

**AGENDA**  
**Municipal Services Committee**  
**September 26, 2022**  
**6:00 P.M. – Council Chambers**

1. **Call to Order & Roll Call**
2. **Establishment of Quorum**
3. **Old Business**
4. **New Business**
  - a. **PZC2022-03 Art Cano (8431 Wilmette Avenue)** - Petitioner seeks approval of an amendment to a Special Use and Variation requests from Sections 5A-7-3-5(D) and 5A-7-3-8(B) of the Zoning Ordinance.
  - b. **PZC2022-05 Tabriz Khanlodhi (1005 75<sup>th</sup> Street)** - PZC2022-05 Tabriz Khanlodhi (1005 75<sup>th</sup> Street)
  - c. **Ordinance** – Approval for regulating parking and traffic control regulations on the 8300/8400 block of Kearney Road
  - d. **Resolution** - Authorizing the Mayor to execute a Bill of Sale for the transfer of certain water main and appurtenances to the County of DuPage.
  - e. **Resolution** – Waiving the competitive quote process and accepting a proposal from Baxter & Woodman Natural Resources for the purchase and installation of three (3) educational informational signs for the native prairie plantings adjacent to the 74<sup>th</sup> Street and Elm Native Planting project at a cost not to exceed \$11,700.
  - f. **Resolution** – Accepting a proposal from Illinois Landscape Supply, LLC. for the purchase and delivery of Unilock PISA retaining wall block and coping for the City Hall 1702 Retaining Wall Project in an amount not to exceed \$7,540.80.
  - g. **Resolution** - Accepting a proposal from Terrain Landscape Contractors for the preparation and installation of a retaining wall at the City Hall-Police Department 1702 Plainfield Road in an amount not to exceed \$10,395.
  - h. **Resolution** – Accepting a proposal from Illinois Landscape Supply, LLC., for the purchase and delivery of Unilock PISA retaining wall block and coping for the Ailsworth and Stewart Over Land Flow Drainage Project in an amount not to exceed \$11,186.60.
  - i. **Resolution** - Accepting a proposal from JC Landscaping and Tree Services for the preparation and installation of a retaining wall for the Ailsworth and Stewart Over Land Flow Drainage Project in an amount not to exceed \$24,300.
  - j. **Minutes** – **September 6, 2022** Municipal Services Committee
4. **Director’s Report**
5. **Next scheduled meeting** – Monday, October 24, 2022
6. **Adjournment**

**AGENDA MEMO**  
**MUNICIPAL SERVICES COMMITTEE**  
**SEPTEMBER 26, 2022**

**CASE**

PZC2022-03

Special Use Amendment & Variations  
Art Cano – 8431 Wilmette Avenue

**ISSUE STATEMENT**

Petitioner (Art Cano) seeks approval for an amendment to a special use and variation requests from Sections 5A-7-3-5(D) and 5A-7-3-8(B) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of three (3) studio/efficiency apartments inside an existing apartment building. Property is located within the R-3 Multi-Family Residence District and the variation requests are from the following standards in the City of Darien Zoning Ordinance:

- Section 5A-7-3-5(D): R-3 District Land Area per Dwelling Unit Standards.
- Section 5A-7-3-8(B): R-3 District Minimum Floor Area Standards.

Applicable Regulations:

Ordinance No. O-3-12 – Special Use & Variation  
Zoning Section 5A-7-3, R-3 District Standards

**GENERAL INFORMATION**

Petitioner/Owner:

Art Cano

Property Location:

8431 Wilmette Avenue

PIN Number:

09-34-301-022

Existing Zoning:

Multi-Family Residence District (R-3)

Existing Land Use:

Multi-Family Dwelling (i.e. Apartments)

Comprehensive Plan:

Office (Existing); Office (Future)

Surrounding Zoning &amp; Uses

North:

Multi-Family Residence District (R-3); Townhomes

East:

Multi-Family Residence District (R-3); Townhomes  
Grove)

South:

Multi-Family Residence District (R-3); Daycare Center

West:

Office Research and Light Industry (OR&I); Office and  
Light Industry

History:

The property was annexed into the City of Darien in 2012 per Ordinance No. O-03-12. This ordinance also approved the property and structure as a 5-unit multi-family dwelling.

Size of Property:

0.41 Acres

Floodplain:

According to the DuPage County Parcel Viewer System, the property is partially located within a regulated floodplain area.

Natural Features:

N/A

Transportation:

The petition site gains access from Wilmette Avenue, just north of the Wilmette Avenue and Frontage Road intersection.

**PETITIONER DOCUMENTS (ATTACHED TO MEMO)**

- 1) [APPLICATION](#)
- 2) [JUSTIFICATION NARRATIVE](#)
- 3) [SITE PLAN](#)
- 4) [FLOOR PLANS & FLOOR AREAS](#)
- 5) [BUILDING ELEVATION](#)
- 6) [EGRESS/SLIDER WINDOW SUPPLEMENTALS](#)

**CITY STAFF DOCUMENTS (ATTACHED TO MEMO)**

- 7) [LOCATION MAP & AERIAL IMAGE](#)
- 8) [SITE PHOTO](#)

**PLANNING OVERVIEW/DISCUSSION**

The subject property is located off Wilmette Avenue just north of the Wilmette Avenue and Frontage Road intersection. The City annexed the property in 2012 and granted special use approval for multi-family use within the site’s lone structure. The approval authorized five (5) dwelling units.

At this time, the petitioner has proposed a remodel to the building’s lower level storage area into three (3) additional studio/efficiency apartments. The three (3) additional units would result in eight (8) units total throughout the building’s three floors, and the increase in dwelling units requires an amendment to the existing special use for the site. Please see proposed breakdown below:

<u>Type of Unit</u>	<u>Number of Units</u>
2-Bedroom	1
1-Bedroom	4
Studio/Efficiency	3
Total Units	8

In addition to the special use amendment, the proposal includes variation requests. Per the applicable R-3 District standards, the project does not meet the *Minimum Land Area per Dwelling Unit* provision or the *Minimum Floor Area* provision for the studio/efficiency apartments. The zoning code requires a minimum of 31,000 square feet in land area for the site given the type and number of units proposed. The property is 17,706 square feet according to the plat of survey. The code also specifies studio/efficiency units shall contain a minimum of 750 square feet in floor area. The proposed units are slightly over 500 square feet each according to submitted documentation (see floor area attachments for details). For reference, the City’s definition of *Floor Area* is as follows:

*FLOOR AREA: The sum of the gross horizontal areas of the several floors of a building or structure measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings or structures, computed as the sum of the following areas:*

- *Floor space devoted to the principal use of the premises, including accessory storage areas located within selling or working space such as counters, racks or closets;*
- *Floor area devoted to the production or processing of goods or to business or professional offices;*
- *The basement floor area;*
- *Any basement floor area devoted to retailing activities;*

- *Elevator shafts and stairwells at each floor;*
- *Floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof);*
- *Penthouses;*
- *Attic space having headroom of seven feet (7') or more;*
- *Interior balconies and mezzanines;*
- *Enclosed porches;*
- *Space devoted to accessory uses; and*
- *Areas used for storage.*

No exterior improvements are proposed with this petition. Existing conditions, such as building setbacks, parking setbacks, and lot coverage will not be altered and are allowed to remain. Note that the site contains the required number of parking spaces for the proposed number of units. The code specifies a ratio of 2 spaces per dwelling unit are required. The site contains 16 parking spaces. Finally, the petitioner will be required to submit a building permit if the case is approved, with architect stamped and signed plans. The plans must comply with the International Building Code.

#### ***Site Plan Review & Findings of Fact***

City staff has reviewed the petitioner submitted documents and staff does not have any review comments. The project meets all applicable zoning standards outside of the requested variations.

The petitioner submitted *Findings of Fact* that would support the application request. Those findings are attached to this memo under the Justification Narrative. Included below is the criteria for approving a special use and the criteria for variations.

#### **Special Use Criteria:**

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

1. *That the special use is deemed necessary for the public convenience at the location specified.*
2. *That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.*
3. *That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and 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 the 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 as to minimize traffic congestion in the public streets.*
8. *That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Plan Commission and Planning and Development Committee.*

Variation Criteria:

1. *Whether 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.*

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**PZC MEETINGS – 07/06/2022 & 09/07/2022**

The Planning and Zoning Commission heard this petition at its meeting on July 6, 2022. The case received an unfavorable recommendation by a vote of 6-1. After the meeting, the petitioner informed the City that the floor area calculations presented by the petitioner undercut the total (i.e. gross) floor area of the proposed units. The petitioner stated the square footage amounts (400 square feet) were calculated based off livable floor area instead of total floor area. Note that applicable city code standards pertain to total floor area pursuant to definition previously listed.

The petitioner submitted revised documents showing correct square footage amounts and the Planning and Zoning Commission heard the case again on September 7, 2022. Based on the revised documents and conversation at the meeting, the case received an unfavorable recommendation by a vote of 7-0. Please note links below to the minutes from the July 6, 2022 and September 7, 2022 meetings:

- [Meeting Minutes \(July 6, 2022 Planning and Zoning Commission\)](#)
- [Meeting Minutes \(September 7, 2022 Planning and Zoning Commission\)](#)

**ALTERNATE CONSIDERATION**

As recommended/directed by the Municipal Services Committee.

**DECISION MODE**

This item will be placed on the October 3, 2022 City Council agenda for formal consideration.

MEMO

# ZONING APPLICATION

**CITY OF DARIEN**  
1702 Plainfield Road, Darien, IL 60561  
630-852-5000

### CONTACT INFORMATION

ARTHUR A. CANO  
Applicant's Name

ARTHUR A. CANO  
Owner's Name

8431 WILMETTE AVE, DARIEN, IL 60561  
Address, City, State, Zip Code

SAME  
Address, City, State, Zip Code

630-747-6070  
Telephone

SAME  
Telephone

ARTCANO@AMERITECH.NET  
Email

SAME  
Email

RECEIVED  
MAY 23 2022  
Community Development  
City of Darien

### PROPERTY INFORMATION

8431 WILMETTE AVE  
Property address

09-34-301-022  
PIN Number(s)

R-3  
Zoning District

RESIDENTIAL (MULTI-FAMILY)  
Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

*Arthur A. Cano*

### REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

**To convert from 5 apartment units to 8 apartment units. 3 studio apartments to be constructed in the lower level basement. No exterior structures to the building and no changes to the property.**

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that ARTHUR A. CANO is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.

Given under my hand and seal, this 20<sup>th</sup> day of MAY 2022

Rajini Ramchandani  
Notary Public

For office use only	
Date Received:	05/23/2022
Case Number:	PZC2022-03
Fee Paid:	\$820.00
Hearing Date:	07/06/2022



## JUSTIFICATION NARRATIVE

**Subject: Apartment Building**

**8431 Wilmette Ave**

The main scope of my petition is to convert the lower level basement space of the subject building to three 500 sq ft deluxe studio apartments, thereby increasing the number of units from 5 to 8 units.

Presently, this 8 ft high ceiling basement consists of 5 storage rooms. This space was improved several years ago inasmuch as it served as training and class rooms facilities for several commercial tenants.

The proposed improvements for this conversion project will be confined to within the perimeter of the interior walls and definitely NO exterior structures whatsoever will be constructed.

The subject building was built in 1974 and annexed to Darien in 2012, consists of a 2 story brick apartment building made up of 5 units, (2 apartments on the 1<sup>st</sup> floor and 3 apartments on the 2<sup>nd</sup> floor). In total: 1- 2 bedroom apartment and 4 – 1 bedroom apartments.

The conversion of the basement level to three 500 sf deluxe studio apartments is considered the better economical choice for this type of space. The purposed rental income of \$950/mo will basically increase the value of the subject property and likewise improve the net operating income. The added revenue will help defray the continuing increases of property taxes, utilities and operating expenses. Otherwise, a negative income return if used as only storage or left vacant.


For the past 47 years, the subject 2 story apartment building and use has not imposed a negative impact, diminished property values, been detrimental to public welfare, increase traffic hazards or otherwise injurious to the surrounding neighborhood. Likewise, the 3 studio apartments located out of sight in the lower level will not cause substantial difficulty, undue hardship, unreasonable burden or loss of value to the neighboring properties. The community will not be declared undesirable because of three studio apartments situated in the remote part of the city.

Darien is considered a high rent area with a limited amount of affordable studio apartments. These studio apartments will not be catered to section 8 tenants but more so to young professionals like the seasonal student-employees at nearby Argonne Laboratory. I continue to receive rental inquires from incoming interns employed at Argonne. Very likely, these affordable studios will help the young worker to move out of the parent's house and seek independent living.

Accordingly, this conversion, of granting the variations as requested together with the approval of 3 units from 5 to 8 units, will substantially maintain the same compatibility and remain in harmony with the general purpose and intent of the City of Darien Zoning and Land Use objectives.

Your approval will be appreciated.

Arthur A. Cano, petitioner



7/21/22



Associated Surveying Group, LLC

Illinois Prof. Design Firm No. 184-004973
P.O. Box 810 Bolingbrook, IL 60440
PH: 630-759-0205 FAX: 630-759-9291

PLAT OF SURVEY

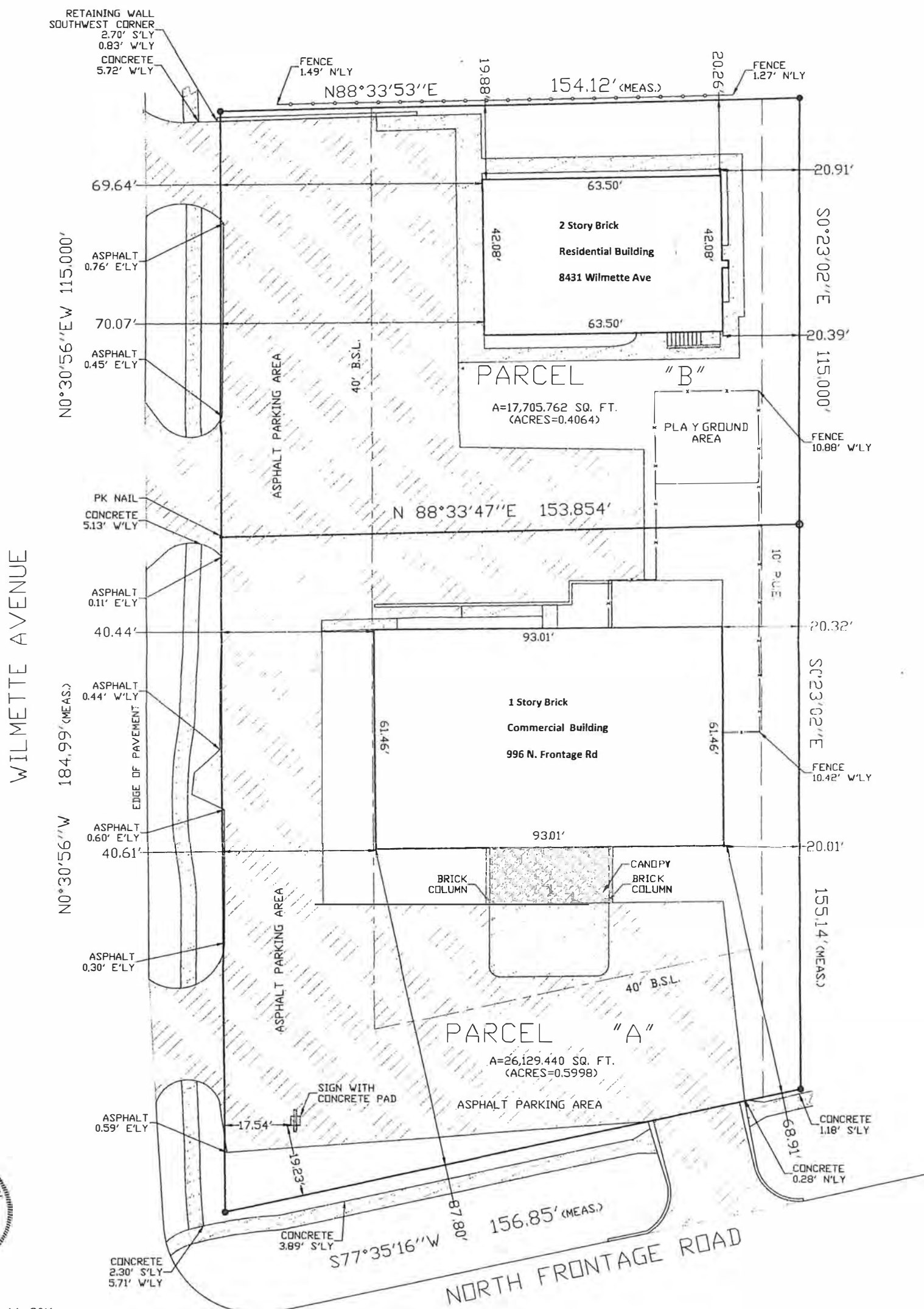
PARCEL A: LOT 1, EXCEPT THE NORTH 115 FEET, OF KLEJCH'S SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 5, 1958 AS DOCUMENT NO. 901297 IN DUPAGE COUNTY, ILLINOIS

