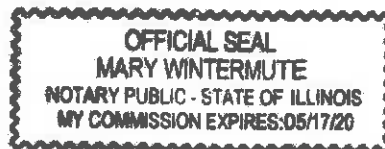
SEE ATTACHED

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

Judith E. Greiman
Signature

Subscribed and sworn to before this 26 day of July, 2016

Mary Wintemute
Notary Public



Upon annexation to Darien, the property will automatically be zoned residential. The Applicants are requesting re-zoning to B3 with Special Use so that an RV Rental business can operate on the property. The proposal is in 4 phases: Phase 1 providing for 5443 SQ FT of bituminous paved parking in front of the existing building and the construction of the BMP bio-swales for the final build-out, Phase 2 providing for 3425 SQ FT of bituminous paved parking to the side and rear of the existing building, Phase 3 providing for 8881 SQ FT of bituminous paved parking at the rear of the property including the demolition of the existing garage, Phase 4 providing for 2338 SQ FT of bituminous paved parking at the front of the property and the construction of a maintenance building with office space at the rear of the property.

July 25, 2016

Steve Manning
City Planner
Village of Darien
1702 Plainfield Road
Darien, Illinois 60561

Re: 17W615 North Frontage Road, Darlen, Illinois

Dear Mr. Manning,

Enclosed please find the Site Development Plans as submitted by Morris Engineering, Inc. with regards to the subject property. The purpose of this letter is to provide you with project background and our intentions for the property.

Our business is called R&R RV Rental, Inc. We are a small family owned and operated business that rents motor homes and travel trailers. We plan to utilize the property as the permanent office for the business, parking for the fleet, space for cleaning the RVs, light RV maintenance, and some small repairs as needed for operation. All paperwork and booking takes place online and over the phone.

Traffic occurrences on-site will come from our customers picking up and dropping off rental RVs. The majority of our business occurs during the months of May and September. We intend to resell our oldest RVs from the property as they reach the end of their rental life.

The following list is a variance request for the property:

Reduce side and rear yard parking setback to 10'

- The parking setback variances are required to make the site usable as a commercial property. The existing driveway currently sits 10' from the property line.

Reduce side yard building setback to 15' and rear yard building setback to 20'

- The building setback variances are required to make the site usable as a commercial property. The adjacent property to the west has buildings that are located approximately 10' from the property line.

Use existing driveway (not 24' wide)

- The business is primarily a recreational vehicle rental business. The existing driveway is more than sufficient for the type of traffic that is expected.

Reduced landscape requirements

Waiving of architectural elevation plans for the existing and the proposed buildings

The general character of the property is being changed from residential to a business via rezoning. The property will become more valuable after the proposed improvements have been completed. The requested variances will benefit the currently proposed project as well as any future developments of the property. The proposed variances will not impair the adjacent properties or create an increase of congestion on the local public streets. The surrounding properties are commercial with several of the same characteristics as the proposed site.

Our final plan for the property includes the demolition of the existing home and garage, the construction of a new maintenance building with office space at the rear of the property, and paving of the lot as indicated on the plans.

Sincerely,

Renata Zach
R&R RV Rental, Inc.

LIST OF VARIANCE REQUESTS

B-3 District minimum lot size of 6 acres

- The property is more or less 1 acre. The B-3 zoning was recommended by the City of Darien based on the type of business that is proposed for the property. 1 acre is more than sufficient for the type of business that is proposed for the property.

Reduce side and rear yard parking setback to 10'

- The parking setback variances are required to make the site usable as a commercial property using the existing building as an office. The existing driveway currently sits 10' from the property line.

Reduce side yard building setback to 15' and rear yard building setback to 20'

- The building setback variances are required to make the site usable as a commercial property by placing the proposed building as far back as possible on the property while also continuing to use the existing home as an office. The adjacent property to the west has buildings that are located approximately 10' from the property line.

Use existing driveway (not 24' wide)

- The business is primarily a recreational vehicle rental business. The existing driveway widened to 12' is more than sufficient for the type of traffic that is expected. The entrance at the Frontage Road has been widened to accommodate the largest RV that will be located on the site. The driveway will see minimal traffic as the employees arrive at one time and the customers will arrive at different times throughout the day.

Parking requirements (4 spots per 1000 sq. ft. of building area)

- The proposed plan is to provide 8 parking spaces. The parking will primarily be used by employees and for the customers when they are picking up and dropping off the RVs.

Curb requirement around perimeter of pavement

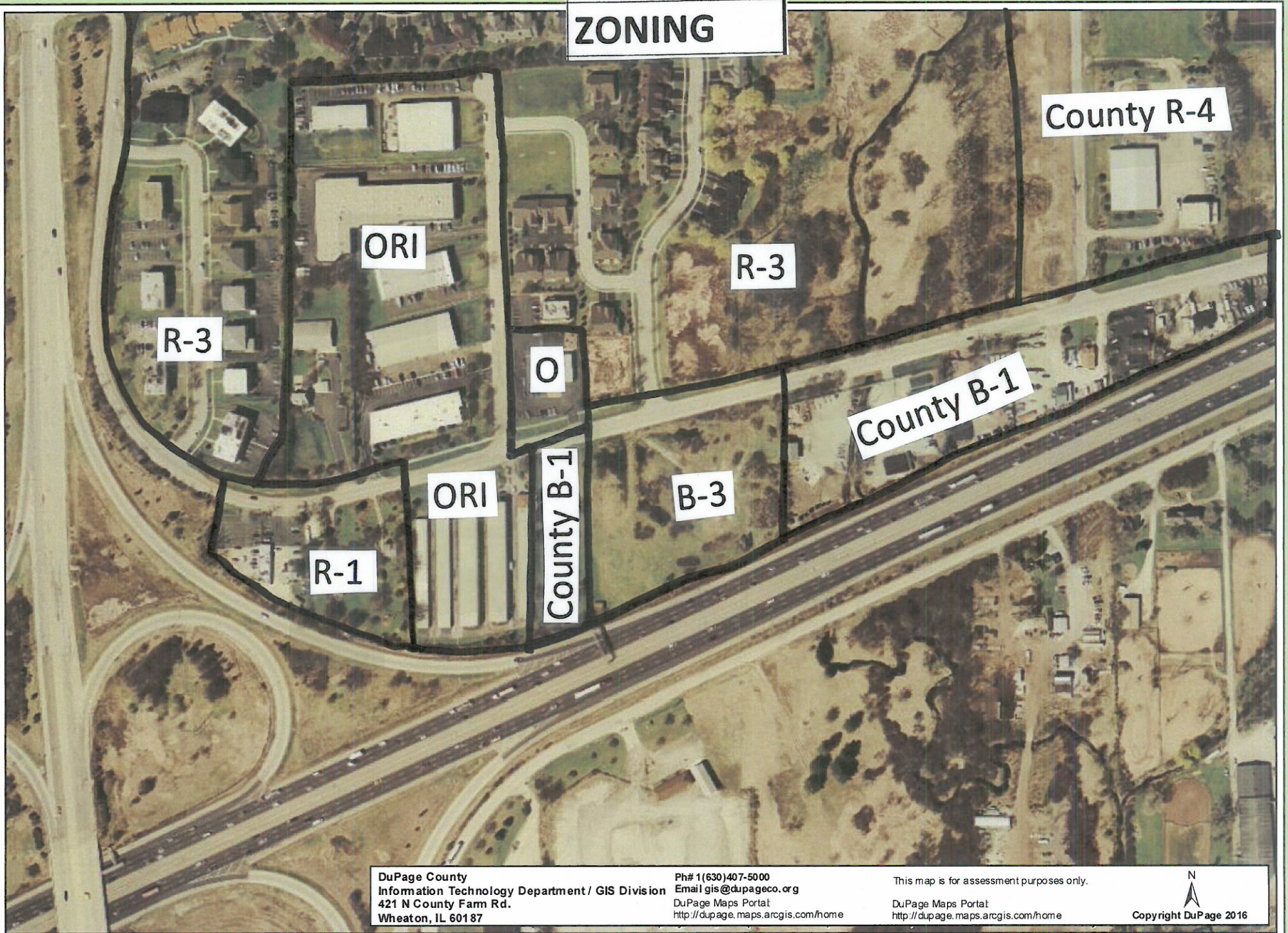
- The stormwater management plan for this site is based on overland flow routes and too shallow to manage with pipe without a pump. Barrier curb around the perimeter of the parking area would prevent the water from reaching the bio-swale.

Reduced landscape requirements

- The bio-swale takes up the majority of the space that could be used to meet the landscaping requirements. The bio-swale is required to be in compliance with the DuPage County Stormwater Ordinance

Waiving of architectural elevation plans for the existing and the proposed buildings

ZONING



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

Ph# 1(630)407-5000
Email gis@dupageco.org
DuPage Maps Portal
<http://dupage.maps.arcgis.com/home>

This map is for assessment purposes only.

