

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
August 5, 2015**

PRESENT: Chairperson Beverly Meyer, Andrew Kelly, Ron Kiefer, John Lind, John Laratta, Lou Mallers, Ray Mielkus, Pauline Oberland, Ken Ritzert, Michael Griffith – Senior Planner, Elizabeth Lahey – Secretary

ABSENT: None

Chairperson Meyer called the meeting to order at 7:00 p.m. at the City Hall – City Council Chambers, Darien, Illinois and declared a quorum present.

A. Public Hearing

PZC 2015-08: Central Ave. Ventures, LLC, 1033-35 S. Frontage Road: Petitioner seeks approval of a text amendment, special uses and variations from the Zoning Ordinance and Sign Code related to repairing, servicing of trucks, trailers including, but not limited to transport refrigeration, standby vehicle generators, cellular communications, maintenance, body shop and engine rebuilding.

Mr. Michael Griffith, Senior Planner reported that the subject property is directly east of the City's Municipal Services Facility on S. Frontage Road, east of Cass Avenue. He reported that the property has been vacant for several years and that previously it was used as a drop yard for semi-trailers.

Mr. Griffith reported that currently there is a building at the north end of the property with the bulk of the property covered with stone (aggregate) where trailers were stored. He reported that the proposed site plan a new building housing the shop, warehouse, and showroom/office support and a smaller office building. The bulk of the site will be stone (aggregate) for storing semi-trailers.

Mr. Griffith reported that that the staff report notes a lengthy list of zoning requests and a summary of uses. He reported that the primary use is garage services for semi-trailers and retail sales of parts and distribution. He stated that the site plan has required landscaping and floodplain and wetland issues that need to be addressed by DuPage County before the City can issue a construction permit.

Mr. Griffith reported that the Commission received an elevation drawing of the building noting that it will be constructed of precast concrete with windows. He stated that the City received correspondence from the Forest Preserve District of DuPage County objecting to the proposal as it relates to the setback and stormwater management, landscaping, screening and lighting. He further stated that a representative from the Forest Preserve was present.

Mr. Griffith also reported that the City received a petition from John and Judy Miller objecting to the petition.

The petitioner, Mr. Bill Fritz, President and COO, Illinois Auto Electric Company explained the history of the company and displayed a photo of their headquarters located in Aurora, IL. He stated

that the company is celebrating 100 years of business and that their current location is located near 47th and Central in Chicago.

Mr. Fritz explained that their business focuses on selling units, service and selling parts. He reported that the business presently employees 50 but that they may increase with growth as they would like to operate around the clock.

Mr. Fritz stated that the business varies with weather and that they take great pride in training their employees and servicing their customers. He stated that they do not use tow trucks into the facility but that they have seven trucks that go out to repair on site. He further stated that they like to help people fix their problems and strive for cleanliness, orderliness and strive to be a good citizen of Villages. Mr. Fritz stated that image is very important.

Chairperson Meyer questioned the hours of operation.

Mr. Fritz stated that the hours are Monday through Friday from 7:30 a.m. to 11:30 p.m. and Saturday from 7:00 a.m. to 3:30 p.m. but that they would like the business to run around the clock.

Chairperson Meyer questioned the disposal of free-on and what security is proposed.

Mr. Fritz stated that they have equipment to dispose of the free-on and that it will be disposed of by container. He further stated that they will have a security system and monitors and that the property will be fenced.

Commissioner Laratta questioned if the company coming in is a separate entity.

Mr. Fritz stated that they are responsible for the site set up and how it is organized. He stated that the Service Manager, Mr. Bob Stearns was present. Mr. Fritz stated that they are proposing two elevations and eight bays.

Commissioner Ritzert questioned if they would run the rigs overnight.

Mr. Stearns stated that their equipment has an auxiliary power unit which eliminates the running of rigs on diesel. He stated that they do not plan on having anyone there when they are not there.

Chairperson Meyer questioned security and the fence.

The petitioner explained that they are proposing an 8 ft. high chain linked fence with barricades and a lift gate similar to a toll booth. He stated that the site will be very secure.

Commissioner Lind questioned the purpose of the modular office.

Commissioner Oberland questioned if the buildings would be similar.

The petitioner stated that they are using different materials but that they will be tied together.

Commissioner Laratta questioned if there would be bright lights.

Mr. Paul Kohen, stated that the current site has 40-50” concrete light poles and that they are using the poles but that they will re-lamp and meet the foot-candle level. He stated that the building will have shoebox lighting and that there will be no floodlight lighting to draw in people.

Commissioner Lind questioned if they considered moving the design more to the east.

Mr. Kohen stated that there are wetlands and that they have a desire to maximize the site.