ALSO KNOWN AS 17 W. 630 N. FRONTAGE RD., DARIEN, ILLINOIS

PARCEL B: THE NORTH 115 FEET OF LOT 1 OF KLEJCH'S SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 5, 1958 AS DOCUMENT NO. 901297 IN DUPAGE COUNTY, ILLINOIS

ALSO KNOWN AS 9 S 531 WILMETTE AVE., DARIEN, ILLINOIS

SCALE 1" = 20'



WILMETTE AVENUE



REVISED: NOVEMBER 14, 2011

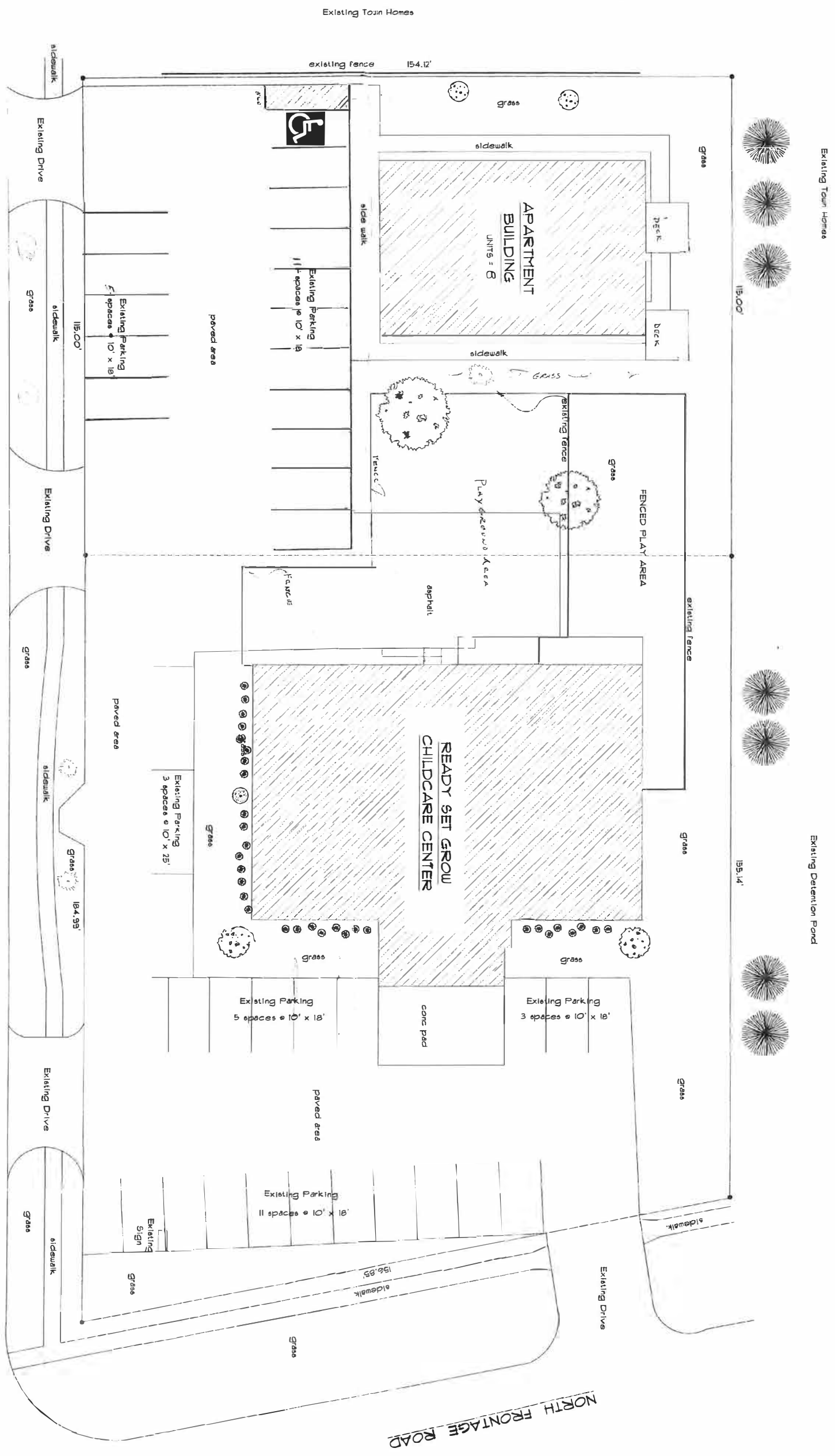
State of Illinois }
County of Will }
Michael G. Herwy, an Illinois Professional Land Surveyor, do hereby certify that "This professional service conforms to the current Illinois minimum standards for a boundary survey", and that the Plat hereon drawn is a correct representation of said survey.

dated, this 28TH day of OCTOBER, A.D., 2011, at Bolingbrook, IL. FIELDWORK DATE: OCTOBER 26, 2011

Michael G. Herwy
Illinois Professional Land Surveyor No. 35-002900
license Expires: November 30, 2012
CLIENT: CAND & ASSOCIATES
JOB NO.: 71242-11

LEGEND: ASPHALT, WALL, WOOD/PVC, IRON PIPE, REMAINING, PK NAILS AS NOTCH, CHAIN LINK FENCE, WOOD FENCE, ALL OTHER FENCE TYPES. ABBREVIATIONS: A = ARC LENGTH, R = RADIUS, CH = CHORD LENGTH, (M) = MEASURED VALUE, B.S.L. = BUILDING SETBACK LINE, P.U.E. = PUBLIC UTILITY EASEMENT, P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT.

NOTE: COMPARE THE LEGAL DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE. ALSO, COMPARE ALL FIELD MEASURED LOT CORNERS & BUILDING TIES WITH THIS PLAT BEFORE CONSTRUCTION AND REPORT ANY DIFFERENCE AT ONCE. MEASURED LOT DIMENSIONS ARE SHOWN ONLY WHEN THEY DIFFER FROM RECORDED DIMENSIONS BY 0.16 FEET OR MORE. CURVED LINES DENOTED WITH ARC LENGTHS UNLESS OTHERWISE NOTED. ALSO, ALL ARCS ARE TANGENT UNLESS OTHERWISE NOTED.



**PARKING DATA**  
 Spaces Required: 15  
 Spaces Provided: 15

**SITE PLAN**

**PARKING PLAN & LANDSCAPE PLAN**  
 (As Existing)

**PARKING DATA**  
 10 Spaces Required  
 21 Spaces Provided



**WILMETTE AVENUE**

**NORTH FRONTAGE ROAD**

**SITE PLAN**  
 NORTH FRONTAGE ROAD AND WILMETTE AVE  
 DuPAGE COUNTY - DARIEN, ILLINOIS

SCALE: as noted  
 DRAWN BY: DBK  
 DATE: 11-3-11

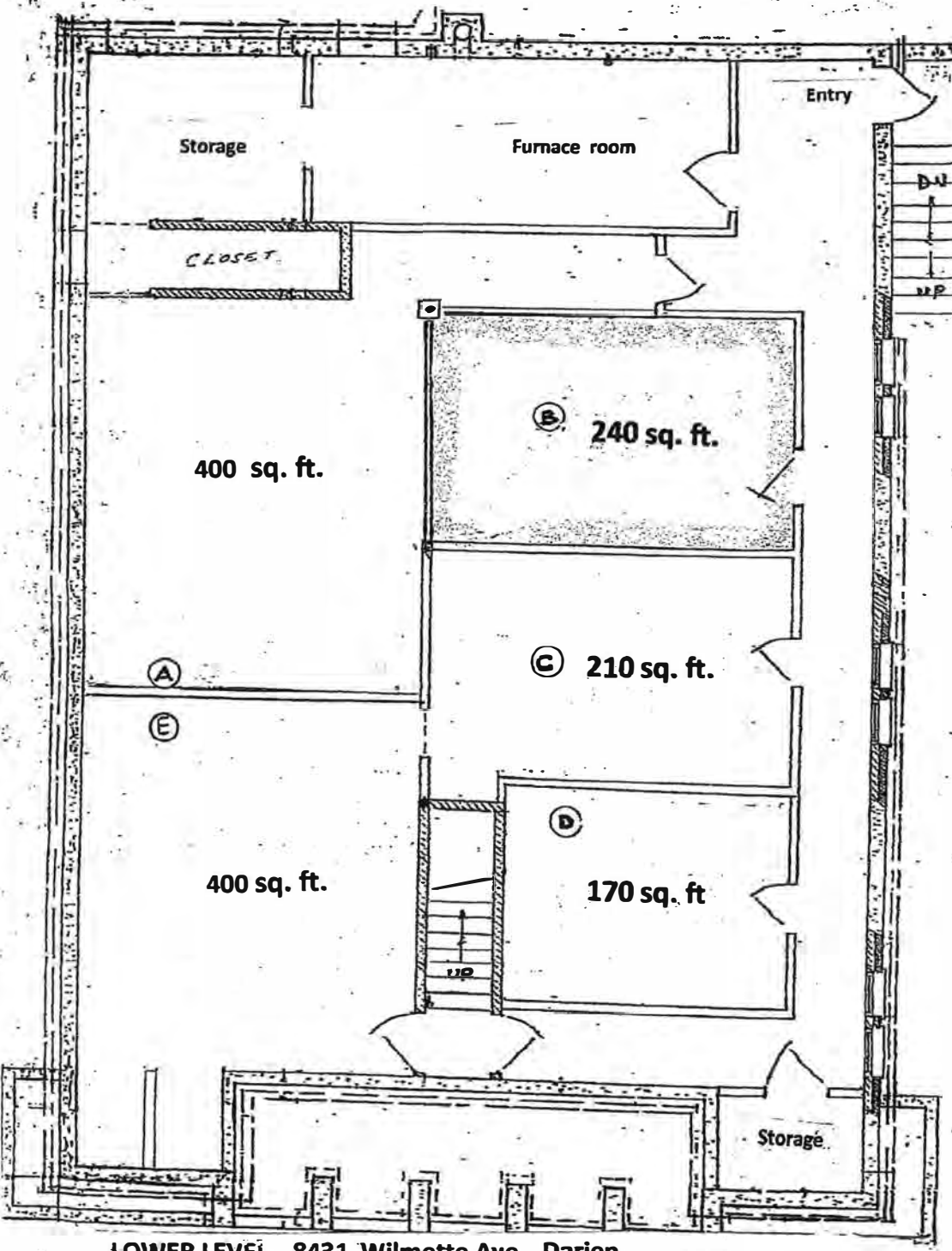
**DBK and Associates**  
 La Grange Highlands  
 708-579-1726