DuPage Maps Portal
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AREA LAND USE AND ZONING				
MAP	ADDRESS	NAME	USE	ZONING
A		Dry Dock inn	restaurant, bar	R-1
B			house	R-1
C			house	R-1
D	1101		house	R-1
E	1033		house	R-1
F	1001	Public Storage	indoor storage	ORI
G	17w615		SUBJECT SITE	County B-1
H	951	Woodspring Suites	hotel	B-3
I	17w515	Drescher Landscaping	contractor's yard	County B-1
J	17w521		contractor's yard	County B-1
K	17w461		contractor's yard	County B-1
L	17w443		contractor's yard, house	County B-1
M	17w431	Ed's Plumbing & Sewer	contractor's yard	County B-1
N	17w411	A&W Auto Truck Trailer	rental, sales, service, cell tower	County B-1
O		DuPage County Public W	storage yard and garage	County R-4
P			wetland, floodplain	County R-4
Q			stormwater detention	R-3
R	8431 Dawn	Violet's Farm	townhouse	R-3
S	996	Ready Set Go	day care	O
T	1000	Miskatonic, Unicarrier	brewery, office	ORI
T1-5			industrial (multi-tenant)	ORI
U	1100	Dog District	house, kennel	ORI
V			apartments	R-3

LAND USE AND ZONING



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

Ph# 1(630)407-5000
Email gis@dupageco.org
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PLAN REVIEW CHECKLIST				
	Development:	R&R Motor Homes		
	Zoning District:	B-3		
STANDARD	CODE SECTION	REQUIRED	PROPOSED	VARIATION
lot area	5A-8-4-6	6 acres	.976 acres	1
lot coverage	5A-8-4-9	75%	64%	
rear yard coverage - acc bldg	5A-5-9-5	30%	14%	
front setback - prin bldg	5A-8-4-8-A1	50'	170' (scaled)	
side setback - prin bldg	5A-8-4-8-B1a1	40'	27.5' (west scaled)	2
side/rear setback - acc bldg	5A-5-9-2-A2b1	5'	13.3' east, 15' west	
size - acc bldg	5A-5-9-5	800 sq ft	2400 sq ft	3
front setback - parking	5A-8-4-8-A2	50'	59'	
side setback - parking - east/west	5A-8-4-8-B1a2	20'	10'	4
# parking stalls - total	5A-11-5	4/1000 sq ft = 4	5	
# parking stalls - handicap	5A-11-2-3	1	1	
parking lot barrier curb	5A-11-2-1-F7	yes (6") no wheel stops	0	5
side setback - driveway	5A-11-3-B1c	20'	9'	6
driveway width	5A-11-3-B1b	12' - 1 way, 24' - 2 way	12'	7
driveway turning radius	5A-5-11-3-B1g	per largest RV (27.6')	about 15'	8
landscaping - lot - front	5A-10-5-A,D	648 points	610 points	9
landscaping - lot - west side	5A-10-5-A,D	1728 points	880 points	10
landscaping - lot - east side	5A-10-5-A,D	1665 points	690 points	11
landscaping - lot - rear	5A-10-5-A,D	540 points	600 points	
landscaping - parking - front	5A-10-6-A	1 shade tree + 30 shrubs	0 trees, 30 shrubs	12
landscaping - parking - west side	5A-10-6-A	11 shrubs	2 evergreen trees	13
landscaping - parking - east side	5A-10-6-A	1 shade tree + 44 shrubs	0	14
landscaping - parking - rear	5A-10-6-A	18 shrubs	3 shade trees	15
landscaping - bldg perimeter	5A-10-7-A	10' wide, variety species	5' wide, 1 specie	16
parking stall depth	5A-11-2-1-F	per longest RV = 38'	30'	17



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

September 2, 2016

City of Darien
1702 Plainfield Road
Darien, IL 60561

Attention: Mr. Steven Manning

Subject: R&R Motor Home
17W615 N. Frontage Road
(CBBEL Project #: 95-323H196)

Dear Steve:

As requested, we have reviewed the Site Development Plans for the aforementioned property prepared by Morris Engineering, Inc. and dated August 15, 2016. The following comments shall be addressed before we can recommend final approval:

SHEET 1

No Comments

SHEET 2

1. We presume this sheet is also intended to serve as the erosion control plan.
 - a. The silt fence is shown extending through the wetland. It should be set at the buffer limit and DuPage County typically requires a double row of silt fence in these cases.
 - b. Show silt fence across the north line of the site or encompassing the disturbed area.
 - c. Specify the construction entrance.
 - d. Specify the location of any stockpile areas.
 - e. Specify where construction workers will park.

SHEET 3

1. The existing spot grades are too light to read.
2. The slope of the parking lot from the southwest corner (689.2 spot grade) to the 689 contour is at a slope of approximately 0.1%. This is too flat and will not drain properly.
3. The proposed improvements encroach on the wetland buffer. At the pre-application meeting with DuPage County staff, they indicated this would likely be approved. Provide documentation of "No Objection" from DuPage County.
4. The proposed driveway is only 12 feet wide. This is not adequate for two-way traffic.

5. Specify how the existing house/proposed office is served with potable water. No water service or well head is shown. If it is to be served by a well, provide documentation from the DuPage Health Department that it is sufficient for the proposed use.
6. Provide documentation from the DuPage Health Department that the existing septic system is adequate for the proposed use.
7. Show the limits of the existing septic tank and septic field.
8. Provide a schedule for the buildout of the various phases.

SHEET 4

1. The proposed parking stalls are labeled as 10' X 20' but scale to 9' X 18'. Verify that the required number of stalls fit in the space provided.

SHEETS 5-7

No comments.

SHEET 8

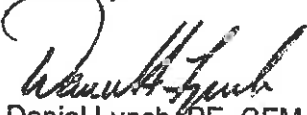
1. Modify the handicapped parking stall detail to specify yellow striping as required by the Illinois Accessibility Code. Also modify the fine to \$250 and provide a sign detail.
2. It seems very unlikely that the existing driveway meets the proposed cross-section as specified. Either provide documentation of the existing pavement or specify full removal and replacement.

GENERAL COMMENTS:

1. Provide a stormwater submittal for the proposed development.
2. Because the site contains wetlands, it will be necessary for DuPage County to sign-off on the project. During the pre-application meeting, they indicated they could issue a letter of no objection if there is only nominal impact to the wetland buffer, which appears to be the case.
3. A permit will be required from IDOT for work in the right of way.
4. We suggest that the plans be provided to the fire protection district for comment.

If you have any questions, please don't hesitate to contact me.

Sincerely,



Daniel Lynch, PE, CFM
Head, Municipal Engineering Department

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
September 7, 2016**

PRESENT: Beverly Meyer, Robert Cortez, Bryan Gay (7:10 pm), Andrew Kelly, Ron Kiefer, John Laratta, Lou Mallers, Ray Mielkus, Steven Manning - City Planner, Elizabeth Lahey - Secretary

ABSENT: Ken Ritzert

Chairperson Meyer called the meeting to order at 7:02 p.m. at the City Hall – City Council Chambers, Darien, Illinois and declared a quorum present and swore in the audience members wishing to present public testimony.

A. PZC 2016-09: 1017 71st Street (Loughran) Petitioner Albert Loughran seeks approval of a variation to reduce the required setback distance from 5 feet to 1 foot in the interior side yard for the purpose of constructing a concrete paved storage pad for a recreational camper to be stored in the side yard of his house.

Mr. Steven Manning, City Planner reported the petitioner's plan shows a 9 foot wide concrete driveway extending into the west side yard from the existing concrete driveway in the front yard. He reported that the west side yard is 10.25 feet wide at the front of the attached garage and 11.36 feet wide at the rear of the attached garage leaving 0.5 feet of green space between the new driveway extension and the garage and 0.55 - 1.66 feet of green space between the new driveway and the side lot line.

Mr. Manning reported that the adjacent house side yard is about 10 feet wide and that the overhang of the roof is about 1.0 feet into the side yard and about 8.0 feet above grade. He reported that there is a storage shed in the side yard that will be removed.

Mr. Albert Loughran, petitioner stated that he provided multiple homes in his area with side driveways. He stated that there are 3 on 71st Street and 14 on 69th Street. Mr. Loughran stated that he is requesting the side driveway to store his RV.

Commissioner Mallers questioned the size of the RV.

Mr. Loughran stated that the RV is 19 feet long but that the box is 16'2" which is shorter than his garage. He stated that the RV will be well beyond the face of the home.

Chairperson Meyer questioned if the pad stays with the home when it is sold.

Mr. Manning reported that variations are granted to the property unless the homeowner agrees to remove it during the sale of the home. He reported that this is not something that the City requires.

Commissioner Laratta questioned if the neighbor to the west was contacted.

Mr. Loughran stated that the neighbors were notified.

Commissioner Kelly questioned if there would be any maintenance done and if there would be any noise.

Mr. Loughran stated that he did not intend to do any repairs. He further stated that the RV does not have a generator.

Commissioner Kelly asked if the neighbor was concerned since it is so close to his property.

Mr. Loughran reported that there is 10 feet to the home to the west.

At 7:10 p.m. Chairperson Meyer opened the public hearing to anyone wishing to present public comment.

Mr. Rich Venom, Darien questioned the sale of the home and if the driveway could be used as a patio.

Chairperson Meyer stated that they will consider this when making the motion and that it will be used for RV storage only.