Commissioner Lind stated that he was concerned about the amount of landscaping and a different fence with more screening.

Mr. Kohen stated that the fence is a cost factor but that they would consider a smaller area of another type of fence with landscaping.

Commissioner Ritzert stated that he was concerned with noise.

Mr. Stearns stated that all the major work is done in the shop and out in the yard is for hand tools. He stated that the yard is 250 feet away and that the noise will not be heard. He further stated that the building is insulated and concrete and contains the noise.

Commissioner Lind stated that he would like both buildings to tie in.

Chairperson Meyer agreed. She asked if they can make the building look the same without spending a lot of money.

Chairperson Meyer asked if a traffic study was required.

Mr. Griffith stated that staff felt that the use was similar to the previous use and that a traffic study was not needed.

Commissioner Mielkus questioned the engineer repair and spraying.

Mr. Stearns referred to spraying as power washing to clean the units. He stated that they are not painting.

Commissioner Kelly stated that he had concern because of the closeness to a community.

Chairperson Meyer opened the public hearing to anyone wishing to present public comment.

Mr. Richard Baum, Willowbrook stated that this proposal is a lot of business and that he is concerned with the noise, traffic and the damage of the heavy trucks to the road.

Mr. Stearns stated that they have not received any complaints about noise at their present location and that they have been there since 1958.

Mr. Joe Kramber stated that he is opposed to the proposal and that it is in the middle of Forest Preserve traffic. He stated that there are a lot of turns on Frontage Road and that he is concerned about tractors and trailers sitting on Frontage Road where there are no curbs. He further stated that trucks

will not be able to turn safely. Mr. Kramber stated that he was concerned with the hazardous materials stored on site, the unsightly fence, lights, pollution and a 24 hour operation.

Ms. Lauren Leong, Timberlake stated that the proposed variances do not meet Code. She cited the Code and stated her concern for traffic and congestion. Ms. Leong stated that the business is detrimental to the community and devalues the homes in the area.

Ms. Linda Painter, President Civic Lake Homeowners Association stated that there are too many variances and that the present proposal is completely industrial and has no green space. Ms. Painter stated that Frontage Road is not an industrial park.

Ms. Painter questioned if Darien was willing to widen the road. She stated that there is a weight requirement going eastbound. She further stated that a larger solid fence would be better for screening and that no stacking should be allowed.

Ms. Painter stated that the proposed sign is offensive to the community and that it is not needed because trucks have GPS and do not need signs. She further stated that the petitioner is using the Forest Preserve to not provide landscaping and that the business would be better in an established industrial park.

Ms. Painter, Commissioner of the DuPage County Forest Preserve read a letter objecting to the petition. She submitted the letter and a petition from the Timberlake residents as well as her speech for the record.

Mr. Steve Delurgio, Argonne Ridge Road stated that the intent of the business is a 24 hour operation and that bright lights will be used for security. Mr. Delurgio referenced an article referencing variances and how they change the character of the area. He stated that there is a lack of a solid fence and that this is not the right use for this site.

Mr. William Van Dam stated that he was concerned about the use of stone versus concrete, the lighting, fence and perimeter landscaping.

Mr. Richard Rons stated that he is a Darien resident but moving to 89th Place. He stated that the area should be rezoned and homes should be built. He further stated that he was concerned about the underground tank and what happens when the business leaves. Mr. Rons stated that the business belongs in an industrial park.

Mr. Will Marcek, former Darien resident stated that he is concerned with loud trucks running and the light noise for animals.

Mr. Peter Maslowski stated that there will be 150 bays for parking and a lot of noise. He stated that the 15,000 gallon fuel tank is an issue plus reefers running could be a fire hazard. He further stated that he was concerned with the wear and tear of the road.

Mr. Mike Webster, Argonne Road stated that he appreciated that the non-Darien residents had the opportunity to speak. He stated that the Frontage Road is used by the school and that they will be competing with semi-trucks. Mr. Webster stated that he was disappointed that there was not a traffic study.

The petitioner, Mr. Fritz answered the questions from the public. He stated that they will not allow tow trucks to come in and that the number of reefers running at the same time is 35 to 40. He stated that the fuel dispensing is taken very seriously.

Mr. Doug Kalay, IL Auto Electric Company stated that the City's Public Works facility also has a similar underground storage tank. He stated that they exceed the State Fire Marshall regulations.

Mr. Fritz introduced Mr. Robert Vanni, Wetland Specialist.

Mr. Robert Vanni stated that he was hired to look at the wetlands and how to improve the site. He stated that they are providing vegetation and or a buffer not to encroach into the wetland area. Mr. Vanni stated that the wetlands are moderate quality and explained that turf grass is poor for anything native. He stated that they are not impacting the wetlands.