FILE NO: 11-1721  
 REVISED: 5/10/12

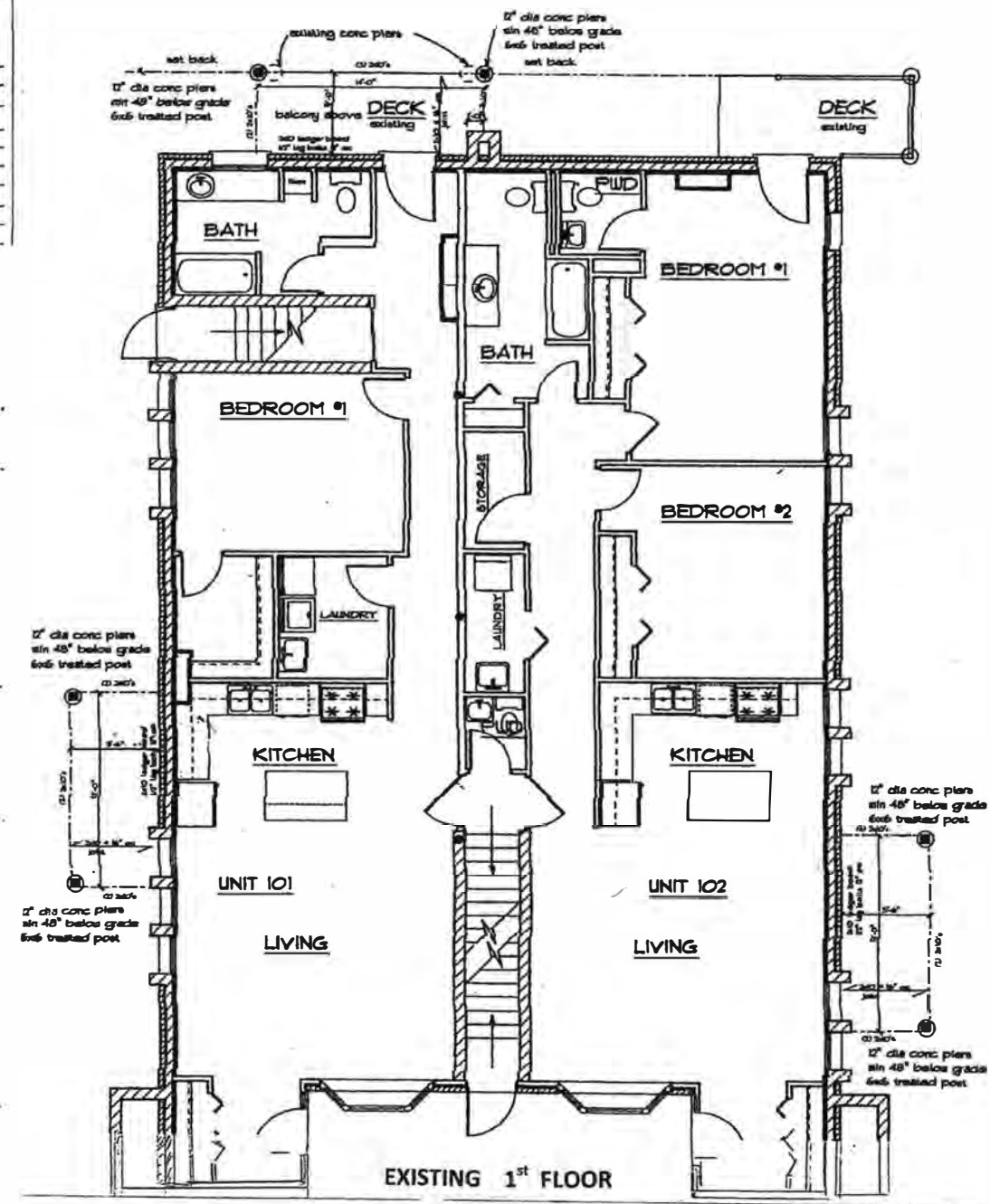
SHEET NO.  
**SP-1**



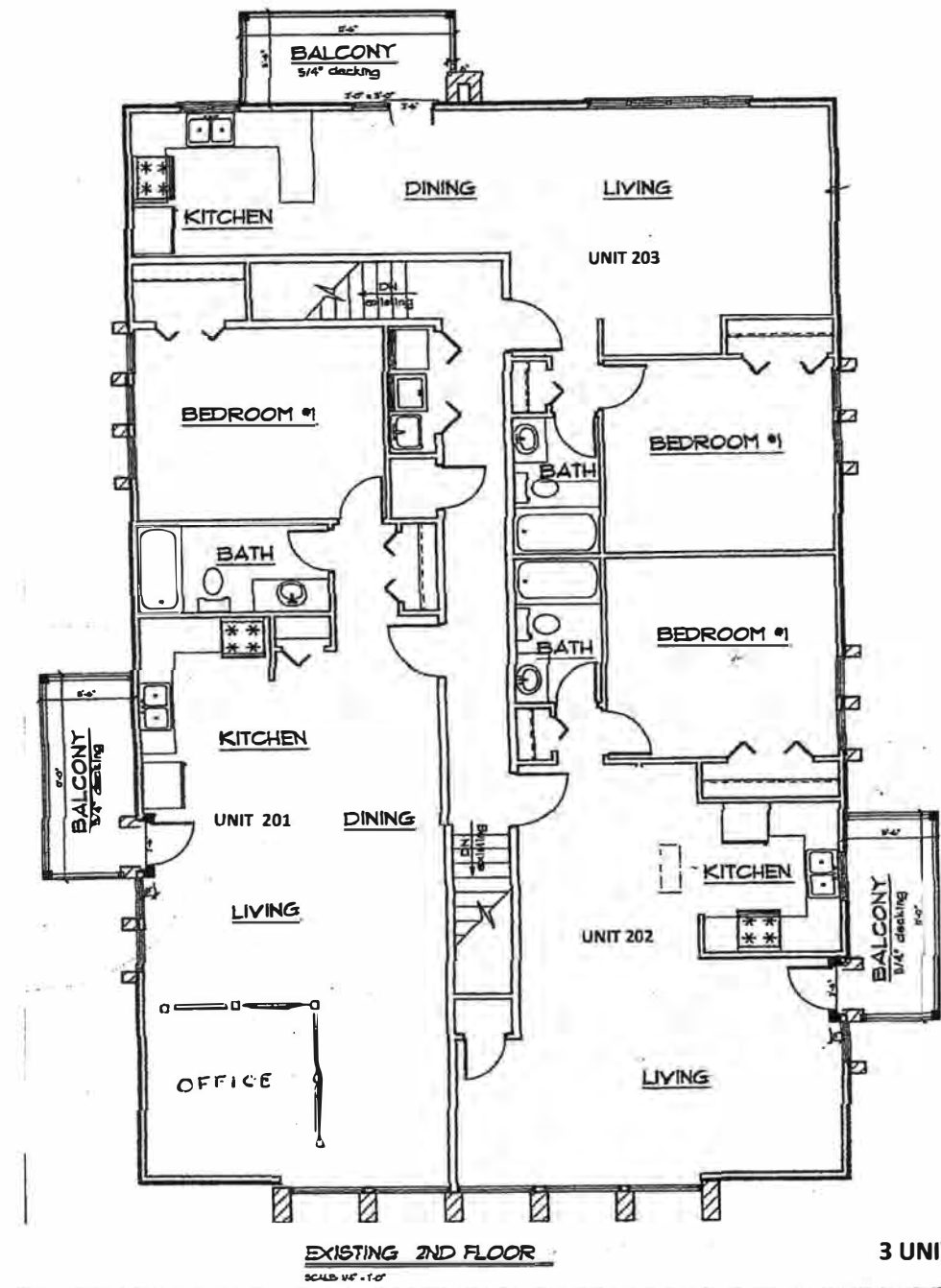
MEMO



LOWER LEVEL 8431 Wilmette Ave Darien STORAGE ROOMS

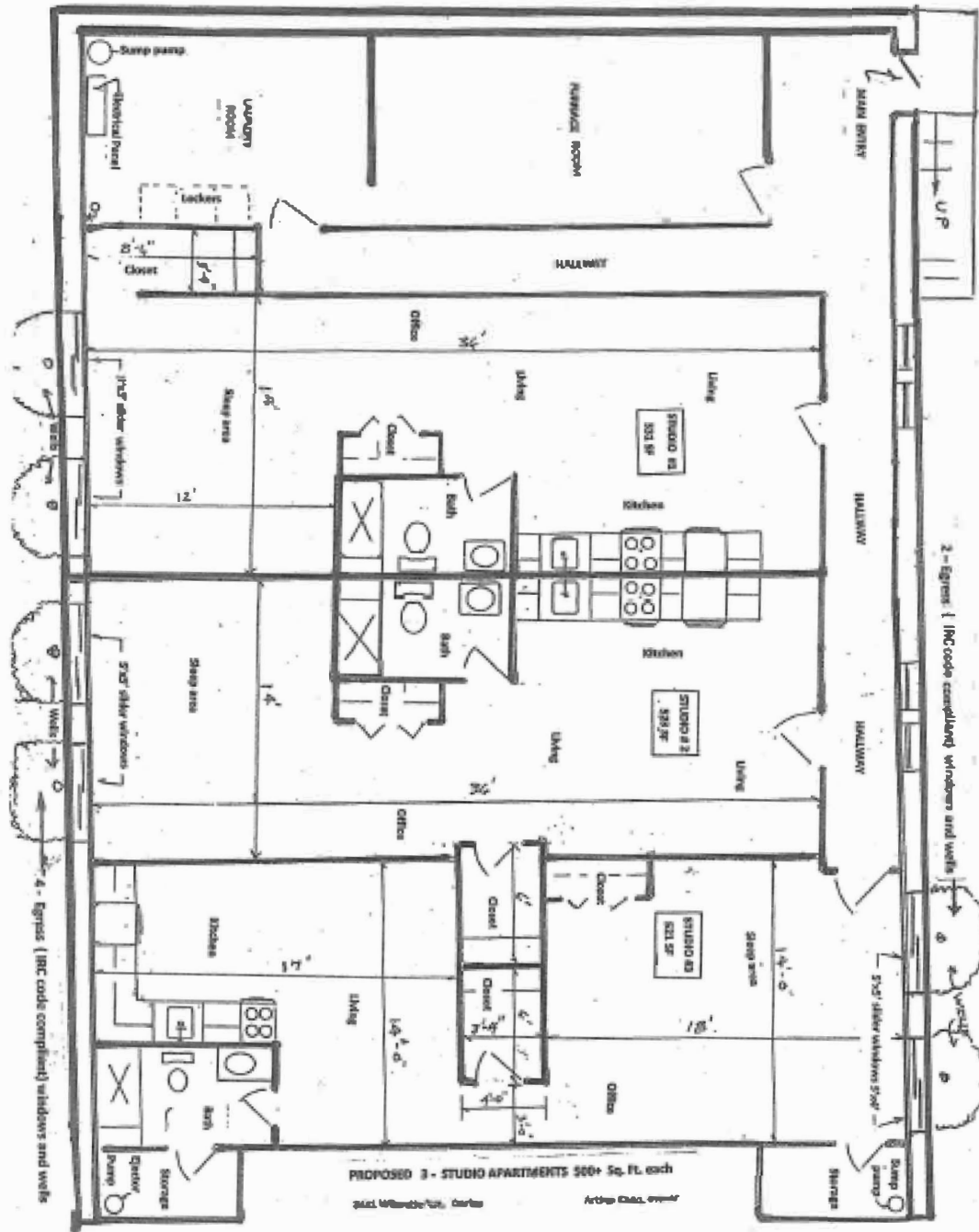


2 UNITS



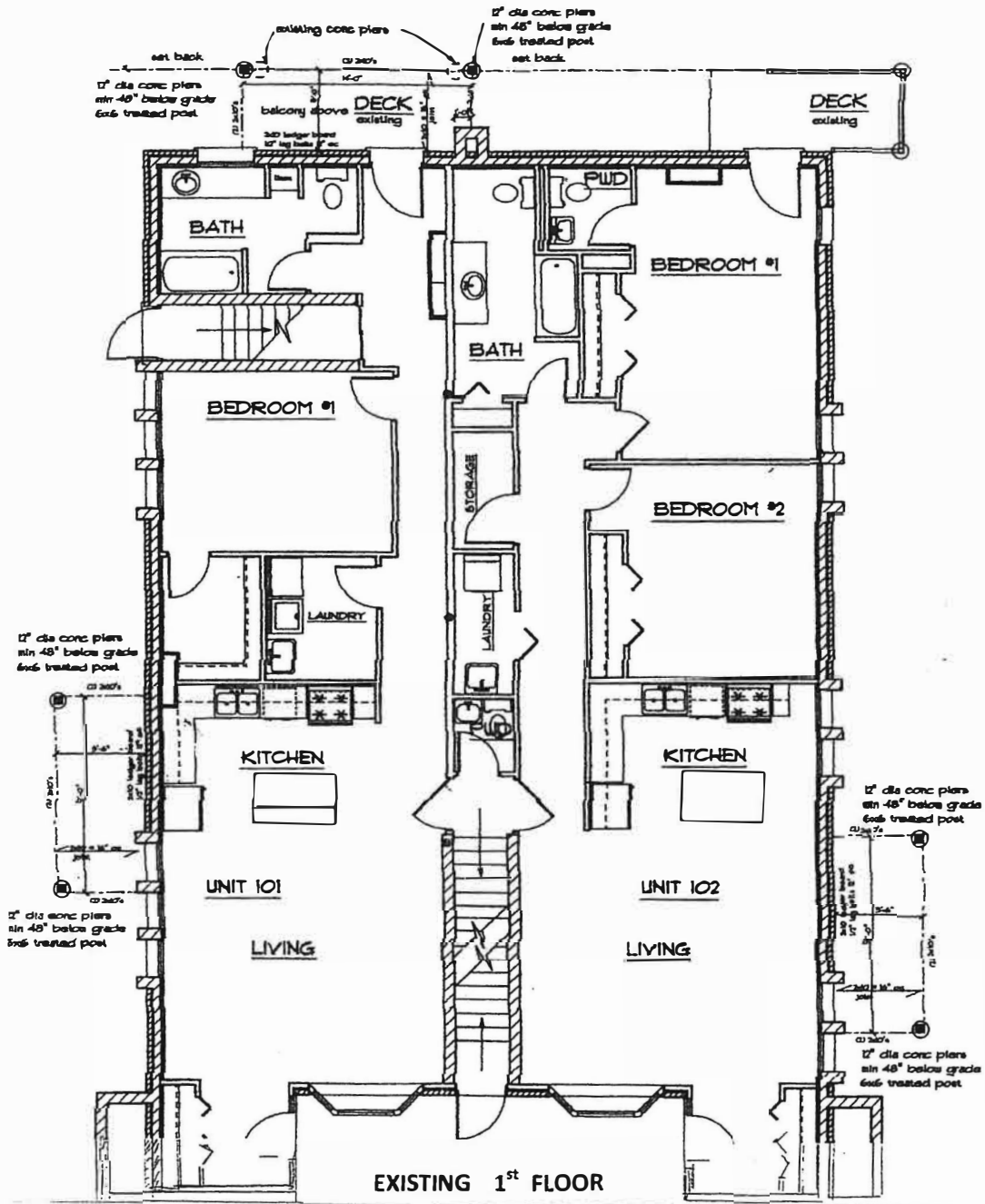
3 UNI

AS EXISTING

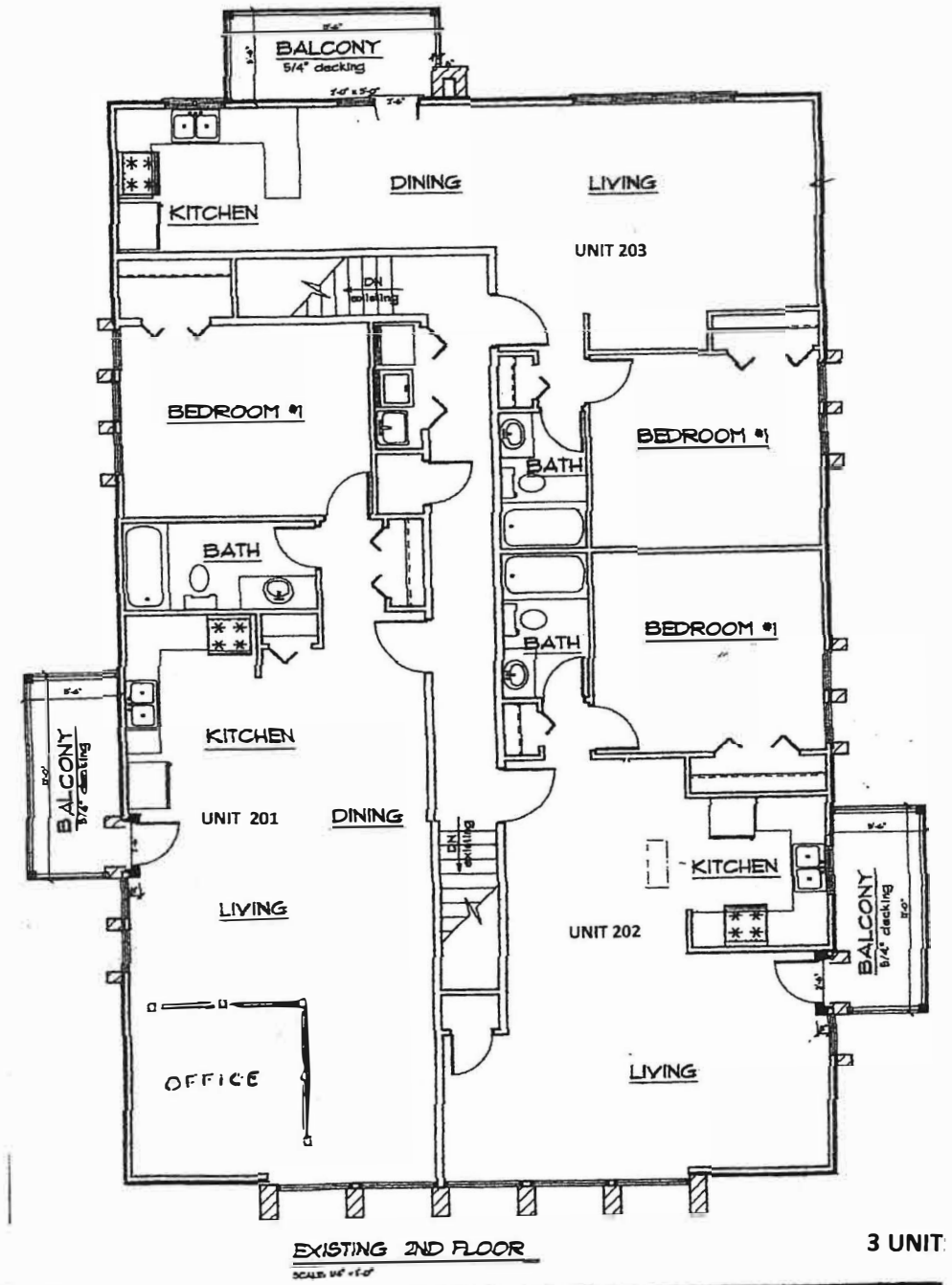


PROPOSED 3 STUDIO APARTMENTS - 400 SQ. FT. each

DARIEN, IL



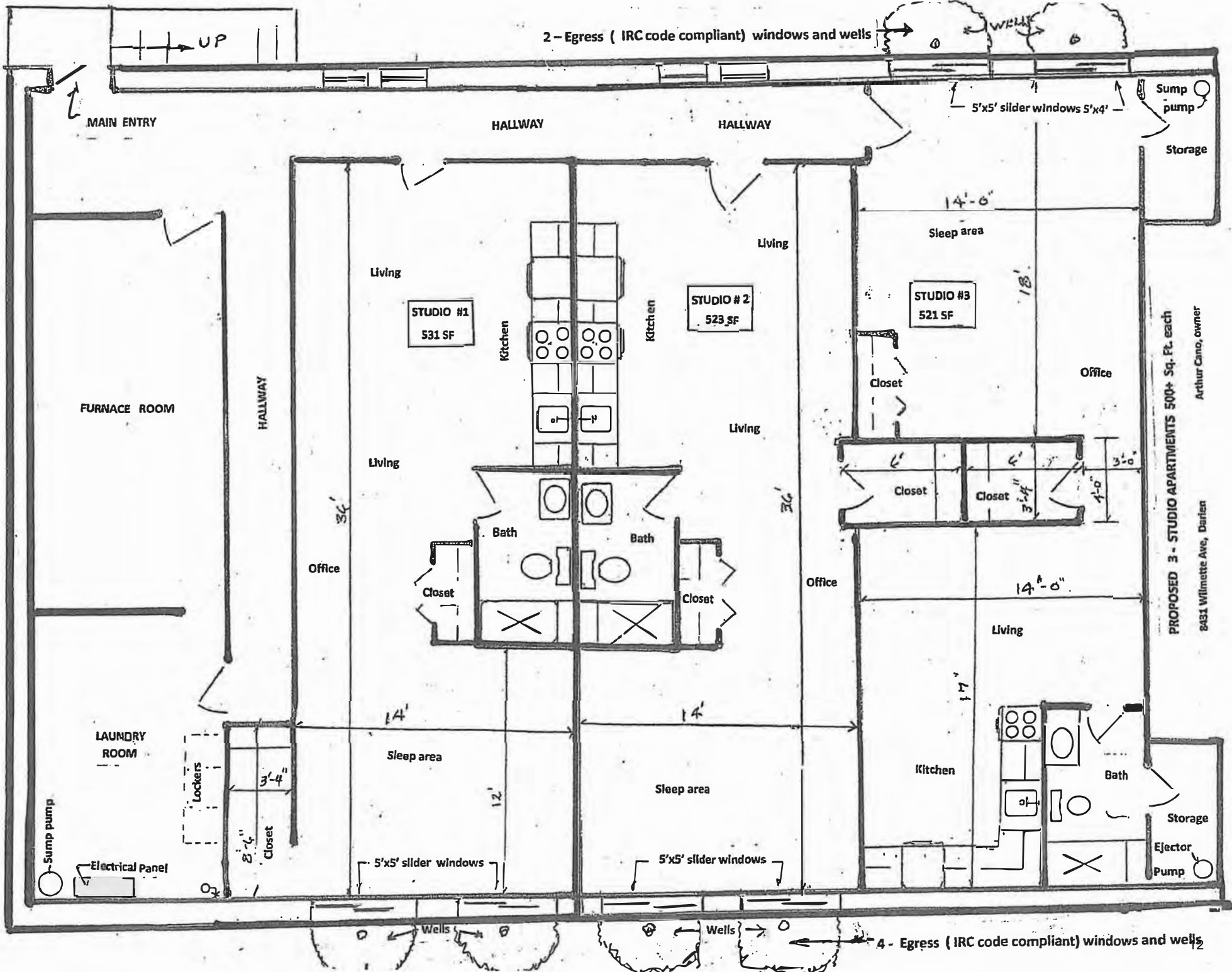
2 UNITS



3 UNITS

# PROPOSED AND EXISTING





2 - Egress ( IRC code compliant) windows and wells



MAIN ENTRY

HALLWAY

HALLWAY

5'x5' slider windows 5'x4'

Sump pump

Storage

STUDIO #1  
531 SF

STUDIO #2  
523 SF

STUDIO #3  
521 SF

FURNACE ROOM

HALLWAY

Living

Living

Sleep area

Kitchen

Kitchen

Office

Living

Living

Closet

Bath

Bath

Closet

Closet

Office

Office

Closet

Closet

LAUNDRY ROOM

Lockers

14'

14'

Sleep area

Sleep area

Living

Sump pump

Electrical Panel

3'-4" Closet

5'x5' slider windows

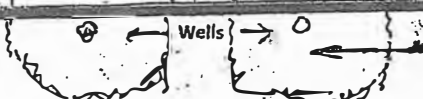
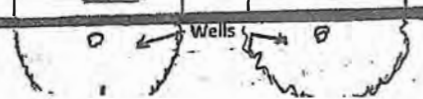
5'x5' slider windows

Kitchen

Bath

Storage

Ejector Pump



4 - Egress ( IRC code compliant) windows and wells

PROPOSED 3 - STUDIO APARTMENTS 500+ Sq. Ft. each  
Arthur Cano, owner  
8431 Wilmette Ave, Darien





## RECAP of entire gross area

**FLOOR PLANS** The square footage size of each apartment.(with dimensions)

**Studio #1. Gross area** 36 ft x 14 ft = 504 sq. ft.

Extra closet 3' – 4" x 8'-6" = 27.625 sq ft.