Mr. Thomasz Natanek, the homeowner to the west stated that the petitioners are good neighbors and that his camper is new and nice. Mr. Natanek stated that he was concerned if new homeowners come in and park a truck.

Chairperson Meyer suggested limiting the parking to seasonal.

Mr. Natanek stated that there is less than a foot from his property and was concerned about hitting the RV with his lawn mower.

Commissioner Mallers stated that there is plenty of room and that the RV will be on concrete. He stated that there shouldn't be an issue.

Commissioner Kelly stated that presently it is not an eyesore but it may be an issue later.

Commissioner Mallers suggested limiting the size in the motion.

Commissioner Gay questioned why the petitioner left grass between the garage. He stated that it seems to make more sense to pave the area to the garage.

Mr. Loughran stated that he is going to work with contractor.

Commissioner Cortez questioned if the shed and shrubs will be removed.

Mr. Loughran stated that they will be removed.

Chairperson Meyer questioned if the storage will be year round.

Mr. Loughran stated that the purpose of the driveway is to store the RV year round. He stated that he has a cover for the winter but will probably not take it out after November.

Mr. Manning reported that he received correspondence from Mr. Bob Grember, 1009 71st Street stating that he was not in favor of the proposal. Mr. Manning reported that Mr. Grember stated that the lots were created intentionally with narrow side yards and not for storage.

Commissioner Kiefer stated that there are already a number of side pads that the City has granted.

There was no one else in the audience wishing to present public comment and Chairperson Meyer closed the public hearing at 7:25 p.m.

Commissioner Mallers made a motion and it was seconded by Commissioner Kiefer to recommend approval to the City Council of petition PZC 2016-09 at 1017 71st Street for side yard variation for storage of RV as presented based on our findings of fact in regards to the Variation Authority and Standards.

Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 8-0. Commissioner Ritzert was not present.

Mr. Manning reported that this would be forwarded to the Municipal Services Committee on Monday, September 26th at 6:30 p.m.

B. Public Hearing PZC 2016-10: 17W615 N. Frontage Road (R&R Motor Homes) Petitioners Arthur N. Dallner Trust (owner) and Zach Radovan (contract purchaser) seek approval to rezone the property to 8-3 (after annexation), grant a special use for motor home rental, maintenance, and sales in the 8-3 zoning district, and to grant variations to reduce lot area, reduce side yard for the principal building, exceed square foot size for accessory building, reduce side yards for parking lot, reduce driveway setback, reduce driveway width, reduce driveway turning radius, reduce parking stall depth, delete parking curb, and reduce landscaping.

Mr. Steven Manning, City Planner reported that R7R Motor Homes has a RV business primarily to rent large driving RV campers but also to sell used campers and do minor mechanical maintenance. He reported that the contract purchaser and petitioners Renata and Zach Radovan are proposing to convert the existing house into an office for the business and pave areas for parking and storage of approximately 12 RV's. Mr. Manning reported that no exterior lighting or signage has been proposed and that they are proposing to develop the business in phases.

Mr. Manning reported that he received correspondence from the Tri-State Fire Protection District Fire Marshall stating that the Fire District has an issue with the driveway and that it is too small and that they would like one fire hydrant on the property.

Ms. Renatta Zach, petitioner and Mr. Steven Daul, Morris Engineering were present.

Mr. Daul stated that the Committee received the plans in the packet. He stated that they agree with the City's recommendations and fire review.

Mr. Daul stated that they are near a wetland buffer and that they are trying to extend the turning radius and keep the drive narrow to minimize the wetlands. He stated that this approval will come from IDOT.

Mr. Manning reported that there is a daycare center across the street with one drive in and one out. He stated that there is some traffic early and late in the day but no visible traffic congestion

Mr. Manning stated that he did not ask for a traffic study. He stated that staff is concerned if the RVs will be able to go in and out.

Mr. Daul stated that they have tested the largest RV and that they had no difficulty. He further stated that there will be full access around the building and that the RVs are shorter wheel based and easier to turn.

Commissioner Cortez stated that the street is curved and suggested some type of signage or there will be issues.

Mr. Daul stated that they did not have jurisdiction regarding signage on the road.

Commissioner Mallers stated that there are presently a lot of vehicles that use the street now and a landscaping company there as well with a lot of larger vehicles. He questioned what type of business they are proposing.

The petitioner stated that they will be selling old RV units and rentals. She stated that there will be no repairs on site and that they will be open spring to fall from 9-5 Monday through Saturday and closed on Sunday. She further stated that they will be using the building for office space but updating the interior.

Chairperson Meyer questioned if there will be a mechanic on site.

The petitioner stated that they have a mechanic in Romeoville and that they will only be doing minor things like changing carpeting, repairing appliances, etc. and that they will use the building during the winter months.

Chairperson Meyer questioned if the 38 foot RV will make the turn.

Mr. Manning stated that there is room for a 37.5 feet. He stated that the street is under IDOT and that they will ask to widen it.

Commissioner Laratta stated that there are a lot of variations and maybes. He questioned if there would be refueling on site.

Mr. Daul stated that there will be no refueling on site and that the petitioner will operate as is. He stated that they wanted to show the City the phases and put up a wish list that is reasonable and respectful of Darien. He further stated that they wanted to layout all of the variations for the ultimate build out.

Commissioner Mallers stated that the motion could include "subject to approval".

Commissioner Kiefer stated that there is not a lot that can be done with that piece of property and that some of the variations are reasonable requests. He also stated that the pickup and drop off would not conflict too much with traffic.

Commissioner Mallers questioned the timing of the proposal.

Mr. Daul stated that they are setting the ultimate build out 5-15 years but that the owners would like to accelerate it.

Commissioner Mallers questioned the number of employees. The petitioner stated that presently she is working by herself but that she is anticipating one or two more employees.

Commissioner Gay questioned signage and the asphalt parking lot.

Mr. Daul stated that they are complying with the signage requirements and that the parking will be bituminous.

Commissioner Laratta stated that he was still uncomfortable with the variations.

Mr. Daul stated that they looked at the existing use of the parcel and that you take the good with the bad. He stated that they will end up with a very small parcel and will be in full compliance and feel that aesthetically it will work.

At 7:53 pm Chairperson Meyer opened the meeting to anyone wishing to present public comment.

Mr. Rich Venom stated that he lives in the Mystic Trace townhomes. He stated that with the hotel there is unbelievable traffic on Frontage Road. He suggested that the City and petitioner look into an activated stop light.

Mr. Manning stated that IDOT places stop lights where warranted.

Mr. Paul Schoenbeck, 1000 N. Frontage Road stated that he owns the business in the NW corner and that this proposal will be better than what is there now. Mr. Schoenbeck stated that he worked with IDOT and suggested adding curb and gutter. He further stated that there is a lot of traffic mostly on the weekend and suggested a three-way stop sign.

Mr. Schoenbeck stated that there is public storage in the area and that there are semi-trucks and contract vehicles constantly backing out.

Mr. Manning reported that the packet included a letter from the City Engineer Dan Lynch regarding the preliminary meeting with DuPage with regard to the wetlands. He stated that the County provided a verbal and that they will most likely approve and then adjust to widen the driveway.

There was no one else wishing to present public comment and Chairperson Meyer closed the public hearing at 8:03 p.m.

Commissioner Laratta stated that there are three governing bodies that need to approve this proposal and adding more conditions adds more of a road block.

Commissioner Laratta made a motion and it was seconded by Commissioner Mielkus to approve petition PZC 2016-10 for B-3 zoning, special use, and variations as presented based on findings of fact in regards to the Zoning Map Amendment Standards, the Special Use Standards, and the Variation Authority and Standards; subject to:

- 1. Conditional re-design of the site plan to widen the driveway to 24 feet**
- 2. Conditional increase the turning radius of the driveway at the street to at least 27.6 feet pending review and approval by IDOT**
- 3. Conditional lengthening the RV parking stalls to 38 feet**
- 4. Conditional pending review and approval of storm water and wetland plans by DuPage County**
- 5. Conditional pending review and approval of the well and septic plans by DuPage County**
- 6. Conditional pending review and approval of final engineering plans by the City**

Upon roll call vote, **THE MOTION CARRIED UNANIMOUSLY 8-0.** Commissioner Ritzert was not present.

Mr. Manning reported that this would be forwarded to the Municipal Services Committee on Monday, September 26th at 6:30 p.m.

CORRESPONDENCE

None.

NEW BUSINESS

None.

MINUTES

Commissioner Kiefer made a motion and it was seconded by Commissioner Mielkus to waive the reading of the June 15, 2016 Regular Meeting Minutes.

Upon roll call vote, the motion **CARRIED UNANIMOUSLY 8-0.** Commissioner Ritzert was not present.

Commissioner Kiefer made a motion and it was seconded by Commissioner Mallers to approve the June 15, 2016 Regular Meeting Minutes.

Upon roll call vote, the motion **CARRIED UNANIMOUSLY 8-0.** Commissioner Ritzert was not present.

NEXT MEETING

Mr. Manning announced that the next meeting is scheduled for Wednesday, September 21, 2016 at 7:00 p.m.