There was no one else in the audience wishing to present public comment and Chairperson Meyer closed the public hearing.

Commissioner Kelly stated that he listened to both sides and that the site doesn't concern him but that he is concerned with the small road and that he cannot see it with trucks.

Commissioner Kelly made a motion, seconded by Commissioner Mallers to reject the petition and the variances as presented.

Commissioner Ritzert stated that there was still a lot to discuss and he was not ready to vote.

Mr. Griffith stated that the PZC can recommend a traffic study.

Commissioner Kiefer stated that there were valid issues by the residents and that he would like to give the petitioner an opportunity to address some of the issues. He too stated that he was not ready to vote.

Commissioner Lind stated that there were a lot of things that can be resolved with staff.

Upon roll call vote the MOTION was denied.

AYES: Kelly, Mallers

NAYS: Kiefer, Laratta, Lind, Mielkus, Oberland, Ritzert, Meyer

Commissioner Ritzert made a motion and it was seconded by Commissioner Kiefer to table the proposal recommending a traffic study and possible revisions to the plan based on the comments raised.

Upon roll call vote the MOTION CARRIED unanimously 9-0.

B. PZC 2015-11: Our Lady of Peace, 709 Plainfield Road: Petitioner seeks approval of variations from the Sign Code.

Mr. Michael Griffith, Senior Planner reported that Our Lady of Peace is in the process of reconstructing their parking lot, including relocating driveway entrances, incorporating landscape islands and new parking lot lighting. He reported that as part of those improvements, the church proposes installing a new sign along Plainfield Road.

Mr. Griffith stated that the Sign Code exempts ground signs for religious institutions from a permit as long as the sign complies with the Sign Code. He stated that such signs are limited to 32 square feet in area and that the proposed sign is 40 square feet which has an electronic message board which are not permitted.

Mr. Griffith reported that the City has granted several restaurants and banks electronic message boards and that there has been a change in attitude. He stated that staff does not object to this petition and that the sign is an improvement.

Mr. Griffith reported that the staff report notes some conditions regarding the message board.

Mr. Andy Hyne, Kimley Horn and Associates and Civil Engineer representing Our Lady of Peace stated that they are using the existing foundation and increasing the landscape area. He stated that the existing sign is 48 square feet and that the proposed new sign is smaller.

Chairperson Meyer questioned if the sign will be scroll or static.

Mr. Hyne stated that they are conforming to the City's five stipulations.

Commissioner Kelly questioned if the sign is going to be brighter than the existing sign.

Mr. Hyne stated that the existing sign is not a message board.

Commissioner Ritzert stated that the request is setting a precedent for other churches.

Mr. Griffith reported that the City has granted several schools message boards through an intergovernmental agreement.

There was no one in the audience wishing to present public comment and Chairperson Meyer closed the public hearing.

Commissioner Kiefer stated that the message board is a new way to get information out and modernizes things.

Commissioner Lind stated that the variance is within the range.

Commissioner Ritzert stated that he is concerned with distractions and safety while driving.

Mr. Griffith stated that scrolling and flashing is more distracting.

Commissioner Laratta made a motion and it was seconded by Commissioner Kiefer that based upon the submitted petition and the information presented, the request associated with PZC 2015-11 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission recommend approval of the petition subject to the following conditions:

- 1. Messages will be held for 3-10 seconds.**
- 2. Messages will change all at once.**
- 3. Messages may display multiple colors.**
- 4. Illumination will maintain a constant light intensity or brightness.**
- 5. Illumination brightness will comply with the Sign Code, to be verified at time of permit issuance.**

Upon roll call vote, THE MOTION CARRIED unanimously by a vote of 9-0.

CORRESPONDENCE

None.

OLD BUSINESS/PLANNER'S REPORT

None.

MINUTES

Commissioner Mallers made a motion and it was seconded by Commissioner Kelly to waive the reading of the July 1, 2015 and the July 15, 2015 Meeting Minutes.

Upon voice vote, THE MOTION CARRIED unanimously.

Commissioner Oberland made a motion and it was seconded by Commissioner Laratta to approve the July 1, 2015 and the July 15, 2015 Meeting Minutes.

Upon voice vote, THE MOTION CARRIED unanimously.

NEXT MEETING

Mr. Griffith announced that the next meeting is scheduled for Wednesday, August 19, 2015 at 7:00 p.m.

ADJOURNMENT

With no further business before the Commission, Commissioner Mallers made a motion and it was seconded by Commissioner Mielkus. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 9:38 p.m.

RESPECTFULLY SUBMITTED:

Elizabeth Lahey
Secretary

APPROVED:

Beverly Meyer
Chairman