Total. ....531.6 sq.ft

**Studio #2. Gross area** 36 ft x 14 ft = 504 sq ft.

Extra closet 3' -4" x 6' -0" = 19.5 sq ft.

Total .....523.5 sq ft.

**Studio #3. Gross area** 14 ft x 17 ft =238 sq ft

“ 14 ft x 18 ft = 252 sq ft.

Hall 3' x 4' = 12 sq ft

Extra closet 3' x 4" x 6'-0" = 19.5sq ft

Total.....521.5 sq ft

**GRAND TOTAL.....1,576 sq.ft. required**

**FOUNDATION PLAN:** Gross area of original foundation floor plan as marked.

Gross Larger area.....43 ft x 36 ft = 1548 sq ft.

Gross Small area .....4.5' x 4.5' = 65.25 sq ft

Closet area..... 3'- 4" x 8'-6" = 27.625 sq. ft.

Total..... 1,641 sq. ft.

**GRAND TOTAL.....1,641 sq.ft. available**

**\*\*1641 – 1567 =74 sq ft**

**CONCLUSION:** There is sufficient Existing square footage to accommodate 3 – 500 sq ft. units.

**\*\*The difference of 74 sq ft accounts for thickness of partitions and use of round numbers.** 14

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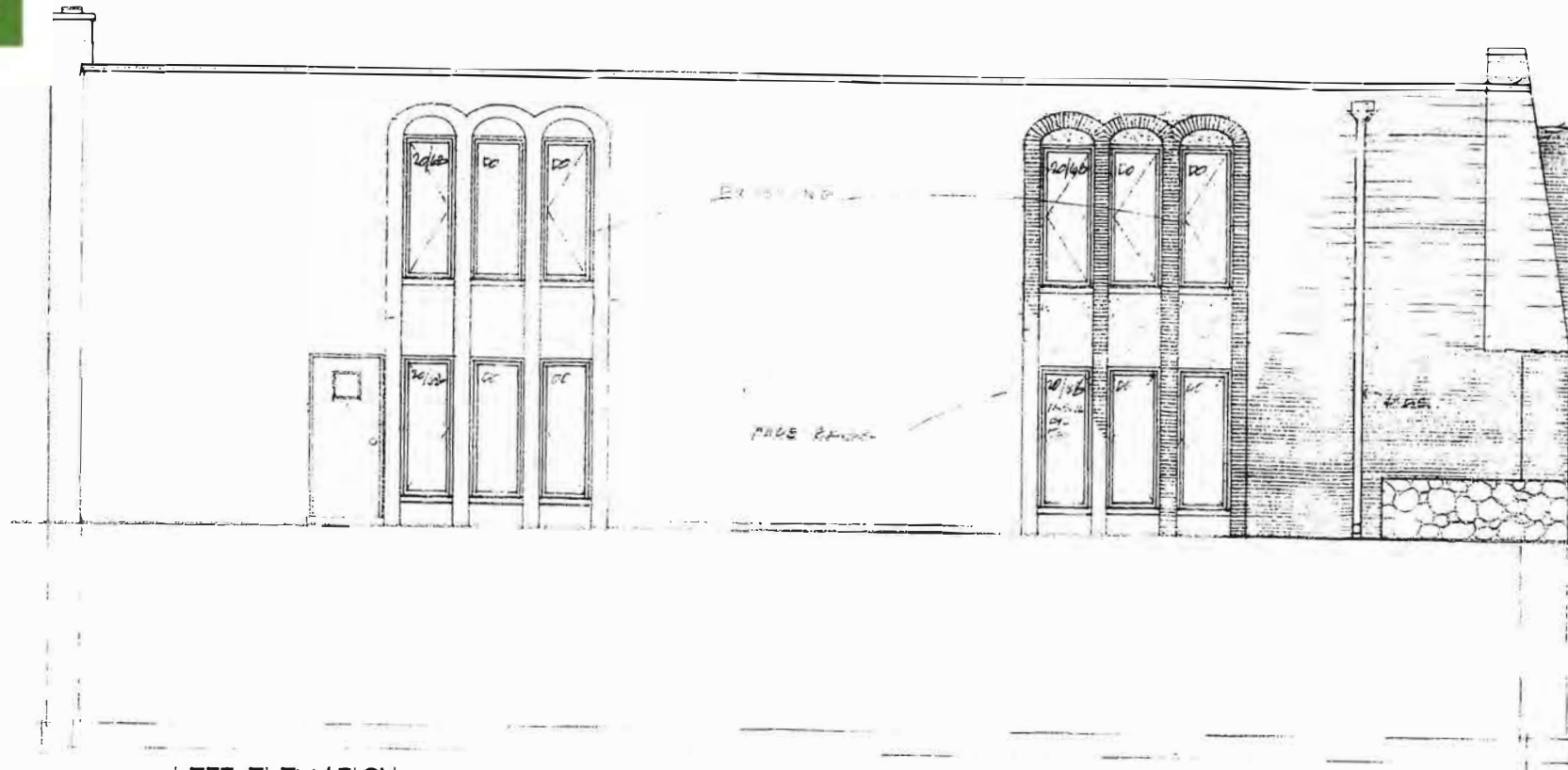
**\*\*1641 – 1567 =74 sq ft**

**CONCLUSION: There is sufficient Existing square footage to accommodate 3 – 500 sq ft. units.**

**\*\*The difference of 74 sq ft accounts for thickness of partitions and use of round numbers.**



MEMO



LEFT ELEVATION  
SCALE 1/4" = 1'-0"



FRONT ELEVATION  
SCALE 1/4" = 1'-0"

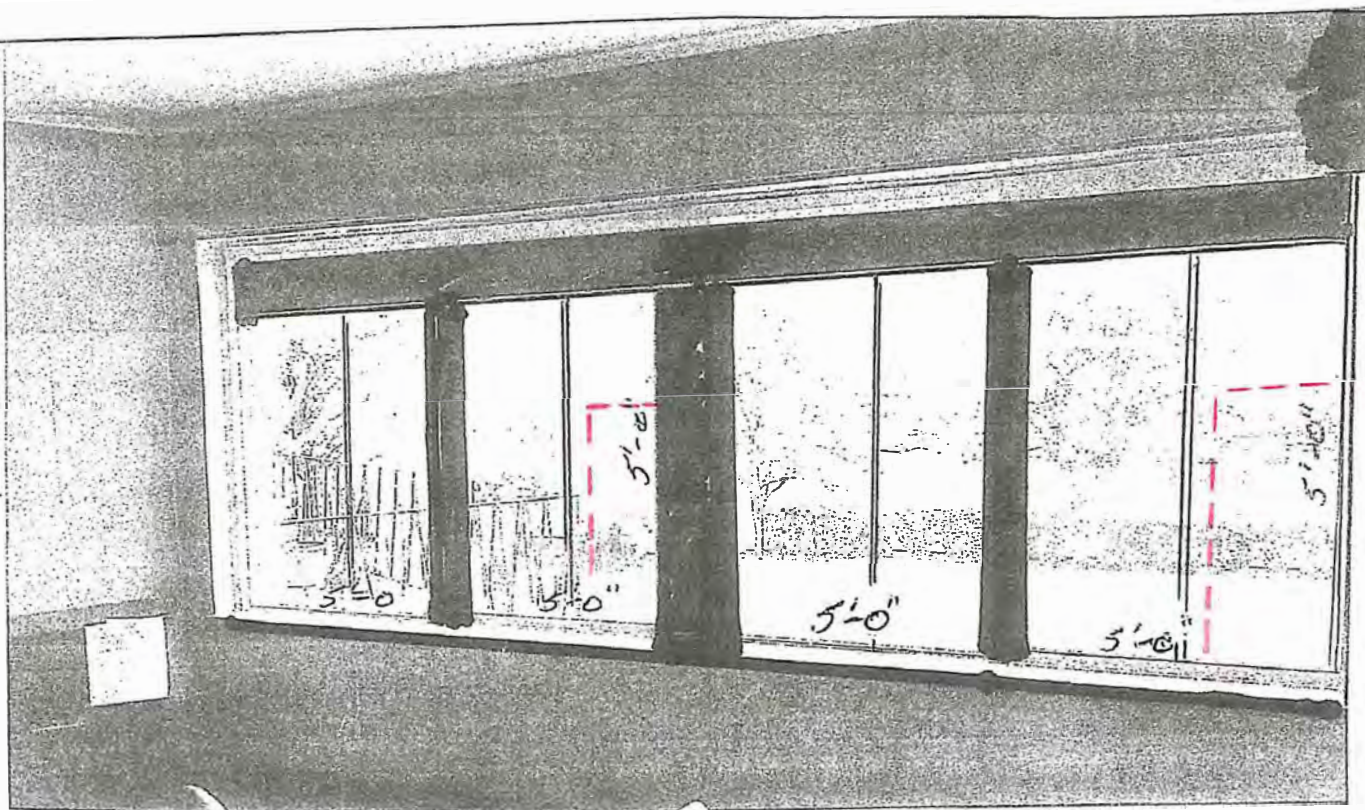


REAR ELEVATION  
SCALE 1/4" = 1'-0"



RIGHT ELEVATION  
SCALE 1/4" = 1'-0"