ADJOURNMENT

With no further business before the Commission, Commissioner Mallers made a motion and it was seconded by Commissioner Gay. Upon voice vote, **THE MOTION CARRIED unanimously and the meeting adjourned at 8:20 p.m.**

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Beverly Meyer
Chairman





PUBLIC HEARING
REGARDING THIS PROPERTY AT
DARIEN CITY HALL
1702 PLAINFIELD ROAD
SEPTEMBER 7, 2016 7 PM
FOR MORE INFO CALL 630-852-5000

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CITY OF DARIEN

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

ZONING MAP AMENDMENT STANDARDS

The Plan Commission shall consider the following factors and other pertinent factors in developing a recommendation for the City Council. [Zoning Code Section 5A-2-2-6G]

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



CITY OF DARIEN

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

SPECIAL USE STANDARDS

No special use shall be recommended nor approved unless findings of fact have been made on those of the following factors which relate to the special use being sought.
[Zoning Code Section 5A-2-2-6G]

1. That the special use is deemed necessary for the public convenience at the location specified.
2. That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.
3. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.
4. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. That the exterior architectural design, landscape treatment, and functional plan of any proposed structure will not be at variation with either the exterior architectural design, landscape treatment, and functional plan of structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
7. That adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets.
8. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the City.



CITY OF DARIEN

In the County of DuPage and the State of Illinois
Incorporated 1869

VARIATION AUTHORITY & STANDARDS

Zoning Code Section 5A-2-2-3 (A): Authority

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

Zoning Code Section 5A-2-2-3 (G): Standards

The City shall not vary the provisions of this Title unless findings of fact have been made on the following:

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

Upon voice vote, **THE MOTION CARRIED UNANIMOUSLY 2-0.**

Mr. Gombac reported that this would be forwarded to the City Council for approval on October 3, 2016.

- b. PZC 2016-10: 17W615 N. Frontage Road: Petitioners seek approval to rezone the property to B-3 (after annexation), grant a special use for motor home rental, maintenance, and sales in the B-3 zoning district, and to grant variations to reduce lot area, reduce side yard for the principal building, exceed square foot size for accessory building, reduce side yards for parking lot, reduce driveway setback, reduce driveway width, reduce driveway turning radius, reduce parking stall depth, delete parking curb, and reduce landscaping.**

Mr. Steve Manning, City Planner reported that the petitioner and engineer are present. He reported that there are a lot of variances but that the shape of the lot is extra deep but narrow and limits other uses. Mr. Manning reported that the low intensity character of RV rental will not produce much traffic.

Mr. Manning reported that the PZC recommended approval but that there was some discussion on the driveway size in order to accommodate oversized vehicles and that the petitioner agreed to the conditions.

Mr. Steve Daul, Morris Engineering stated that they are in agreement with staff recommendations and that they have received preliminary feedback from the County regarding widening the driveway to 24 feet pending a redesign of the wetland buffer.

Alderman Chlystek stated that when he saw all of the variances he was not in favor but after looking at the property it makes sense. He questioned the hours of operation, and the rental of RV's and storage.

The petitioner, Ms. Renata Zach stated that the hours will be Monday - Saturday from 9:00 am - 5:00 pm. She stated that there will be approximately 10 RV's on the site and that they are rented weekly and weekends but that it varies. Ms. Zach stated that she is going to clean up the existing home on the property and that she is planning on getting rid of the garage and build a new garage towards the rear of the lot for storage and maintenance of the RV's.

Mr. Daul stated that they looked at the Code and that the ultimate build out will be done in phases.

Acting Chairperson Belczak questioned if there are other vacant properties in the area.

Mr. Dan Gombac, Director reported that there are at least two other vacant lots next to Joanie's Dry Dock. He reported that there are a variety of small businesses.

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

Alderman Chlystek made a motion and it was seconded by Alderman Belczak to recommend approval to the City Council of petition PZC 2016-10 for B-3 zoning, special use, and variations as presented based on findings of fact in regards to the Zoning Map

Amendment Standards, the Special Use Standards, and the Variation Authority and Standards subject to:

1. **Re-design of the site plan to widen the driveway to 24 feet**
2. **Increase the turning radius of the driveway at the street to at least 27.6 feet pending review and approval by IDOT**
3. **Lengthening the RV parking stalls to 38 feet**
4. **Pending review and approval of stormwater and wetland plans by DuPage County**
5. **Pending review and approval of the well and septic plans by DuPage County**
6. **Pending review and approval of final engineering plans by the City**

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 2-0.

Mr. Gombac reported that this would be forwarded to the City Council for approval on October 3, 2016.

- c. **PZC 2016-11: 8225 Bailey Road: Petitioners seek approvals to subdivide their single family home lot into three lots, with their existing house to be on Lot 2, and for variations to reduce the required front setbacks on Lot 2 for the existing house from 35 feet to 25 feet and for existing pool and deck from 35 feet to 14 feet.**

Mr. Steve Manning, City Planner reported that the proposal subdivides Lot 7 into three lots. He reported that the existing driveway is located westerly from the house to Bailey Road which would cross the backyard of the proposed Lot 1. He further reported that the existing barn and walkways to the barn would be on proposed Lot 3 and proposing demolition.

Mr. Manning reported that Mr. Jon Green, engineer for the petitioner looked at rerouting the driveway and that the petitioner is agreeable to moving the existing driveway to the north end of Lot 1. He further reported that homeowners attending the public hearing and there was much discussion regarding the enforcement of the Homeowners Association (HOA) provisions and the ownership rights to the property.

Mr. Dan Gombac, Director reported that the City Attorney reviewed the HOA bylaws and reported that the HOA and development are separate and if the HOA wishes to proceed they would have to file suit.

Mr. Jon Green, Engineer for the petitioner reported that they agreed with the City Engineer and have made changes but that they were not changed on the drawings. He stated that they are shifting the drive 25 feet to the north and leaving a buffer.

Mr. Gombac reported that the flag lot drive is allowed in Darien.

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

Mr. Steve Alavi, Treasurer of the Homeowners Association stated that they currently maintain Lot 3. He stated that they are concerned with exposure to the pool and that Lot 3 will be unattractive. He further stated that they are concerned with the flow on Lot 3

Mr. Gombac reported that the City does not govern aesthetics and suggested the HOA speak with the Spano's to ask for more landscaping. He stated that the Spano's have the right to subdivide.

AGENDA MEMO
MUNICIPAL SERVICES COMMITTEE
September 25, 2017

Issue Statement

Hazou Deck. Approval of an ordinance granting a minor amendment to the PUD for Violet's Farm to approve an oversized deck at 8414 Dawn Lane.

Ordinance – attached

Overview/Discussion

The owners of the townhome condominium on Lot 18 at 8414 Dawn Lane are Leo and Noora Hazou. They have 10 feet by 10 feet concrete patio in their rear yard. They would like to replace it with a 12 feet by 19 feet deck. Their condo is part of the Violet's Farm PUD, which was annexed, zoned R-3, and subdivided with Final PUD plan in 2004. PUD Condition #5 is "Any homeowner desiring to construct a deck/patio greater than the approved 10 feet x 10 feet deck/patios for each unit shall submit an application for minor amendment to the approved PUD plan." PZC review and public hearing are not required for minor PUD amendments. A similar deck 10 feet by 13 feet was approved for Lot 6 at 8417 Dawn Lane by Ordinance O-29-07.

In Violet's Farm, townhomes 1-18 have been built, but townhomes 19-26 have not been built. East of the Hazou deck would be the rear yard of townhome on Lot 17. North would be a vacant lot. West would be Wilmette Avenue. Across Wilmette Avenue are industrial uses zoned ORI. The deck would be about 14 feet away from the neighbor's patio. The deck would be raised about 2 feet above grade to be level with the patio door and have a 3 foot high railing. It is presumed that the conditions on patios and decks were set up to accommodate the density of the townhome style of development. The owners say they are seeking a larger and more secure space for their children to play.

Attached Documents

- Petition
- Plat of survey with deck plan
- Subdivision plat
- PUD Ordinance O-46-04
- PUD Amendment Ordinance O-29-07
- Letter from Nemanich property management company
- Photos

Motion

A motion to approve as presented.

Decision Mode

Municipal Services Committee:	September 25, 2017
City Council:	October 2, 2017

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

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A MINOR AMENDMENT
TO AN APPROVED PLANNED UNIT DEVELOPMENT**

(Townhomes of Violet's Farm PUD: 8414 Dawn Lane)

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

THIS _____ DAY OF _____, 2017

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
_____ day of _____, 2017.**

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A MINOR AMENDMENT
TO AN APPROVED PLANNED UNIT DEVELOPMENT**

(Townhomes of Violet's Farm PUD; 8417 Dawn Lane)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, heretofore, pursuant to Ordinance No. O-46-04, the City granted final Planned Unit Development (PUD) approval for certain property described therein and commonly referred to as "Townhomes of Violet's Farm"; and

WHEREAS, said ordinance limited the size of patios/decks to be no greater than 10 feet x 10 feet; and

WHEREAS, the City of Darien received a petition to modify the approved PUD to allow a 12 foot x 19 foot deck for Lot 18 at 8414 Dawn Lane; and

WHEREAS, on September 25, 2017, the Municipal Services Committee of the City Council reviewed said petition and forwarded its findings and recommendations to the City Council; and

WHEREAS, the City Council has reviewed the findings and recommendations described above and now determines to grant the petition subject to the terms, conditions and limitations described below.