ELEVATIONS

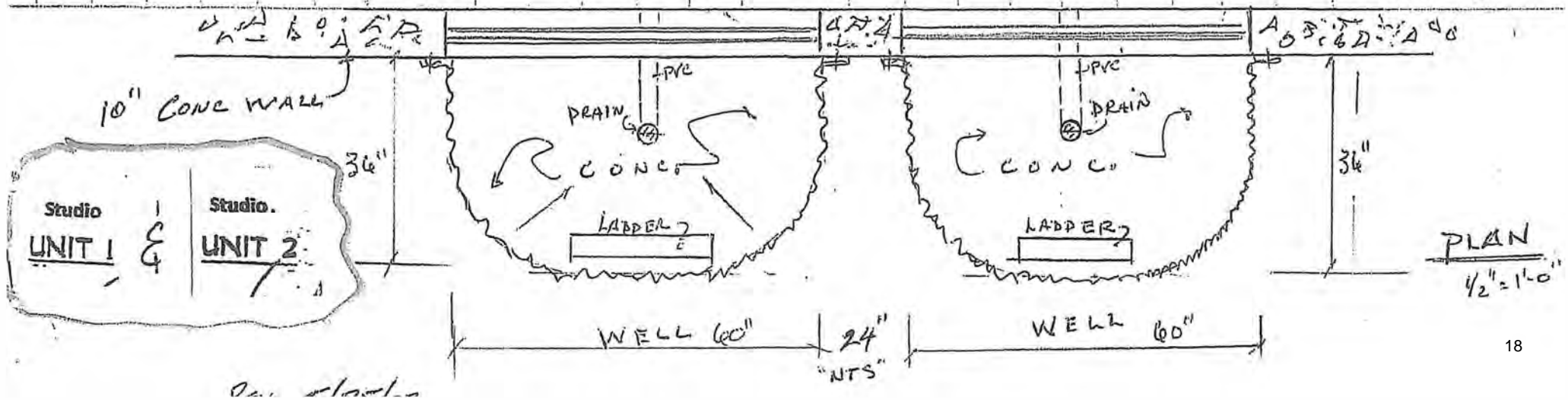
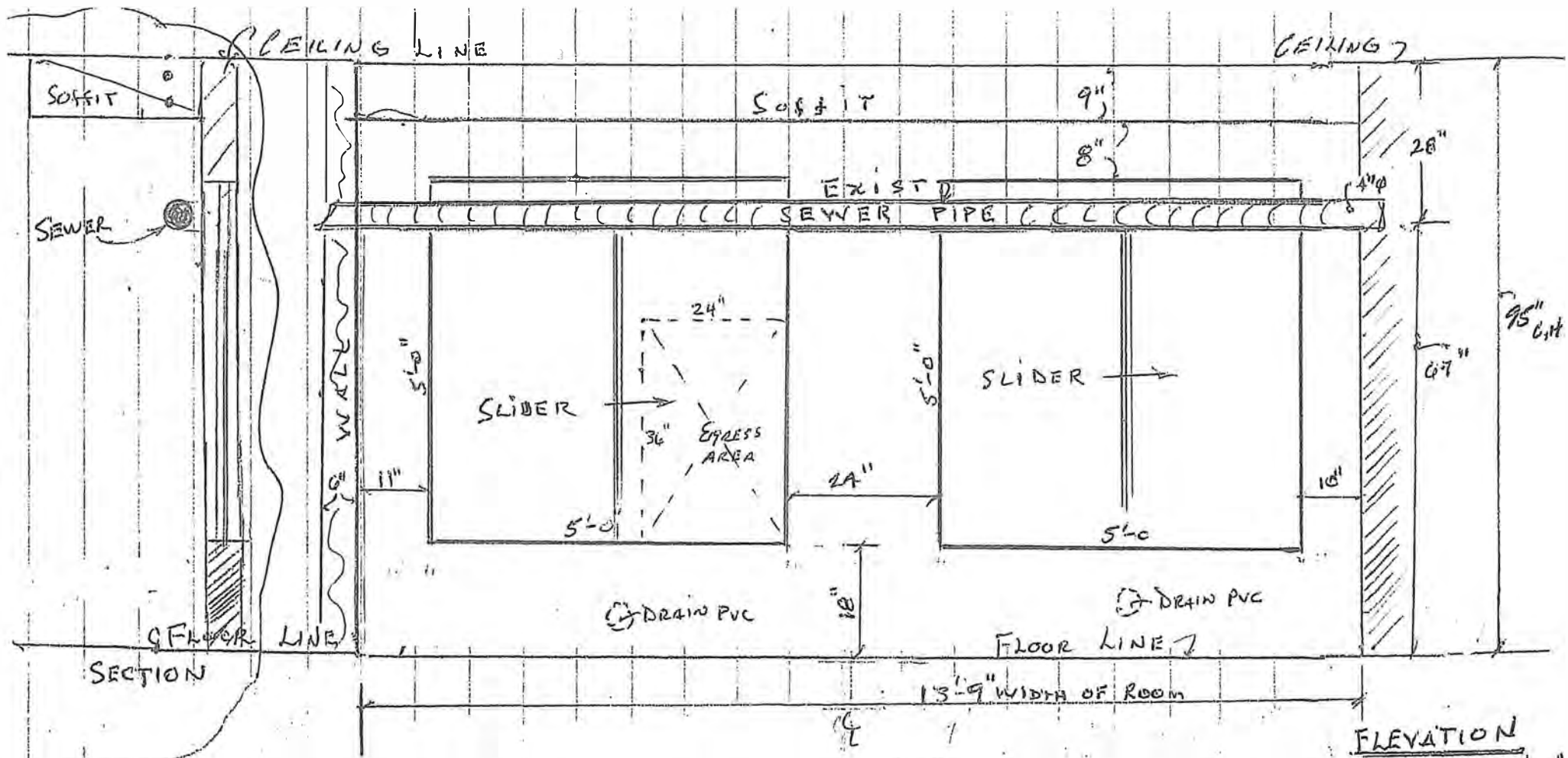


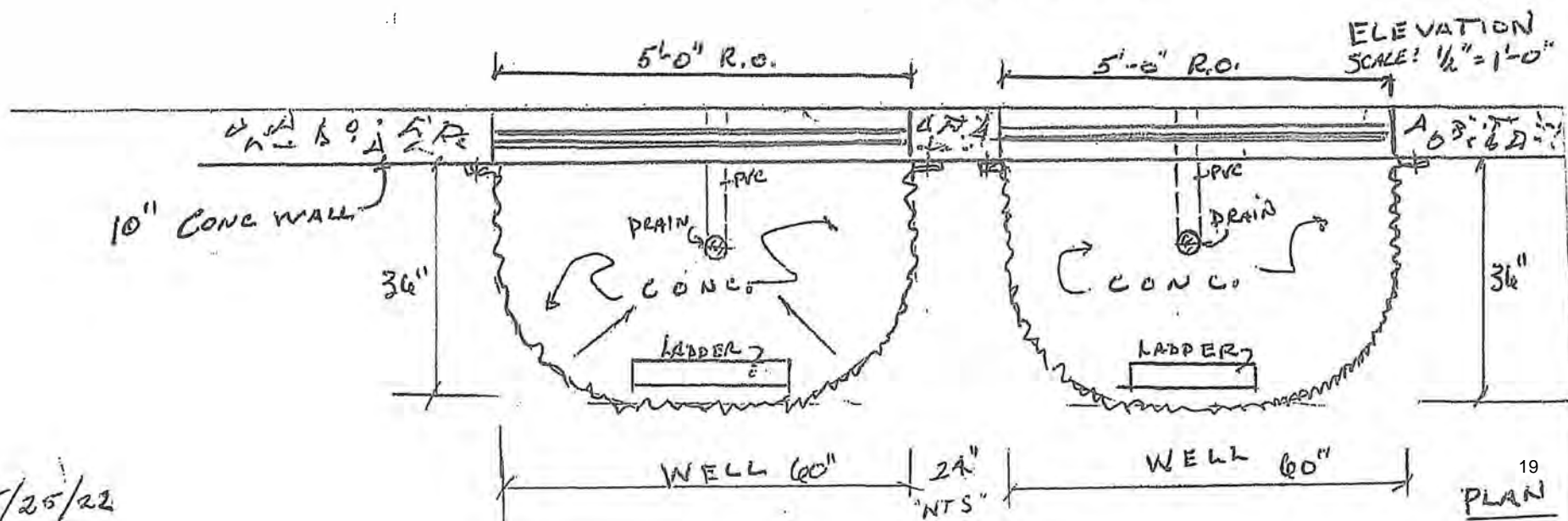
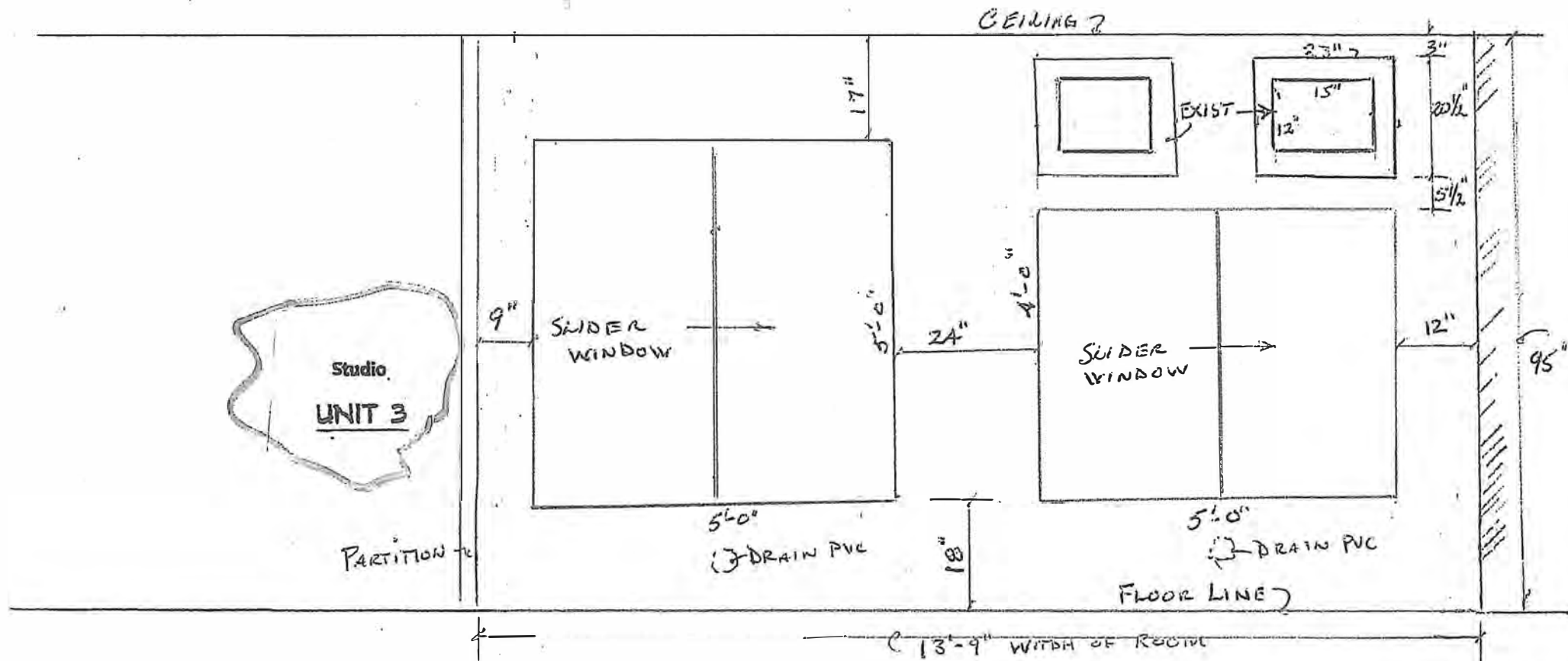
**STUDIO #2**

**STUDIO #1**

**TYPICAL PHOTO IMAGE SLIDER WINDOWS**







REV 5/25/22



### Shop By Product

- Complete Egress Kits
- In-Swing Egress Kits
- Well & Cover Combo Window Wells
- Egress Windows
- Well Covers & Grates
- Basement Windows
- Accessories
- Non-Egress Window Wells

### It's the Law - Egress Window Requirements

The IRC 2021 or International Residential Code pertains to all single and two family homes.

The intent of the code is to keep you and your loved one safe by requiring a means of egress in basement level living spaces. The reason for needing a means of egress are twofold; to allow for an exit in case of an emergency, and to provide access for a firefighter to gain entrance. You will find that each product on this site clearly states whether it complies with the egress window requirements.

The code gets updated every three years. Check with your local building department to determine what version of this code is being enforced in your area at this time.

**Here is an overview of section R310 of the code that are applicable to Egress Windows:**

Egress windows (or doors) are required in every habitable space. Especially in any room used for sleeping purposes, it will require its own egress window. Remodeler: if you have an existing home and you add a sleeping room, or finish a separate living space in the basement, the code requires that you install an egress window to serve these spaces. Without a means of egress, these rooms can represent a dangerous fire trap if you do not have a quick and easy to operate emergency egress escape window. If you have a basement that has a bedroom, recreation room, den, family room, media room, office, or home gym. All of these rooms are required to have a means of egress.

**Basement Egress Window Requirements**

The bottom of the egress window opening can't exceed 44" from the finished floor.

The minimum opening area of the egress window is 5.7 square feet.

The minimum egress window opening height is 24" high.

The minimum egress window opening is 20" wide.

The egress window must have a glass area of not less than 8% of the total floor area of room(s) for which it is servicing, to allow the minimum amount of sufficient natural light. \*

The egress window must have a opening area of not less than 4% of the total floor area of room(s) for which it is servicing, to allow the minimum amount of natural ventilation. \*

\* Multiple windows can be used to service a single area where one window does not meet these percentages of total floor area. As long as the totaled amounts from this combination of windows meet or exceed the 8% for natural light and 4% for natural ventilation.

**Egress Window Wells**

Egress window wells are required where the bottom of the egress window is below ground level.

The egress well must not interfere with the egress window fully opening.

The distance from the egress window to the back of the Egress well must be at least 36"

The minimum area of the egress well must be 9 square feet. (width x projection)

**Egress Ladders and/or Steps**

Egress ladders and or steps are required on window wells deeper than 44" and must be permanently attached.

An egress ladder or step may encroach into well up to 6".

Steps and/or distance between rungs of the ladder can't exceed 18".

The rungs of an egress ladder must be 12" wide or greater and must project a minimum of 3" away from the back wall, but can't exceed 6" from the back of the wall.

**Egress Well Cover and/or Well Grates**

Shall be easily opened or removed from the inside of the egress well without special tools.

These requirements are intended to make sure an average, able bodied person, would be able to both fit through and lift themselves up, and out the window. Please keep in mind whom may be using the living space in your basement and adjust these requirements as you feel necessary. The law only dictates the minimum required by law and may not be what best suits your needs. Use your common sense when picking the egress window size and egress window well size that you feel is right for you and your family. Keep safety in mind.

See your local building inspector with questions regarding code requirements in your area. You are responsible for abiding by all applicable building codes in your area.

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## Basement Egress Windows

Basement Egress Windows are large enough for the average person to use as an exit in case of an emergency, providing your family with peace of mind while satisfying home fire safety regulations and building codes. The most common basement egress window are slider windows which come in sizes of 48" - 72" wide x 48" high. With the 48" wide x 48" high being the most popular and which come in most of the Complete Egress Kits. Rising in popularity are the in-swing casement style windows for egress. These are great for when you are taking out a small, non-egress basement window. These windows are often in the 30" - 36" wide x 12" - 18" high size range. The in-swing casement windows for egress range in size from 27" - 37 1/2" wide. And heights from 36" - 61 1/2" high. Having a verity of sizes available makes it easy to match the width of your existing window opening with one of the available egress windows. The cut straight down to accommodate the larger height of the new egress window.

### Window Benefits:

- Provide an easy exit
- Meet or exceed the code requirements
- Have screens for bug protection
- Are double paned for a better insulation
- Allow natural light into your dark basement

In-Swing Casement Windows are large enough to meet the code for egress, yet swing out of the way for an unobstructed exit. Acrylic Glass Block In-Swing Windows are the perfect choice if privacy is a concern. The Slider window version is best when you want the most light and larger view area.

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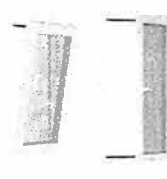
**Easy Egress Vinyl Window**  
 Price: \$615.00-\$1,180.00

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**Single Hung In-Swing Escape Window**  
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**European Tilt & Turn Window**  
 Price: \$905.00-\$960.00

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**PVC V300 Low-E Slider Window**  
 Price: \$746.00-\$1,125.00

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**Acrylic Block In-Swing Window**  
 Price: \$1,060.00-\$1,265.00

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**Easy Egress Window Frame Buck - Heavy Duty**  
 Price: \$260.00-\$345.00

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Home » Window Wells

## Window Wells

Window wells are required by current building codes for finished basements to provide a safe means of egress, and they are an important part of turning a basement into a livable space. They turn an otherwise dark and drab basement into a welcoming place to enjoy with your family. There is a wide variety of sizes available for the Egress Window Wells. They start with widths from 42" wide all the way up to 80" wide. The projection, the distance from the foundation out to the furthest point of the well on the inside, start at 36" and go up to 49". 36" projection is the minimum required by code. The heights of the egress window wells range from 36" high to 96" high.

### Window Wells:

- Provide an additional exit in case of a fire or other emergency
- Are a great source for natural light for basement renovations
- Improve ventilation and air circulation

Basement window wells must comply with very specific requirements in Section R310 of the International Building Code. All of the wells offered here adhere to those requirements. You will have peace of mind knowing that your family can escape from your basement quickly and safely.

Many of the wells offered are one-piece units and require no assembly. The rest are designed for easy assembly. All resist UV light, water, frost, extreme temperatures and are maintenance free. Any are ideal for both new construction and remodeling projects.

Beyond their practical function, the wells also add a little style. Both the Bilco ScapeWEL and Monarch Garden View Wells have terraced steps to provide garden planting beds for you to enjoy for years to come. With varying styles in several neutral colors, you'll be able to find a well that suits your home's décor.

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**Easy Egress Well - Stacked Stone**  
Price: \$603.00-\$1,443.00  
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**Easy Egress Well - White**  
Price: \$516.00-\$1,254.00  
[more details...](#)



**StoneWall Egress Well**  
Price: \$412.00-\$912.00  
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**Modular Egress Well 5600**  
Price: \$210.00  
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**Elite Egress Well - Tan**  
Price: \$1,070.00-\$2,088.00  
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**Elite Egress Well - Gray**  
Price: \$1,070.00-\$2,088.00  
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**DuraWell Egress Well - Sandstone**  
Price: \$1,195.00-\$1,395.00  
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**DuraWell Egress Well - Slate**  
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# Opening Specifications

## Signature Slider (8401)

# WEATHER SHIELD.

## WINDOWS & DOORS

Call Size	Sq. Ft. Clear Opening	Clear Opening		Sq. Ft. Daylight Opening	Sq. Ft. Vent	Floor to Bottom of Clear Opening <sup>a</sup>	Sq. Ft. Overall Unit Area <sup>b</sup>
		Width	Height				
3020	1.847	14.006	18.985	3.156	1.847	61.221	5.793
3026	2.430	14.006	24.985	4.312	2.430	55.221	7.273
3030	3.014	14.006	30.985	5.468	3.014	49.221	8.752
3036	3.597	14.006	36.985	6.624	3.597	43.221	10.231
3040	4.181	14.006	42.985	7.781	4.181	37.221	11.710
3046	4.570	14.006	46.985	8.552	4.570	33.221	12.696
3050	5.348	14.006	54.985	10.093	5.348	25.221	14.668
3056	5.932	14.006	60.985	11.249	5.932	43.221	16.148
3060	6.515	14.006	66.985	12.406	6.515	37.221	17.627
4020	2.638	20.006	18.985	4.520	2.638	61.221	7.752
4026	3.471	20.006	24.985	6.177	3.471	55.221	9.731
4030	4.305	20.006	30.985	7.833	4.305	49.221	11.710
4036	5.138	20.006	36.985	9.489	5.138	43.221	13.689
4040	5.972	20.006	42.985	11.145	5.972	37.221	15.668
4046	6.528	20.006	46.985	12.249	6.528	33.221	16.988
4050	7.639	20.006	54.985	14.458	7.639	25.221	19.627
4056	8.473	20.006	60.985	16.114	8.473	43.221	21.606
4060	9.308	20.006	66.985	17.770	9.306	37.221	23.585
5020	3.429	26.006	18.985	5.885	3.429	61.221	9.710
5026	4.512	26.006	24.985	8.041	4.512	55.221	12.189
5030	5.596	26.006	30.985	10.197	5.596	49.221	14.668
5036	6.679	26.006	36.985	12.354	6.679	43.221	17.148
5040	7.763	26.006	42.985	14.510	7.763	37.221	19.627
5046	8.485	26.006	46.985	15.947	8.485	33.221	21.280
5050	9.930	26.006	54.985	18.822	9.930	25.221	24.585
5056	11.014	26.006	60.985	20.979	11.014	43.221	27.064
5050	12.097	26.006	66.985	23.135	12.097	37.221	29.543
6020	4.220	32.006	18.985	7.250	4.220	61.221	11.668
6026	5.553	32.006	24.985	9.906	5.553	55.221	14.648
6030 <sup>c</sup>	6.887	32.006	30.985	12.562	6.887	49.221	17.627
6036	8.220	32.006	36.985	15.218	8.220	43.221	20.606
6040	9.554	32.006	42.985	17.875	9.554	37.221	23.585
6046	10.443	32.006	46.985	19.645	10.443	33.221	25.571
6050	12.221	32.006	54.985	23.187	12.221	25.221	29.543
6056	13.555	32.006	60.985	25.843	13.555	43.221	32.523
6060	14.888	32.006	66.985	28.500	14.888	37.221	35.502
7036	5.472	21.307	36.985	12.346	5.472	43.221	24.064
7040	6.360	21.307	42.985	12.346	6.360	37.221	27.543
7046	6.952	21.307	46.985	12.346	6.952	33.221	29.863
7050	8.136	21.307	54.985	12.346	8.136	25.221	34.502
7056	9.023	21.307	60.985	12.346	9.023	19.221	37.981
7060	9.911	21.307	66.985	12.346	9.911	13.221	41.460
8036	6.500	25.307	36.985	16.737	6.500	43.221	27.523
8040	7.554	25.307	42.985	16.737	7.554	37.221	31.502
8046	8.257	25.307	46.985	16.737	8.257	33.221	34.155
8050	9.663	25.307	54.985	16.737	9.663	25.221	39.460
8056	10.717	25.307	60.985	16.737	10.717	43.221	43.439
8060	11.772	25.307	66.985	16.737	11.772	37.221	47.418
7036	4.983	19.401	36.985	9.129	4.983	43.221	24.064
7040	5.791	19.401	42.985	9.129	5.791	37.221	27.543
7046	6.330	19.401	46.985	9.129	6.330	33.221	29.863
7050	7.408	19.401	54.985	9.129	7.408	25.221	34.502
7056	8.216	19.401	60.985	9.129	8.216	19.221	37.981
7060	9.025	19.401	66.985	9.129	9.025	13.221	41.460
8036	5.753	22.401	36.985	12.401	5.753	43.221	27.523
8040	6.687	22.401	42.985	12.401	6.687	37.221	31.502
8046	7.309	22.401	46.985	12.401	7.309	33.221	34.155
8050	8.554	22.401	54.985	12.401	8.554	25.221	39.460
8056	9.487	22.401	60.985	12.401	9.487	43.221	43.439
8060	10.420	22.401	66.985	12.401	10.420	37.221	47.418

Shaded sizes meet or exceed egress opening requirements per 2006 IBC (International Building Code) minimum dimensions of 20" clear opening width, 24" clear opening height, 5.7 sq. ft. clear opening and floor to bottom of clear opening not to exceed 44".

<sup>a</sup> Floor to bottom of clear opening dimensions are based on 82" header height.

All units over 66 height are based off 106" header height for floor to clear opening dimension

<sup>b</sup> Sq. Ft. Overall Unit Area is calculated on the jamb dimension.

<sup>c</sup> These windows meet or exceed emergency escape and rescue opening requirements if installed lower in the wall so the "Floor to Bottom of Clear Opening Height" does not exceed 44".

23.135 x 2 = 46.27

Triple Slider Sizes (Equal End Vent)

Triple Slider Sizes (1/4-1/2-1/4)

## Signature Series™

## Elevation Details

### Slider Windows - Double Slide (8401)

Jamb Dimension	2'-11 1/2"	3'-11 1/2"	4'-11 1/2"	5'-11 1/2"
Rough Opening	3'-0"	4'-0"	5'-0"	6'-0"
Metric R.O. (mm)	914	1219	1524	1829
Glass Size	14 7/8"	20 7/8"	26 7/8"	32 7/8"

Jamb Dimension	2'-11 1/2"	3'-11 1/2"	4'-11 1/2"	5'-11 1/2"
Rough Opening	3'-0"	4'-0"	5'-0"	6'-0"
Metric R.O. (mm)	914	1219	1524	1829
Glass Size	14 7/8"	20 7/8"	26 7/8"	32 7/8"

3020	4020	5020	6020
3026	4026	5026	6026
3030	4030	5030	6030
3036	4036	5036	6036
3040	4040	5040	6040
3046	4046	5046	6046
3050	4050	5050	6050
3056	4056	5056	6056
3060	4060	5060	6060

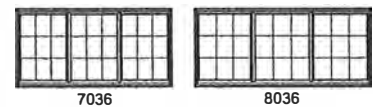
### Slider Windows - Triple Slide 1/4-1/2-1/4 (8401)

Jamb Dimension	6'-11 1/2"	7'-11 1/2"
Rough Opening	7'-0"	8'-0"
Metric R.O. (mm)	2134	2438
End Glass Size	18 31/32"	21 31/32"
Center Glass Size	37 31/32"	43 31/32"

7036	8036
7040	8040
7046	8046
7050	8050
7056	8056
7060	8060

### Optional Triple Slider 1/3-1/3-1/3 Configurations

Available for these widths, and all heights.



☐ Shaded units meet or exceed egress opening requirements per 2015 IBC (International Building Code) minimum dimensions of 20" [508mm] clear opening width, 24" [610mm] clear opening height, 5.7 sq. ft. [5295cm<sup>2</sup>] clear opening and floor to bottom of clear opening not to exceed 44" [1118mm] in height.

Verify local or state egress opening sizes with your local building inspector.

Floor to bottom of clear opening dimensions are based on 82" [2083mm] jamb height of Weather Shield French doors and center hinged French doors.

See Opening Specification chart for reference.

Re: 8431 Wilmette Ave., Darien

From: chris@midwestwaterproofing.com (chris@midwestwaterproofing.com)

To: artcano@ameritech.net

Date: Thursday, August 18, 2022, 01:25 PM CDT

Yes they will absolutely be IRC code compliant for means of egress... I'll be able to highlight all of that information in the drawings so there shouldn't be any question about that.

Thank you,

Chris Steponaitis

**Owner**

60 W. Terra Cotta Ave, Ste B #220

Crystal Lake, IL 60014

Office: 815.245.6890

Mobile: 708.341.1109

[www.midwestwaterproofing.com](http://www.midwestwaterproofing.com)

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WINDOW WELLS  
MIDWEST WATER PROOFING  
CRYSTAL LAKE, IL

2x3 - Actual

Egress

5.7 SF FIRE ES

8% LIGHT

4% AIR

FW: Window requirement

From: Mary Belmonte (mbelmonte@darienil.gov)

To: artcano@ameritech.net

Date: Monday, March 22, 2021, 11:35 AM CDT

**From:** Don Morris <donmorrisarchitects@hotmail.com>

**Sent:** Monday, March 22, 2021 11:32 AM

**To:** Mary Belmonte <mbelmonte@darienil.gov>

**Subject:** Re: Window requirement

Mary,

Plans are required by a licensed Illinois Architect and the minimum egress window well shall be 36" x 36" with a window 44" max for the sill height, 24" x 20" min., and 5 s.f min. of clear opening (section 310.2.1-310.2.3)

Jason Noe

Don Morris Architects, P.C.

616 Executive Drive

Willowbrook, IL 60527

PH 630-920-8175

---

**From:** Mary Belmonte <mbelmonte@darienil.gov>

**Sent:** Monday, March 22, 2021 10:13 AM

**To:** Don Morris (donmorrisarchitects@hotmail.com) <donmorrisarchitects@hotmail.com>

**Subject:** FW: Window requirement

**From:** ARTHUR CANO <artcano@ameritech.net>

**Sent:** Friday, March 19, 2021 2:28 PM

**To:** Mary Belmonte <mbelmonte@darienil.gov>

**Subject:** Window requirement

To: Mary Belmonte: Darien Development Asst. Coordinator

From: Arthur A. Cano. Darien resident

Location: Lower level. 8431 Wilmette Ave., Darien, Il

Re: Window Size

Mary: This reference my visit to City Hall, this morning, 3/19/21, inquiring about window code requirement. As you suggested, I should sent you my inquiry which is as follows:

I am in the feasibility stage to remodel space in the lower level basement to: four open studio apartments, approx 375 sq.ft. (17x21). I propose to install a window well egress window measured at 35" x45" for each unit.

Will this size meet the window code requirement for a 375 sf open studio? This open layout will not have a partitioned off bedroom. You referred me to IRC 2015 which I believe does not refer to open area living space.

Thank you for your help. Incidentally, I sincerely apologize if my attitude appeared to incite a quarrel. I have been a Darien resident for more than 50 years and I sincerely appreciate you City Hall employees.

I await your early reply.

Arthur A. Cano, owner. 630-747-6070



The screenshot displays the Parcel Viewer application interface. The main map shows an aerial view of a residential area with several parcels outlined in red. Parcel numbers are visible, including 840820, 841021, 8422, 8424, 8426, 8428, 8431, 8430, 8432, 8431, 8423, 996, and 10022. A cyan box highlights a specific parcel area. The search results panel on the right provides detailed information for the selected parcel.

**Parcel Search Results:**

Field	Value
PIN	0934301022
OWNER	OLD SECOND NATL 6499
PROPERTY STREET NUMBER	8431
PROPERTY STREET DIRECTION	
PROPERTY STREET NAME	WILMETTE AVE
PROPERTY APARTMENT	
PROPERTY CITY	DARIEN
STATE	IL
PROPERTY ZIPCODE	60561
PROP_CLASS	A
FCVLAND	74.320
FCVIMP	90,740
FCVTOTAL	165,060
LEGAL DESCRIPTION 1	KLEJCHS SUB
LEGAL CODE 1	000000000
PROPERTY ADDRESS	8431 WILMETTE AVE
TOWN STATE ZIP	DARIEN IL 60561

1 - 1 of 1 results

Unincorporated Zoning Data

DTM 2017 Hillshade









8431 Wilmette Ave. Darien



**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
July 6, 2022**

**PRESENT:** Lou Mallers – Chairperson, Robert Erickson, Bryan Gay (7:02 p.m.), Hilda Gonzalez, Chris Jackson, Julie Kasprovicz, Ralph Stompanato

**ABSENT:** Brian Liedtke, Shari Gillespie

**OTHERS:** Jordan Yanke - City Planner

Chairperson Lou Mallers called the meeting to order at 7:00 p.m. at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present and swore in the audience members wishing to present public testimony.