ORDINANCE NO. _____

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

SECTION 1: Approval of Minor Amendment to PUD Granted. A minor amendment to the approved PUD for the Townhomes of Violet's Farm is hereby approved to allow a 12 foot x 19 foot deck to be constructed at the property commonly known as 8414 Dawn Lane, Darien, Illinois.

SECTION 2: Remainder of PUD. All of the terms, conditions and limitations of Ordinance Nos. O-19-04, O-45-04 and O-46-04 shall remain in full force and effect.

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

SECTION 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ORDINANCE NO. _____

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE
COUNTY, ILLINOIS, this _____ day of _____, 2017.**

AYES: _____

NAYS: _____

ABSENT: _____

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this _____ day of _____, 2017.**

ATTEST:

KATHLEEN MOESLE WEAVER, MAYOR

JOANNE RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

CITY OF DARIEN, ILLINOIS, Community Development Department

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

Staff Use Only	
Case No.:	
Date Received:	8/31/17
Fee Paid:	\$ 350
Check No.:	1469
Hearing Date:	9/20/17

PETITIONER INFORMATION

Leo & Noura Hazou
Petitioner's Name

Leo & Noura Hazou
Owner's Name

Leo/Noura Hazou
Contact Name

8414 Dawn Ln Darien IL 60561
Address, City, State, Zip Code

8414 Dawn Ln. Darien IL 60561
Address, City, State, Zip Code

702 809 0438 / 630 590 9384
Phone #

702 809 0438 / 630 590 9384
Phone #

Noura1080@gmail.com
Email

N/A
Fax #

Noura1080@gmail.com
Email

PROPERTY INFORMATION

8414 Dawn Ln. Darien IL, 60561
Property address

0.04
Acreage

09-34-381-011
PIN(s)

Residential (R)
Zoning

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

REQUEST

Brief description of the request(s):

- Minor PUD Amendment
- Variation
- Simple Variation
- Special Use
- Rezoning

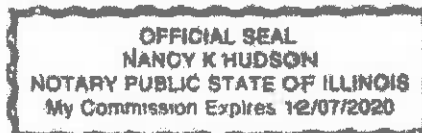
Requesting zoning approval to build a deck that is ~~top~~ larger than 10ft x 10ft. Plat of Survey drawing and HOA approvals attached with this request.

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

[Signature]
Signature

Subscribed and sworn to before this 25th day of August 2017

Nancy K Hudson
Notary Public





125385 LEMONT RD LEMONT, ILLINOIS 60439
 PHONE (630) 738-0707 FAX (630) 738-8080
 CHICAGO METRO AREA (773) 581-8477 PHONE
 PROFESSIONAL DESIGN FIRM NO 184-008273
 EMAIL: GEOPOOL@COMCAST.NET

PLAT OF SURVEY

OF

PARCEL 1:

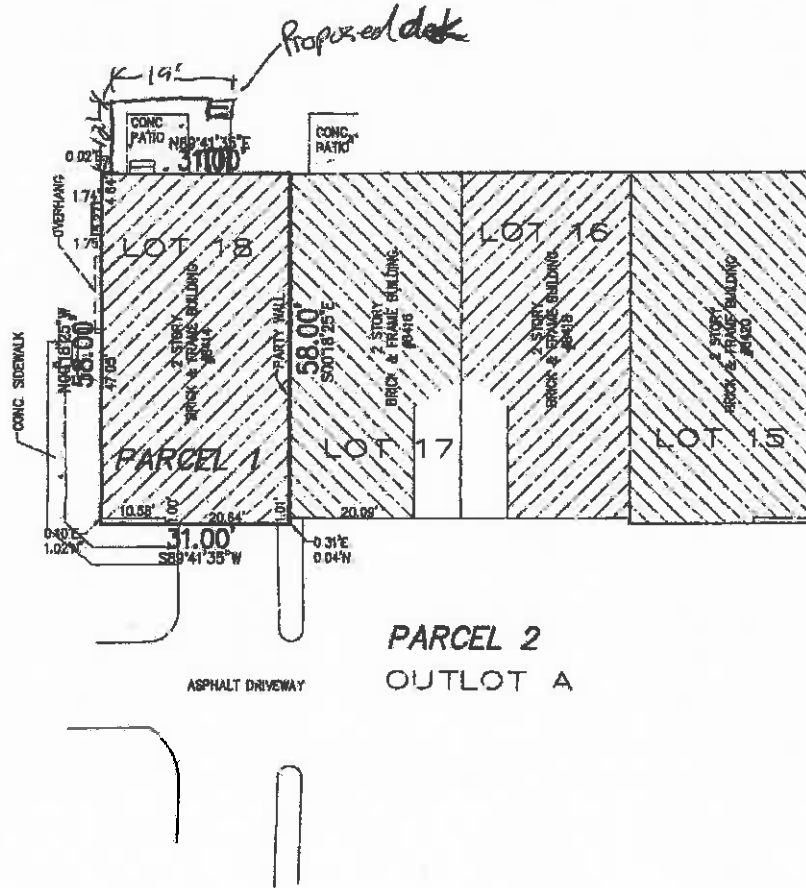
LOT 16 IN VIOLET'S FARM SUBDIVISION BEING A RESUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF LOTS 2 AND 3 IN KLEJCH'S SUBDIVISION IN SECTION 34, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 2005 AS DOCUMENT NUMBER R2005-052843, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR INGRESS AND EGRESS AND UTILITIES FOR THE BENEFIT OF PARCEL 1 OVER OUTLOT A IN VIOLET'S FARM AS CREATED BY INSTRUMENT RECORDED APRIL 10, 2006 AS DOCUMENT NUMBER R2006-06558 AND RE-RECORDED AS DOCUMENT R2006-108354, IN DUPAGE COUNTY, ILLINOIS.



(ASSUMED)



DAWN LANE
(57' PUBLIC R.O.W.)

PARCEL 2
OUTLOT A

SET ● IRON PIPE + CROSS
 PIPE □ REBAR/ROD - NOTCH

CHAIN LINK FENCE
 WOOD FENCE
 IRON FENCE

ABBREVIATIONS
 L = ARC LENGTH NLY = NORTHERLY
 R = RADIUS SLY = SOUTHERLY
 CH = CHORD LENGTH ELY = EASTERLY
 (r) = RECORD VALUE WLY = WESTERLY
 (m) = MEASURED VALUE TYP = TYPICAL
 P.U.D. = PUBLIC UTILITY & DRAINAGE EASEMENT

SCALE 1 INCH EQUALS 20 FEET
 DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF.

ORDERED BY: JESSE K MYSLINSKI
 DRAWN BY: KB
 SURVEYED BY: ZM/AG
 ORDER NO: 15-886

GENERAL NOTES:

1. BASED ON THE TITLE COMMITMENT REPORT BY PRECISION TITLE INSURANCE COMPANY ORDER NO. PTC22900, EFFECTIVE DATE, OCTOBER 27, 2015
2. FOR BUILDINGS LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, TITLE COMMITMENT, ORDINANCE, ETC.
3. BEARINGS ARE FOR ANGULAR REFERENCE ONLY AND ARE NOT RELATED TO TRUE OR MAGNETIC NORTH.
4. SURVEY IS BASED ON FIELD WORK COMPLETED ON NOVEMBER 26, 2015

"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM TECHNICAL STANDARDS FOR A BOUNDARY SURVEY."

STATE OF ILLINOIS } SS
 COUNTY OF DUPAGE }

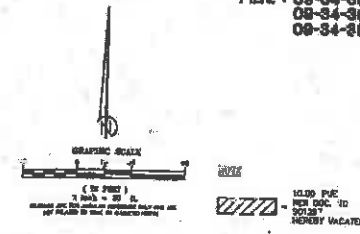
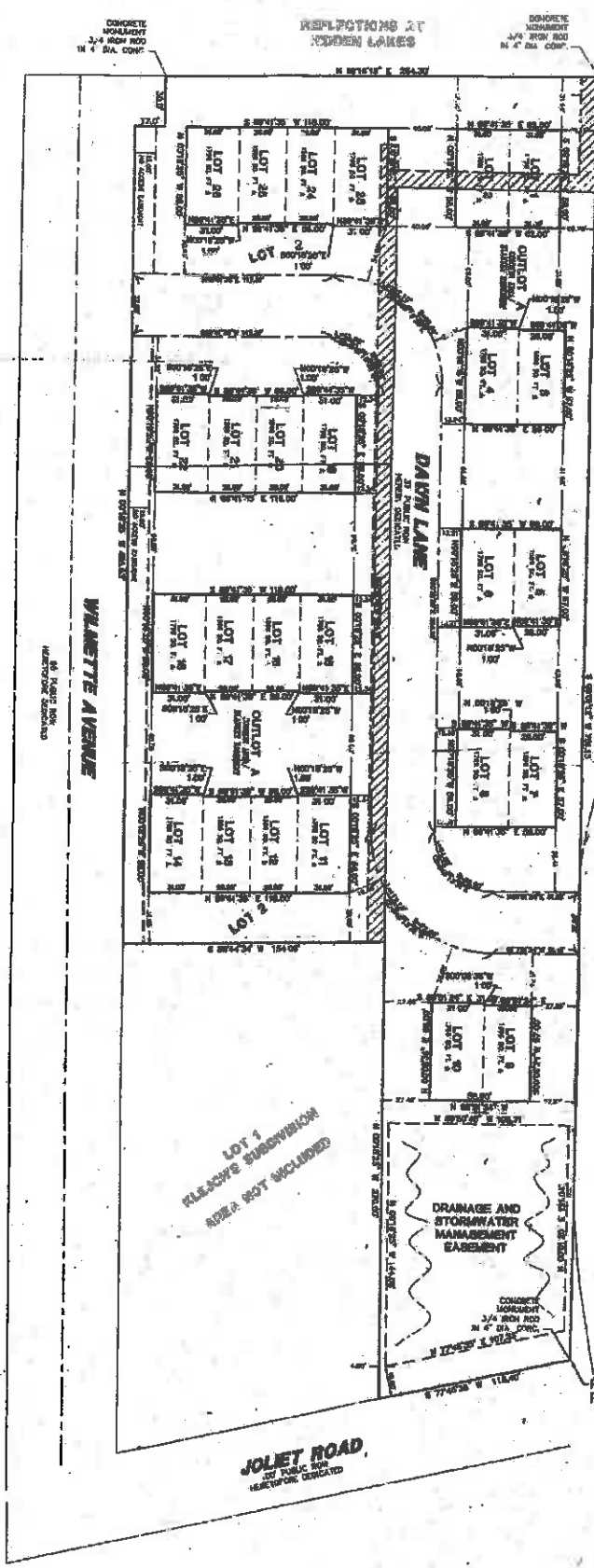
WE, GEOPOOL SURVEYORS, DO HEREBY STATE THAT WE HAVE PREPARED THE BOUNDARY SURVEY DEPICTED HEREON. THIS PLAT REPRESENTS THE CONDITIONS FOUND AT THE TIME OF SAID SURVEY.

LEMONT, ILLINOIS DECEMBER 4, 2015

Eric R. Gerald
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 036-003818
 MY LICENSE EXPIRES 11/30/2016



P.L.N. 08-84-901-004
 08-84-901-002
 08-84-901-001



REFLECTIONS AT
 HIDDEN LAKES

NOTE: OUTLOT A IS UNDER THE COMMON OWNERSHIP OF THE OWNERS OF LOTS 1 THRU 28

VIOLET'S FARM SUBDIVISION

BEING A RESUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

the Balsamo/Olson Engineering Company
 4200 Main Street, Delta 101, Delta, Illinois 60022
 (815) 752-8000 (815) 752-8000

DATE	10/15/08
BY	J. J. OLSON
CHECKED	J. J. OLSON
APPROVED	J. J. OLSON
TITLE	VIOLET'S FARM SUBDIVISION
PROJECT	101 DELTA ROAD
OWNER	TRUMPH REAL ESTATE

VIOLET'S FARM SUBDIVISION		DATE	10/15/08
DARIEN, ILLINOIS		BY	J. J. OLSON
TRUMPH REAL ESTATE		SCALE	AS SHOWN
		NO. OF SHEETS	1 OF 2
		DATE	10/15/08

Bonnie

CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 0-46-04

**AN ORDINANCE APPROVING REZONING OF THE
SUBJECT PROPERTY, THE FINAL PUD PLAN,
THE FINAL PLAT OF SUBDIVISION AND
SETTING FORTH CERTAIN CONDITIONS, RESTRICTIONS AND
LIMITATIONS FOR THE TOWNHOMES OF
VIOLET'S FARM SUBDIVISION**

(PZC 2004-10: Townhomes of Violet's Farm)

ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS 15th DAY OF NOVEMBER, 2004

**Published in pamphlet form by authority of
the Mayor and City Council of the City of
Darien, DuPage County, Illinois, this
17th day of November, 2004.**

**AN ORDINANCE APPROVING REZONING OF THE
SUBJECT PROPERTY, THE FINAL PUD PLAN,
THE FINAL PLAT OF SUBDIVISION AND
SETTING FORTH CERTAIN CONDITIONS, RESTRICTIONS AND
LIMITATIONS FOR THE TOWNHOMES OF
VIOLET'S FARM SUBDIVISION**

(PZC 2004-10: Townhomes of Violet's Farm)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, the City has previously adopted Ordinance O-19-04, "An Ordinance Authorizing the Execution of an Annexation and Development Agreement (Townhomes of Violet's Farm L.L.C. et al)," on June 7, 2004 with Petitioner; and

WHEREAS, said Annexation and Development Agreement granted concept approval for a 26 unit townhome development to be constructed on the Subject Property; and

WHEREAS, pursuant to the Annexation and Development Agreement, the Developer has petitioned for rezoning Final PUD Plan and Final Plat of Subdivision approval, and

WHEREAS, the Planning and Zoning Commission held a public hearing on September 15, 2004 to consider Developer's petition and has recommended to the corporate authorities of the City of Darien to grant rezoning, Final PUD Plan and Final Plat of Subdivision subject to certain conditions; and

ORDINANCE NO. 0-46-04

WHEREAS, the Planning and Development Committee considered Developer's petition at a meeting held on September 27, 2004, and has recommended the approval of said petition, subject to certain conditions; and

WHEREAS, the City Council has reviewed said petition for rezoning, Final PUD Plan and Final Plat of Subdivision and have determined to grant approval of said rezoning and plans subject to the terms, conditions and limitations described below.

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

SECTION 1: Rezoning Approved. The City Council hereby approves the rezoning of the Subject Property from R-1 Single-Family Residential to R-3 Multi-Family Residential for the development of twenty-six (26) attached single-family townhomes on the Subject Property.

SECTION 2: Final Plat of Subdivision Approved. The City Council hereby approves the Final Plat of Subdivision for the "Violet's Farm Subdivision," for the development of a total of twenty-six (26) townhomes and common area, to include stormwater management facilities. The Mayor and City Clerk are hereby authorized and directed to execute and attest respectively the final Plat of Subdivision. The City Clerk is hereby authorized and directed to cause the Final Plat of Subdivision to be recorded in the Office of the DuPage County Recorder of Deeds.

SECTION 3: Final PUD Plan Approved; Conditions.

A. **Approval.** The City hereby approves the Final PUD Plan for a twenty-six (26) unit single-family attached townhome development on the Subject Property. For purposes of this approval, the Final PUD Plan consists of the following elements:

1. Topographic/Plat of Survey, 1 sheet, prepared by Balsamo/Olson Engineering Company, dated August 7, 2003, revised August 28, 2003;
2. Plat of Subdivision, 2 sheets, prepared by Balsamo/Olson Engineering Company, dated March 7, 2004, revised October 11, 2004;
3. PUD Plan, including Engineering, 11 sheets, prepared by Balsamo/Olson Engineering Company, dated August 20, 2004, revised October 28, 2004;
4. Landscape Plan, 3 sheets, prepared by Olson Design Group, LLC, dated August 20, 2004, revised October 19, 2004;
5. Tree Survey, 1 sheet, prepared by Balsamo/Olson Engineering Company, dated August 2, 2003, revised October 19, 2004;
6. Building Elevations, 2 sheets, prepared by Bloom & Fiorino Architects, dated April 14, 2004;
7. Material Board, submitted November 15, 2004.

B. **Departures Approved.** The following departures are hereby granted from the underlying zoning ordinance, subdivision and PUD regulations:

1. Section 5A-3-3-7: PUD Regulations, Traffic Control, Public and Private Streets - Reduction of the required right-of-way width for a minor, local street, from 66 feet to 37 feet;
2. Section 5A-3-3-8: PUD Regulations, Open Space - Elimination of the required amount of open space for a residential PUD, which is twenty-five percent (25 %);
3. Section 5B-1-7(B)(7): Subdivision Regulations, General Design and Development Standards - Elimination of the requirement for a sidewalk on both sides of the street,

to allow for a sidewalk on only one side of the street, for Dawn Lane;

4. Section 5B-1-8(G)(1)(a): Subdivision Regulations, Street Systems - Reduction of the minimum horizontal curve radius from 150 feet to 50 feet, for Dawn Lane;
5. Section 5B-1-8(G)(1)(g): Subdivision Regulations, Street Systems - Reduction of the minimum cul-de-sac pavement width from 100 feet to 65 feet.

C. **Conditions.** Final PUD Plan approval is subject to the following conditions:

1. Address comments set forth in City Engineer's letter, dated October 29, 2004;
2. Detention basin to be reviewed and approved by staff;
3. Ensure either additional landscaping or decorative fencing, to be approved by staff, to eliminate gaps around the detention basin;
4. Maintain vision clearance, which is a triangle measured at 50 feet from the intersection of curb lines, at street intersections;
5. Any homeowner desiring to construct a deck/patio greater than the approved 10 feet x 10 feet deck/patios for each unit shall submit an application for a minor amendment to the approved PUD Plan;
6. Developer shall file a Notice of Intent with the Illinois Environment Protection Agency ("IEPA") for compliance with the NPDES Phase II Requirements;
7. Developer shall obtain an IEPA Watermain Construction Permit; and
8. Developer shall submit its proposed sanitary sewer improvements for the PUD to the DuPage County Department of Public Works for review and approval.