**REGULAR MEETING:**

**A. Public Hearing – PZC2022-03 - 8431 Wilmette Avenue – Special Use Amendment & Variations -Petitioner (Art Cano) seeks approval for an amendment to a Special Use and Variation requests from Sections 5A-7-3-5(D) and 5A-7-3-8(B) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of three (3) studio apartments inside an existing apartment building. Property is located within the R-3 Multi-Family Residence District and the Variation requests are from the following standards in the City of Darien Zoning Ordinance:**

- 1) Section 5A-7-3-5(D): R-3 District Land Area per Dwelling Unit Standards.**
- 2) Section 5A-7-3-8(B): R-3 District Minimum Floor Area Standards.**

Mr. Jordan Yanke, City Planner reported that the subject property was annexed into the City in 2012 and was granted special use approval for multi-family use within the site's lone structure approving 5 dwelling units. He reported that the petitioner has proposed a remodel to the building's lower-level storage area into three additional studio/efficiency apartments resulting in eight total throughout the building's three floors, and the increase in dwelling units. He further reported that this requires an amendment to the existing special use for the site as well as variation requests regarding the square feet in the land area and square feet of floor area.

Mr. Yanke reported that zoning code requires a minimum of 31,000 square feet in land area for the site given the type and number of units proposed and that the property is 17,706 square feet according to the plat of survey. He reported that the code specifies studio/efficiency units shall contain a minimum of 750 square feet in floor area and that the proposed studio/efficiency units are 400 square feet in floor area. He further reported that no exterior improvements are proposed with this petition and that the existing conditions, such as building setbacks, parking setbacks, and lot coverage will not be altered and are allowed to remain.

Mr. Yanke reported that the site contains the required number of parking spaces for the proposed number of units and that the code specifies a ratio of 2 spaces per dwelling unit are required. He reported that the site contains 16 parking spaces

Mr. Art Cano, petitioner stated that he has lived in Darien for over 50 years and served on the Zoning Board of Appeals, Zoning Commission, and a volunteer for over 9 years. He stated that he is proposing to add three additional apartments to his 3400 square foot building with no exterior structures. Mr. Cano stated that the building was built in 1974 and annexed in 2012.

Mr. Cano reported that that the basement level was mainly used for storage and that Darien is a high market area for seasonal students at Argonne Labs. He stated that students are living at Woodsprings Hotel and paying high prices. He further stated that there is a demand for small units under \$1,000 per month.

Chairperson Lou Mallers questioned if there would be a separate entrance.

Mr. Cano stated that the main entrance will be used for entry and that the windows in the lower level will have to be a certain size with 8% of light and 32 square feet of window for Fire District restrictions and ingress and egress. He stated that the window wells will have to be excavated and installed.

Commissioner Chris Jackson questioned if the balconies above would be affected, and he questioned why the windows were not considered outside construction.

Mr. Cano stated that the balconies would not be affected, and Mr. Yanke reported that the fundamental walls would not be changed and therefore not considered outside construction. He did report however that the petitioner will have to go through the permitting process and work with the City Engineer.

Commissioner Bryan Gay questioned if there were two points of access for the front and back stairwell.

Mr. Cano stated that the side entrance will remain as entry to the apartments and the stairs converted to closets.

Commissioner Julie Kasprovicz questioned the need for 3 apartments and if the petitioner would consider 1 or 2 instead.

Mr. Cano stated that 3 is better and that he would like to satisfy the single tenant looking to spend less than \$1,000 per month. He stated that this size apartment is really needed.

There was some discussion regarding the average size of a studio apartment. Mr. Yanke reported that the 2018/2019 data showed the average to be 400-500 square feet compared to years ago at 700 square feet and that the numbers appear to be going down.

Commissioner Hilda Gonzalez stated that the units are small and that 3 is a lot in a small space. She stated that she was concerned about getting out of the window and that the proposal does not fit the housing model in Darien.

Mr. Cano stated that the window will be 18" off the floor.

Mr. Yanke reported that he has discussed the proposal with the Fire District and that they had no objection regarding the special use zoning issue.

Commissioner Kasprovicz questioned the outdoor patio.

Mr. Cano stated that the other units will have new decks and will be able to use the outdoor patio as well as the three additional units.

Commissioner Jackson stated that he was concerned that the petitioner was asking for 40% relief. He stated that it makes more sense having two units and that they will be more marketable. Commissioner Jackson also questioned the daycare parking and playground area.

Mr. Cano stated that he owned the parking lot and playground area and that if needed that parking could also be used but that they both had plenty of parking. He also stated that the code is two parking spaces per unit and that all of his tenants only use one space.

Commissioner Bob Erickson questioned the ADA requirements.

Mr. Yanke reported that the architect will figure that out and that the building will have to be reviewed. He stated that the proposal meets the parking space requirements.

Commissioner Ralph Stompanato questioned if there are any restrictions on how many people can rent per unit.

Mr. Yanke reported and cited that the zoning ordinance is one family per dwelling.

Commissioner Gay stated that that there is a need for this type of housing in Darien.

Mr. Cano stated that the hotel has the same size, but they are paying big money.

Chairperson Mallers asked the petitioner if he was open to two units and not three.

Mr. Cano stated that the price goes up for rent and eliminates the need.

Commissioner Jackson questioned if there are any studio apartments at 750 square feet in Darien.

Mr. Yanke reported that he was unable to find any in the ordinance.

There was no one in the audience wishing to present public comment and at 7:54 p.m. Chairperson Mallers closed the public hearing.

Commissioner Kasproicz stated that the hotel next door are people that want to move into small spaces and that there are a lot of issues.

Mr. Yanke reported that Commissioner Shari Gillespie was not in favor of the proposal.

**Commissioner Gonzalez made a motion, and it was seconded by Commissioner Stompanato to approve 8431 Wilmette Avenue – Special Use Amendment & Variations. Petitioner (Art Cano) seeks approval for an amendment to a Special Use and Variation requests from Sections 5A-7-3-5(D) and 5A-7-3-8(B) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of three (3) studio apartments inside an existing apartment building. Property is located within the R-3 Multi-Family Residence District and the Variation requests are from the following standards in the City of Darien Zoning Ordinance:**

- 1) Section 5A-7-3-5(D): R-3 District Land Area per Dwelling Unit Standards.**
- 2) Section 5A-7-3-8(B): R-3 District Minimum Floor Area Standards**

**Upon roll call vote, THE MOTION was unfavorable with a vote of 6 Nays and 1 Aye.**

**Nays – Erickson, Gonzalez, Jackson, Kasproicz, Stompanato, Mallers  
Ayes – Gay**

Mr. Yanke reported that the petition would be forwarded to the Municipal Services Committee with a non-favorable motion.

### **REGULAR MEETING - OLD BUSINESS**

There was no old business.

### **STAFF UPDATES & CORRESPONDENCE**

Mr. Yanke provided an update on the Sokol property and that the meeting on July 20<sup>th</sup> will be to review the Comprehensive Plan.

### **APPROVAL OF MINUTES**

**Commissioner Stompanato made a motion, and it was seconded by Commissioner Gonzalez to approve the June 15, 2022, Regular Meeting Minutes with changes.**

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

### **NEXT MEETING**

Mr. Yanke announced that the next meeting is scheduled for July 20, 2022, at 7:00 p.m.

**PUBLIC COMMENTS (On any topic related to Planning and Zoning)**

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

**ADJOURNMENT**

**With no further business before the Commission, Commissioner Gay made a motion, and it was seconded by Commissioner Kasprowicz. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 8:10 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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**Elizabeth Lahey  
Secretary**

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**Lou Mallers  
Chairperson**



**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
September 7, 2022**

**PRESENT:** Lou Mallers – Chairperson, Robert Erickson, Shari Gillespie, Hilda Gonzalez, Chris Jackson, Julie Kasprovicz, Ralph Stompanato

**ABSENT:** Bryan Gay, Brian Liedtke

**OTHERS:** Jordan Yanke - City Planner

Chairperson Lou Mallers called the meeting to order at 7:00 p.m. at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present and swore in the audience members wishing to present public testimony.

**REGULAR MEETING/NEW BUSINESS:**

**Public Hearing – PZC 2022-03 (REVISED FROM 07/06/2022) 8431 Wilmette Avenue – Special Use Amendment & Variations Petitioner (Art Cano) seeks approval for an amendment to a Special Use and Variation requests from Sections 5A-7-3-5(D) and 5A-7-3-8(B) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of three (3) studio apartments inside an existing apartment building. Property is located within the R-3 Multi-Family Residence District and the Variation requests are from the following standards in the City of Darien Zoning Ordinance: 1) Section 5A-7-3-5(D): R-3 District Land Area per Dwelling Unit Standards. 2) Section 5A-7-3-8(B): R-3 District Minimum Floor Area Standards.**

Mr. Jordan Yanke, City Planner reported that this is a revised case allowing the petitioner to bring the proposal back to the City. He reported that there are no physical changes to the layout or proposal and that the livable square footage was incorrectly noted by the petitioner at the last meeting. He further reported that the petitioner’s changes are based on the total square footage.

Mr. Yanke reported that the property is 17,706 square feet according to the plat of survey and that code specifies studio/efficiency units shall contain a minimum of 750 square feet in floor area. He reported that the proposed units are slightly over 500 square feet each according to the submittal.

Chairperson Lou Mallers welcomed Mr. Art Cano, petitioner and thanked him for working with the City.

Mr. Art Cano stated that he was resubmitting his proposal to include the studio units at 500 plus square feet. He explained that he misstated the square footage at the last meeting and that 400 square feet is the net space and what is required for the glass



area. Mr. Cano stated that he read the minutes and that the concerns appear to be the size and the egress.

Mr. Cano reported that he prepared a line drawing for the PZC showing the actual livable area in total and enough space for the required space of 1576 and 3 units. He stated that is units exceed the 2019 average of a 400-500 square foot studio. He stated that he is asking for a 225-foot variance or 30%.

Commissioner Shari Gillespie questioned if the proposal would eliminate storage from the apartments above.

Mr. Cano reported that the units above have storage and that they used additional storage in the basement.

Commissioner Julie Kasprowicz questioned if the closets are included in the square footage.

Mr. Yanke reported that closets can be included in the square footage.

Commissioner Julie Kasprowicz questioned why the petitioner was not building two units.

Mr. Cano stated that he would be competing with himself and others in the area with two units. He stated that it was not economical and that no one wants to live in the basement. Mr. Cano stated that the studio apartments in the basement would be for those who want to rent for less.

Commissioner Gillespie questioned if the slider windows look into a window well.

Mr. Cano stated that the windows are for light and air and are needed per Code and they were window wells. He stated that the International Compliance Code requires the window for emergency.

Commissioner Gillespie asked the petitioner if he thinks he will get renters.

Mr. Cano stated that he has received numerous emails and that he will advertise. He stated that he is also investing \$100,000 plus to add the units.

Commissioner Chris Jackson questioned if the petitioner had a contract with Argonne.

Mr. Cano stated that he did not but that he has contacts there who would allow him to advertise.

Commissioner Hilda Gonzalez stated that the petitioner can build two units at 750 square feet.

Mr. Cano stated that people are desperate to find smaller units. He stated that there are many people staying at the hotel for \$500 per week without any application. He stated that his renters will need to have a good credit score, security deposit, etc.

Commissioner Bob Erickson stated that the hotel cannot be compared to the apartments and that they are different uses. He stated that the petitioner was not comparing apples to apples.

Mr. Cano stated that he has some short-term renters that stay for six months and have someone else rent the other six months. He stated that his lease is one year minimum and noted that all his units are presently rented.

Commissioner Ralph Stompanato stated that four-month rentals will not work. Commissioner Gonzalez stated that neither would an internship at Argonne.

Commissioner Jackson questioned if the petitioner was asking for the 30% relief to maximize profit.

Mr. Cano answered that he was maximizing for a profit.

Chairperson Mellers stated that the Commissioners need to look at the criteria and that putting in two units makes more sense for the area and the community.

Commissioner Jackson stated that the second variance is a density concern.

Mr. Cano questioned Chairperson Mellers comment about downgrading.

Chairperson Mellers stated that he did not say the units would downgrade the area but rather he wanted what is best for Darien residents.

Commissioner Gonzalez stated that the square footage of the proposal is way below Darien's criteria.

Commissioner Jackson stated that 31,000 square feet of lot area to 17,000 is a concern.

Mr. Yanke reported that Commissioner Brian Liedtke could not be present but that he was comfortable with the special use and variation request and that the proposal demonstrates a unique target.

Mr. Yanke reported that Commissioner Liedtke questioned the balconies and if failure to the balconies should they collapse fall onto the egress.

Mr. Cano stated that the excavation is inspected by the City Engineer and that prior to excavation construction he will be required to provide what is necessary to uphold any failure. He questioned if there was a fire on the deck that fell into the egress that the resident could walk out the door to escape.

Commissioner Jackson stated that this is a fire hazard. He questioned if the sidewalks needed to be redone because they appear tight.

Mr. Cano stated that the sidewalks were fine.

Commissioner Erickson questioned if there was every any flooding in the basement.

Mr. Cano stated that there was when the sump pump did not function. He stated that the Sump Pumps are designed to handle the water flow.

The PZC reviewed and discussed the following:

Variation Criteria:

1. Whether the general character of the property will be adversely altered. *Yes*
2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties. *Yes*
3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises. *Yes*
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. *Not enough information. To be determined.*
5. Whether the proposed variation will adversely alter the essential character of the neighborhood. *Yes*

Special Use Criteria:

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

1. That the special use is deemed necessary for the public convenience at the location specified. *No*
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. *Yes*
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 and impair property values within the neighborhood. *Yes*
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. *Yes*
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 the 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. *No*

6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided. *Not enough information. o be determined.*

7. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. *No*

8. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Plan Commission and Planning and Development Committee. *Yes*

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

**Commissioner Stompanato made a motion, and it was seconded by Commissioner Kasprovicz to approve PZC 2022-03 (REVISED FROM 07/06/2022) 8431 Wilmette Avenue – Special Use Amendment & Variations Petitioner (Art Cano) seeks approval for an amendment to a Special Use and Variation requests from Sections 5A-7-3-5(D) and 5A-7-3-8(B) of the Zoning Ordinance. The petition specifically requests to allow for the interior remodeling and addition of three (3) studio apartments inside an existing apartment building. Property is located within the R-3 Multi-Family Residence District and the Variation requests are from the following standards in the City of Darien Zoning Ordinance: 1) Section 5A-7-3-5(D): R-3 District Land Area per Dwelling Unit Standards. 2) Section 5A-7-3-8(B): R-3 District Minimum Floor Area Standards.**

**Upon roll call vote, THE MOTION UNANIMOUSLY FAILED 7-0.**

Mr. Yanke reported that this would be forward to the Municipal Services Committee on Monday, September 26, 2022 at 6:30 p.m.

### **OLD BUSINESS**

There was no old business

### **STAFF UPDATES & CORRESPONDENCE**

Mr. Jordan Yanke, City Planner reported that the next meeting will be a special use for a tobacco and food store with a drive-thru and the maps of the Key Development Areas.

### **APPROVAL OF MINUTES**

**Commissioner Erickson made a motion, and it was seconded by Commissioner Stompanato to approve the July 20, 2022, Regular Meeting Minutes.**

**Upon voice vote, THE MOTION CARRIED 7-0.**

**NEXT MEETING**

Mr. Jordan Yanke announced that the next meeting is scheduled for Wednesday, September 21, 2022.

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

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

**ADJOURNMENT**

With no further business before the Commission, Commissioner Erickson made a motion, and it was seconded by Commissioner Gillespie. Upon voice vote, **THE MOTION CARRIED unanimously, and the meeting adjourned at 8:28 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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

\_\_\_\_\_  
**Lou Mallers**  
**Chairperson**

**AGENDA MEMO**  
**MUNICIPAL SERVICES COMMITTEE**  
**SEPTEMBER 26, 2022**

**CASE**

PZC2022-05

Special Use (Tabriz Khanlodhi – 1005 75<sup>TH</sup> Street)**ISSUE STATEMENT**

Petitioner (Tabriz Khanlodhi) seeks approval of a Special Use request pursuant to Section 5A-8-3-4 of the Zoning Ordinance. The petition specifically requests to allow conversion of an existing drive-through to one that offers a drive-through lane for an automated teller machine and a drive-through lane for an establishment whose primary use is the sale of tobacco and related products as well as food items (Tobacco Shop/Food Store).