SECTION 4: Other Applicable Ordinances. Except as provided herein or in the Annexation and Development Agreement, development of the Subject Property shall conform to all applicable Codes and Ordinances of the City of Darien.

SECTION 5: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary

ORDINANCE NO. 0-46-04

to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN,
DU PAGE COUNTY, ILLINOIS, this 15th day of November, 2004.**

AYES: 5 - Biehl, Marchese, Poteraske, Tikalsky, Weaver

NAYS: 2 - Cotten, Hagen

ABSENT: 0 - NONE

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this 15th day of November, 2004.**

ATTEST:



JOANNE F. COLEMAN, CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY



CARMEN D. SOLDATO, MAYOR

CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 0-29-07

**AN ORDINANCE GRANTING A MINOR AMENDMENT
TO AN APPROVED PLANNED UNIT DEVELOPMENT**

(Townhomes of Violet's Farm PUD: 8417 Dawn Lane)

ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS 6th DAY OF AUGUST, 2007

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
7th day of August, 2007.**

**AN ORDINANCE GRANTING A MINOR AMENDMENT
TO AN APPROVED PLANNED UNIT DEVELOPMENT**

(Townhomes of Violet's Farm PUD: 8417 Dawn Lane)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, heretofore, pursuant to Ordinance No. O-46-04, the City granted final Planned Unit Development (PUD) approval for certain property described therein and commonly referred to as "Townhomes of Violet's Farm"; and

WHEREAS, said ordinance limited the size of patios/decks to be no greater than 10 feet x 10 feet; and

WHEREAS, the City of Darien received a petition to modify the approved PUD to allow a 10 foot x 13 foot deck/patio; and

WHEREAS, on July 23, 2007, the Planning and Development Committee of the City Council reviewed said petition and forwarded its findings and recommendations to the City Council; and

WHEREAS, the City Council has reviewed the findings and recommendations described above and now determines to grant the petition subject to the terms, conditions and limitations described below.

ORDINANCE NO. 0-29-07

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

SECTION 1: Approval of Minor Amendment to PUD Granted. A minor amendment to the approved PUD for the Townhomes of Violet's Farm is hereby approved to allow a 10 foot x 13 foot deck to be constructed at the property commonly known as 8417 Dawn Lane, Darien, Illinois.

SECTION 2: Remainder of PUD. All of the terms, conditions and limitations of Ordinance Nos. O-19-04, O-45-04 and O-46-04 shall remain in full force and effect.

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

SECTION 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ORDINANCE NO. 0-29-07

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 6th day of August, 2007.

AYES: 6-Avci, Galan, Gattuso, Marchese, McIvor, Poteraske

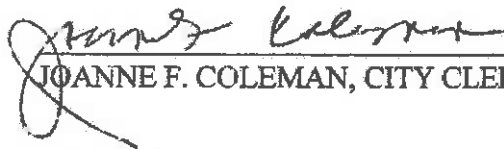
NAYS: 0 - NONE

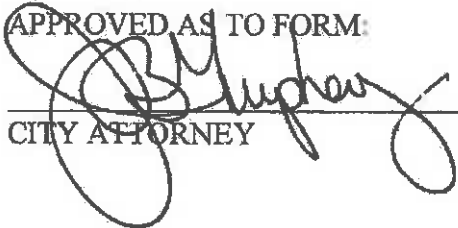
ABSENT: 1 - ABSENT

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 6th day of August, 2007.

ATTEST:


KATHLEEN MOESLE WEAVER, MAYOR


JOANNE F. COLEMAN, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



NEMANICH
Consulting and
Management, Inc.

2756 Caton Farm Rd.
Joliet, IL 60435
Phone: (815) 609-2330
Fax: (815) 609-2335

TO: To Whom It May Concern

FROM: Nemanich Consulting and Management

DATE: August 25, 2017

RE: Hazou – 8414 Dawn Lane

Based on the Board of Directors and the City of Darien's approval, the deck can exceed the 10 X 10 specifications. We acknowledge and accept the application for Leo and Noora Hazou at 8414 Dawn Lane for a variance to change the existing deck specifications.

Thank you!!



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

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

DuPage County, Illinois Web Site:
www.dupageco.org

This map is for assessment purposes only.



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08/29/2017 03:21



08/29/2017 03:28

AGENDA MEMO
Municipal Services Meeting
September 25, 2017
6:30 p.m.

ISSUE STATEMENT

Consideration of a motion acknowledging the City of Darien Stormwater Program Annual Report.

BACKGROUND/HISTORY

Annually, the state law mandates that municipalities consider and acknowledge the Stormwater Program Annual Report as it relates to the NPDES, National Pollution Discharge Elimination System.

The City, as an owner and operator of a separate storm sewer system, is required to hold an NPDES permit from the IEPA. One of the requirements of the program is that there will be an annual report made during a public meeting. Under the program, all municipal permit holders are required to address six categories, or “Minimum Control Measures”. They are as follows:

Public Education

The City partners with DuPage County to make available several education opportunities on topics of stormwater quality such as pollutants in stormwater, green infrastructure, and stormwater volume reduction. The City makes this information available through paper brochures and its website. Much of this information is published by DuPage County through its staff, contractors and cooperating partners such as The Conservation Foundation and SCARCE, a group which provides classroom activities for school children.

Public Participation and Involvement

The City partners with DuPage County by promoting and advertising County programs such as river sweeps and other public activities. This annual report is a component of the Public Participation activity.

Illicit Discharge Detection and Elimination

The City code (Section 7-4) prohibits the discharge of various pollutants into storm sewers and streams. Our code is based on a model ordinance drafted county wide. Municipal Services Staff is trained to look for illicit discharge in storm water in indicators such as color and odor. We have a storm sewer map so that if pollutants are detected, we are able to pinpoint the pollution source. We also partner with DuPage County to distribute public information on reducing stormwater pollutants.

Construction Site Run Off Control

City code, by adopting the DuPage County Stormwater Ordinance, provides strict guidelines for construction site erosion control practices. The City’s consulting engineer, reviews all development plans for compliance with the ordinance requirements and Municipal Services Staff conducts regular inspections of construction sites.

Post Construction Site Runoff Control

The City Stormwater Ordinance (DuPage Co. Ordinance) provides strict guidelines for controlling both the stormwater detention volume, and also Best Management Practices (BMPs) which serve to control the rate, volume, and quality of runoff from new developments. All development plans are reviewed by Christopher B Burke Engineering, our consulting engineer, for compliance with those codes. After construction, developers are required to submit an As-Built Survey to document compliance and final site inspections are conducted. The county recently conducted an audit of our program and we were found to be in good standing.

Pollution Prevention and Good Housekeeping

The City undertakes a number of activities to help promote clean water and prevent pollutants from reaching our waterways. These include activities such as street sweeping and periodic catch basin cleaning, proper handling and storage of road salt and other materials and chemicals, and good maintenance of our vehicle fleet. Staff participates in training seminars such as reducing chlorides during deicing operations.

STAFF RECOMMENDATION

The State of Illinois' Environmental Protection Agency, requires the annual acknowledgement of the City of Darien's Stormwater Program Annual Report.

ALTERNATE CONSIDERATION

No alternate consideration.

DECISION MODE

This item will be placed on the October 2, 2017 agenda for formal City Council consideration.

**MINUTES
CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE
SPECIAL MEETING
August 7, 2017**

PRESENT: Alderman Joseph Marchese – Chairman, Alderman Thomas Belczak, Alderman Thomas Chlystek, Dan Gombac – Director

ABSENT: None

ESTABLISH QUORUM

Chairman Joseph Marchese called the meeting to order at 6:33 p.m. at City Hall Council Chambers, Darien, Illinois and declared a quorum present.

NEW BUSINESS

- a. **RESOLUTION** – Approval of a resolution awarding a contract to Homer Tree Care, Inc. in an amount not to exceed \$135,765.00 for the City’s 2017/2018 Tree Trimming and Removal Program.

Mr. Dan Gombac, Director reported that this is for the proposed tree trimming program with Homer Tree Care, Inc. He reported that this is the last year of the three year contract with Homer and also includes private property tree trimming for residents. Mr. Gombac reported that the proposal consists of approximately 1,750 parkway trees, approximately 65 tree removals and stump grinding. He further reported that the contract calls out for unit pricing for emergency services through November 30, 2018.

Mr. Gombac reported that the bid results were opened on July 17, 2017 and that there was only one responsive bid and that the second submittal indicated that he was unable to bid due to other commitments. He reported that there are two optional contract extensions for 2018-19 and 2019-20 that may be exercised by the City which will be formally introduced in the future pending budget approval.

Alderman Chlystek questioned if the additional contingency is a one-time fee.

Mr. Gombac reported that it is an hourly rate based on time and material.

Alderman Chlystek questioned if this was used last year.

Mr. Gombac reported that it was used last year but not all of it. He reported that the tree trimming program will be posted on the website for residents.

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

Alderman Belczak made a motion and it was seconded by Alderman Chlystek approval of a resolution awarding Homer Tree Care, Inc. in an amount not to exceed \$135,765.00 for the City’s 2017/2018 Tree Trimming and Removal Program.

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

- b. **RESOLUTION – Approval of a resolution awarding a contract to Acres Group for the purchase and installation of the 50/50 parkway tree program and the parkway tree replacement program in an amount not to exceed \$35,737.00.**

Mr. Dan Gombac, Director reported this program is the residential 50/50 parkway tree and storm diseased tree replacement. He reported that this also includes another program for residential private property tree program done separately with the residents. Mr. Gombac reported that the City received five sealed bids and Acres Group was the favorable bid. He further reported that the program will begin in late September.

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

Alderman Belzac made a motion and it was seconded by Alderman Marchese approval of a resolution awarding a contract to Acres Group for the purchase and installation of the 50/50 parkway tree program and the parkway tree replacement program in an amount not to exceed \$35,737.00.

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

- c. **RESOLUTION – Approval of a resolution authorizing the emergency purchase of one new 2017 Hydraulic Hammer-WT Hammer Work Tool H65E attachment from Patten Cat in an amount not to exceed \$11,500.**

Mr. Dan Gombac, Director reported that the proposed hammer is an attachment for the recently purchased Skid Steer Bobcat. In 2016 a replacement jack hammer was purchased for the backhoe and is utilized for breaking out asphalt and concrete. He reported that the jack hammer use on the backhoe is causing stress and failure on the backhoe, particularly the Wain Wright coupling. Mr. Gombac reported that the coupling allows the backhoe to maneuver in various angles and without the coupling many digs would be difficult due to utility conflicts. He reported that if the backhoe did not have the coupling, the jack hammer attachment would not be a concern.

Mr. Gombac reported that staff reviewed alternatives regarding a jack hammer and determined that a jack hammer on the Bobcat would be the optimal solution and is requesting the purchase of one new jack hammer with fittings for the Bobcat and declaring the existing jack hammer as surplus. He reported that the existing hammer will be declared as surplus and a separate agenda memo will be presented at a later date for City Council approval. The purchase price of the jack hammer was \$23,780 and Patten is offering us a trade in value of approximately \$14,000.

Alderman Chylstek questioned if there is an extended warranty.

Mr. Gombac reported that this is a piece of machinery that is needed and unfortunately there is no warranty.

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

Alderman Chylstek made a motion and it was seconded by Alderman Belzac approval of a resolution authorizing the emergency purchase of one new 2017 Hydraulic Hammer-WT Hammer Work Tool H65E attachment from Patten Cat in an amount not to exceed \$11,500.

Upon voice vote, **THE MOTION CARRIED UNANIMOUSLY 3-0.**

- d. **MOTION - Consideration of a motion to approve a request to allow a connection fee payment plan for the unincorporated property at 806 Plainfield Road.**

Mr. Dan Gombac, Director reported that a request from the property owners (Charles and Vertis Wiley) at 806 Plainfield Road. He reported that the property was recently purchased and they wish to convert from well water to Lake Michigan water. Mr. Gombac reported the City provides water to this neighborhood as part of an intergovernmental agreement between Darien and DuPage County and that this particular property is not included in the intergovernmental agreement due to its location on Plainfield Road. He reported that since this property was not covered by the intergovernmental agreement in the section of the City Code that there would be a special connection fee. He further reported that based on the ordinance, the owner's connection fee is estimated at \$15,345 and that the owners are requesting to pay the fee over a period of time.

- e. **Minutes – June 26, 2017 Municipal Services Committee**

Alderman Chlystek made a motion and it was seconded by Alderman Marchese to approve the June 26, 2017 Municipal Services Committee meeting minutes.

Upon voice vote, THE MOTION CARRIED 2-0. Alderman Belczak abstained.

DIRECTOR'S REPORT

Mr. Gombac Schimmel case may be returning to the City Council for reconsideration.

NEXT SCHEDULED MEETING

Chairman Marchese announced that the next regularly scheduled meeting is scheduled for Monday, September 25, 2017 at 6:30 p.m.

ADJOURNMENT

With no further business before the Committee, Alderman Marchese made a motion and it was seconded by Alderman Chlystek to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 6:48 p.m.

RESPECTFULLY SUBMITTED:

Joseph Marchese
Chairman

Thomas Belczak
Alderman

Thomas Chlystek
Alderman

**MINUTES
CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE
August 21, 2017**

PRESENT: Alderman Joseph Marchese – Chairman, Alderman Thomas Belczak, Alderman Thomas Chlystek, Dan Gombac – Director, Steven Manning - City Planner, Elizabeth Lahey-Secretary

ABSENT: None

ESTABLISH QUORUM

Chairman Joseph Marchese called the meeting to order at 6:20 p.m. at City Hall Council Chambers, Darien, Illinois and declared a quorum present.

NEW BUSINESS

- a. Ordinance - Approval of an ordinance granting a minor amendment to the PUD for Crossroads of Darien to approve a chiropractic medical use at 2815 83rd Street.**

Mr. Steve Manning, City Planner reported that the property fronts 83rd Street west of Walgreen's in the business park known as Crossroads of Darien. He reported that Crossroads has 8 buildings on 8+ acres at the southwest corner of Lemont Road and 83rd Street and has 6 units one of which is 2815 which has 1,475 square feet and is vacant. Mr. Manning reported that the PUD ordinance limits the uses in Building B to the following: "Any use in the B-2 District excluding equipment rental, office, animal hospital, auto parts, banks, appliance repair, medical and dental clinics, employment agencies, schools, secondhand stores, ticket agencies, undertaking". He reported that the space was occupied by Curves.

Mr. Dan Gombac, Director reported that the owner and Dr. Kevin Clark, Chiropractor are present.

Alderman Belczak questioned the rationale of the ordinance.

Mr. Gombac reported that the PUD ordinance was put in place because the frontage fronts 83rd street.

Alderman Chlystek questioned how long the space has been vacant.

The property owner stated that the space has been vacant for a year and a half.

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

Alderman Belczak made a motion and it was seconded by Alderman Chlystek approval of an ordinance granting a minor amendment to the PUD for Crossroads of Darien to approve a chiropractic medical use at 2815 83rd Street.

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

- b. **Resolution - Approval of a proposal from Allied Door for the following scope of work at the Public Works facility located at 1041 South Frontage Road in an amount not to exceed \$40,332.70.**

Mr. Dan Gombac, Director reported that the existing garage doors have been repaired numerous times with sectional replacements and/or hardware from normal wear and tear. He reported that the doors and operators continue to have maintenance issues and have served their useful life.

Mr. Gombac stated that staff is requesting to replace 8 of the 14 bay doors with new doors, hardware and motor operators. He reported that one additional bay will be serviced for the removal and replacement of certain hardware and an operator and that the scope of work includes to furnish new doors and hardware. He further reported that the new doors will be insulated therefore reducing heating costs.

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

Alderman Chlystek made a motion and it was seconded by Alderman Belczak approval of a proposal from Allied Door for the following scope of work at the Public Works facility located at 1041 South Frontage Road in an amount not to exceed \$40,332.70.

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

- c. **Resolution – Approval of a proposal from Karlson Enterprises for an exhaust system for the Public Works facility located at 1041 South Frontage Road in an amount not to exceed \$14,500.**

Mr. Dan Gombac, Director reported that the exhaust system is utilized primarily by the mechanics and/or during maintenance inspections when the vehicles are inside the garage with the engine idling. He reported that the current practice is an antiquated practice and the newer vehicles have vertical exhaust systems. Mr. Gombac reported that the proposed exhaust system would allow for the mechanical removal of vehicle exhausts and vent them to the exterior. He also reported that the system would include additional exhaust drops placed strategically throughout the shop and will also include an exhaust over the mechanics work area such as the solvent cleaning station.

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

Alderman Belczak made a motion and it was seconded by Alderman Chlystek approval of a proposal from Karlson Enterprises for an exhaust system for the Public Works facility located at 1041 South Frontage Road in an amount not to exceed \$14,500.

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

- d. **Ordinance - Approval of an ordinance authorizing the disposal of surplus property.**

Mr. Dan Gombac reported that the disposal of surplus property is for the unused black poles during the Coach Light program and a jackhammer.

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

Alderman Marchese made a motion and it was seconded by Alderman Chlystek approval of an ordinance authorizing the disposal of surplus property.

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

DIRECTOR'S REPORT

Mr. Dan Gombac, Director reported that DuPage County is looking at roadway improvements. He reported that they doing all survey work presentiy.

NEXT SCHEDULED MEETING

Chairman Marchese announced that the next regularly scheduled meeting is scheduled for Monday, September 25, 2017 at 6:30 p.m.

ADJOURNMENT

With no further business before the Committee, Alderman Belczak made a motion and it was seconded by Alderman Chlystek to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 6:40 p.m.

RESPECTFULLY SUBMITTED:

Joseph Marchese
Chairman

Thomas Belczak
Alderman

Thomas Chlystek
Alderman