The Property is located within the B-2 Community Shopping Center Business District. The petitioner relies on variations granted in Ordinance No. O-15-84 and seeks additional variations as noted in the application related to the existing yards and landscaping, site circulation, driveways, signage, waste enclosure and related improvements, as deemed necessary.

Applicable Regulations: Ordinance No. O-15-84, Variations  
 Zoning Section 5A-8-3, B-2 District Standards

**GENERAL INFORMATION**

Petitioner: Tabriz Khanlodhi  
 Property Owner: Old Second National Bank  
 Property Location: 1005 75<sup>TH</sup> Street  
 PIN Number: 09-27-300-011  
 Existing Zoning: Community Shopping Center Business District (B-2)  
 Existing Land Use: Financial Institution (i.e. Bank)  
 Comprehensive Plan: Commercial (Existing); Commercial (Future)  
 Surrounding Zoning & Uses  
     North: Single Family Residence District (R-2); Single Family  
     East: Multi-Family Residence District (R-3); Apartments  
     South: Single Family Residence District (R-2); Single Family  
     West: Community Shopping Center Business District (B-2); Auto  
           Repair Shop  
 History: The subject property was approved and developed per  
 Ordinance No. O-15-84. The property remains in  
 essentially the same conditions since construction.  
 Size of Property: 0.46 Acres  
 Floodplain: N/A  
 Natural Features: N/A  
 Transportation: The petition site gains access from 75<sup>TH</sup> Street and  
 Plainfield Road.



**PETITIONER DOCUMENTS (ATTACHED TO MEMO)**

- 1) **APPLICATION**
- 2) **JUSTIFICATION NARRATIVE**
- 3) **SITE PLAN & FLOOR PLAN**
- 4) **SUPPLEMENTAL USE STATEMENT**
- 5) **SIGN PROGRAM**
- 6) **ZONING COMPLIANCE TABLE**
- 7) **TRAFFIC & PARKING STUDY**

**CITY STAFF DOCUMENTS (ATTACHED TO MEMO)**

- 8) **LOCATION MAP & AERIAL IMAGE**
- 9) **SITE PHOTOS**

**PLANNING OVERVIEW/DISCUSSION**

The subject property is located off 75<sup>TH</sup> Street and Plainfield Road. It is just shy of a half-acre in size and is zoned Community Shopping Center Business District (B-2). The property's existing structure (bank) and site layout were approved in 1984 and constructed per City Ordinance (O-15-84). The site remains in essentially the same condition today, subject to a few DuDOT and County Stormwater projects that have occurred.

At this time, the petitioner has proposed a conversion of the existing drive-through (2 lanes) to one that offers a drive-through lane for an automated teller machine and a drive-through lane for an establishment whose primary use is the sale of tobacco and related products as well as food items (Tobacco Shop/Food Store). While the primary use is permitted within the B-2 District, the Special Use is required for the drive-through conversion due to the *change in use* and re-implementation of a service window.

The project involves minimal site work. There will be no change to the building footprint, parking lot, or ingress/egress drives. The required amount of parking spaces exist to serve the proposed use at a ratio of *4 spaces/1,000 square feet gross floor area*. Note that the petitioner has included a traffic and parking study that is included as an attachment to this memo.

As noted above, in 1984 the City Council adopted Ordinance (O-15-84) granting certain variations for the subject property. The ordinance approved the bank facility in connection with an approved site plan and variations. The property was developed in conformance with the 1984 ordinance and remains in essentially the same condition since construction. Given these approvals and a development which has been in place for almost 40 years, there is no basis for requiring the current applicant/developer to obtain what are commonly referred to as "existing condition variations" as part of its application.

***Site Plan Review & Findings of Fact***

City staff has reviewed the petitioner submitted documents and staff does not have any review comments. The project meets applicable zoning standards and the petitioner will be required to submit a building permit if the case is approved, with architect stamped and signed plans for the remodel.

Additionally, the petitioner submitted *Findings of Fact* that would support the application request. Those findings are attached to this memo under the Justification Narrative. Included below is the criteria for approving a special use.

Special Use Criteria:

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

- 1. That the special use is deemed necessary for the public convenience at the location specified.*
- 2. That the establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.*
- 3. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and 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 the 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 as to minimize traffic congestion in the public streets.*
- 8. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Plan Commission and Planning and Development Committee.*

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**PZC MEETING – 09/21/2022**

The Planning and Zoning Commission reviewed this petition at its September 21, 2022 meeting. The petitioner and petitioner's representative were present and provided a presentation on the proposal after staff's introduction of the case. One member of the public was present and provided comment.

Most of the meeting discussion focused on the operation and functionality of the drive-through, in addition to signage and how the proposed business and its hours of operation may affect the surrounding area. Through meeting dialogue, conditions of approval were generated by the Commission to address these items.

**Based on testimony and discussion at the meeting, the Planning and Zoning Commission determined the case meets the Special Use criteria and made a motion to forward the case with a favorable recommendation to the Municipal Services Committee. The motion passed by a vote of 7-0 vote, subject to the following conditions:**

1. **The business must cease operations and shut signage off no later than 11:00PM.**
2. **Signage shall comply with the City’s Sign Code. There shall be no flashing, blinking, digital, or electronic messaging window, wall, freestanding or other signs on site. Internally or externally illuminated window signs, LED displays, and other forms of temporary signage that could distract drivers such as inflatables, flags, or costumed attention contractors are prohibited.**
3. **If/when the demand arises for an exterior waste disposal container, applicant or future owner shall implement and construct an enclosure with landscaping, all in accordance with the submitted site plan and in compliance with the City’s Zoning Ordinance. The City can demand the enclosure at any time. Applicant may install the enclosure if required by reason of its operations or rule of the hauler.**
4. **The City’s traffic consultant (KLOA, Inc.) provides written acceptance/approval of the traffic study (dated July 25, 2022) submitted by the applicant.**

NOTE: An additional condition pertaining to Point of Sale (POS) was considered but not formally recommended. Per testimony, there will be two (2) points of sale, one interior and one at the drive-through service window. Sales transactions cannot be made without prior age verification at each POS. Age verification is completed through a digital application that does not allow a transaction to continue without scanning a valid ID into the system for any tobacco sale.

**ALTERNATE CONSIDERATION**

As recommended/directed by the Municipal Services Committee.

**DECISION MODE**

This item will be placed on the October 3, 2022 City Council agenda for formal consideration.



# ZONING APPLICATION

## CITY OF DARIEN

1702 Plainfield Road, Darien, IL 60561

[www.darienil.us](http://www.darienil.us) 630-852-5000

### CONTACT INFORMATION

TABRIZ KHANLODHI

Applicant's Name

624 Robinwood Ct., Wheaton, IL 60148

Address, City, State, Zip Code

(630) 317-4786 tabrizkl@gmail.com

Telephone

Mark W. Daniel, DANIEL LAW OFFICE, P.C.  
17W733 Butterfield Road, Suite F

Email

Oakbrook Terrace, Illinois 60181  
(630) 833-3311; mark@thedaniellawoffice.com

Old Second National Bank (via acquisition of West Suburban Bank of Darien)

Owner's Name

333 W. Wacker Drive, Suite 1010 Chicago, IL 60606

Address, City, State, Zip Code

Contact: Daniel Siadak

Telephone

dsiadak@oldsecond.com

Email Robbins DiMonte, Ltd.

180 N. LaSalle St., Ste 3300 Chicago, Illinois 60601

Attention: Todd Bickel

E-mail: tbickel@robbinsdimonte.com

09-27-300-011

### PROPERTY INFORMATION

1005 75TH STREET, DARIEN, IL 60561

Property address

B-2 COMMUNITY SHOPPING CENTER BUS. DIST.

Zoning District

PIN Number(s)

VACANT, FMR. BANK WITH D.T. ATMs

Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

### REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

PLEASE SEE ENCLOSED NARRATIVE, TABLES OF COMPLIANCE, PROPOSED LEGAL NOTICE

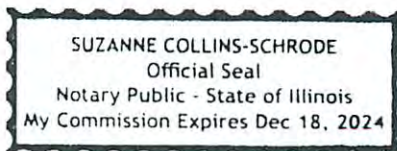
AND OTHER APPLICATION MATERIALS

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that TABRIZ KHANLODHI is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.

Given under my hand and seal, this 25<sup>th</sup> day of JULY 2022.

For office use only	
Date Received:	07/25/2022
Case Number:	PZC2022-05
Fee Paid:	\$585.00
Hearing Date:	09/21/2022

Notary Public



## **PROJECT NARRATIVE**

1005 75TH STREET, DARIEN ILLINOIS (PIN 09-27-300-011)  
 KHANLODHI AND ENTITY SUCCESSOR (TBD)  
 RE-USE OF WEST SUBURBAN BANK BUILDING  
 APPLICATION FOR B-2 SPECIAL USES AND VARIATIONS

Applicant respectfully refers the City to the Sign Narrative for background and discussion of the application of code and relief necessary related to signs.

### THE PROJECT

The “Applicant” Tabriz Khanlodhi (applying with authorization and representations provided by Old Second National Bank following merger with West Suburban Bank) is the contract purchaser of property commonly known as 1005 75th Street, Darien, DuPage County, Illinois (PIN 09-27-300-011)(referred to as the “Subject Property”). Applicant proposes the conversion of the existing financial and banking parcel with two drive through ATM units to a retail operation with a single drive through and a second drive through for a tenant ATM operator. Ultimately, Applicant will establish a corporation or limited liability company to take ownership of the Subject Property and an entity controlled by him (either the owner or an affiliated entity) will operate the retail store. In his effort to acquire and occupy the Subject Property, Applicant requires special use authorization for a drive through, a series of variations and a few authorizations in advance of closing and eventual permitting. These are summarized below, but there is no special use or variation proposed for a new physical condition at the Subject Property.

The project involves minimal site work and a small amount of interior remodeling to allow a retail floor area, display cabinets and a drive through window for a business that falls into the category of a tobacco mini mart and will offer a substantial boost to local revenues. Applicant will re-open the drive through window closed by West Suburban Bank to allow a personal drive through operation in the north lane. While both ATMs may be removed, Applicant intends to allow the use of the south drive through for a tenant ATM operator as a matter of local convenience. In the absence of an ATM operator, the lane will serve as a bypass lane even though one is not necessary.

Applicant will maintain existing sign locations and replace signs with new panels for ground signs and new signs of only a slightly larger overall area for the wall signs. Applicant intends to stripe and mark the parking lot as required to maintain 9’ x 18’ parking spaces, provide directional information and divide the drive through lanes. Directional signs will be maintained and supplemented.

Since no waste enclosure or dumpster historically served the bank, Applicant proposes a compliant six-foot tall board on board or other solid fence waste enclosure in the southwesternmost two (or three if needed) parking spaces which are not necessary to any retail use at the Subject Property. Applicant will screen the north, south and west sides of the enclosure from existing pervious areas south and west of the enclosure and provide a new curb with a five-foot landscape strip on the north side of the enclosure. The enclosure is technically in the front



yard (there is no rear yard), but similar enclosures are functional and have proven safe near driveways at far busier commercial locations.

Applicant's zoning relief amounts to the following:

1. A special use permit to authorize the operation of two lanes of drive through activity, each with four reservoir spaces, for the retail window and for the automated teller machine (Sections 5A-8-3-4, 5A-8-2-4)(existing condition);
2. Variations from the front yard and front yard setback to pavement to allow front yards of 20.96 feet (north) and 20 feet (south) and front yard setbacks to pavement of 21 feet (north) and 20 feet (south) (Sections 5A-8-3-8(A)(1)(a), 5A-8-3-8(A)(1)(a))(existing condition);
3. Variation from the interior yard setback to pavement to allow interior yards to pavement of 1.5 feet to 19 feet (east) and 2.5 feet (west), provided that the new waste enclosure shall meet requirements (Section 5A-8-3-8(B)(1)(b))(existing condition);
4. Variation from the prohibition of stone in landscaped areas to allow stone where it currently exists (Section 5A-10-3)(existing condition);
5. Variation from Sections 5A-10-5(A) and 5A-10-5(B) which requires various plantings on a points system in the yards in order to allow the existing landscaping to continue under the condition that Applicant shall inventory the plantings on site at the time of permit and, if landscaping is removed by Applicant or dies, Applicant shall enhance or replace the removed or dead landscaping in kind or in conjunction with a plan approved by the Director of Community Development (existing condition);
6. Variation from Section 5A-10-6(A) which requires trees and shrubs adjacent to parking in order to allow the existing landscaping to continue under the condition that Applicant shall inventory the plantings on site at the time of permit and, if landscaping is removed by Applicant or dies, Applicant shall enhance or replace the removed or dead landscaping in kind or in conjunction with a plan approved by the Director of Community Development (existing condition);
7. Variation from Section 5A-10-6(B) which requires various plantings on a points system in the areas near drives in the front and side yards in order to allow the existing landscaping to continue under the condition that Applicant shall inventory the plantings on site at the time of permit and, if landscaping is removed by Applicant or dies, Applicant shall enhance or replace the removed or dead landscaping in kind or in conjunction with a plan approved by the Director of Community Development (existing condition);
8. Variation from Section 5A-10-6(B) which requires various plantings to screen mechanical equipment in order to allow the existing landscaping to continue near the automated teller machine in the south drive through under the condition that

- Applicant shall inventory the plantings on site at the time of permit and, if landscaping is removed by Applicant or dies, Applicant shall enhance or replace the removed or dead landscaping in kind or in conjunction with a plan approved by the Director of Community Development (existing condition);
9. Variation from Section 5A-10-6(C)(1) which requires trees and shrubs in area at the ends of rows of parking in order to allow the existing landscaping to continue under the condition that Applicant shall inventory the plantings on site at the time of permit and, if landscaping is removed by Applicant or dies, Applicant shall enhance or replace the removed or dead landscaping in kind or in conjunction with a plan approved by the Director of Community Development (existing condition);
  10. Variation from Section 5A-10-6(C)(2) which requires a planted physical nine-foot wide delineation of circulation areas to waive the requirement and to allow the existing delineation to remain (existing condition);
  11. Variation from Section 5A-10-9 to waive the requirement of replanting in favor of the terms of items 5-10 above (existing condition);
  12. Variation from Section 5A-10-10(A) to waive the requirement of a full site landscape plan to allow submission of a planting plan with permit drawings to screen the north, south and west sides of the waste enclosure from the existing landscape areas on the west and south and from a new landscape area on the north as shown in the plans (partial new condition);
  13. Variation from Section 5A-11-3(B)(1)(a) to allow four driveways (existing condition);
  14. Variation from Section 5A-11-3(B)(1)(b) to allow the northeast driveway at a width not to exceed 19 feet (existing condition);
  15. Variation from Section 5A-11-3(B)(1)(c) to allow the southeast driveway at a distance from the lot line of 1.5 feet (existing condition);
  16. Variation from Section 5A-11-3(B)(1)(d) to allow the southwest driveway at a distance of 35' from the existing driveway west of the Subject Property (existing condition);
  17. Variation from Section 5A-11-3(B)(1)(h) in order to allow the continuation of all existing curblines, with the east driveways having an angle that may exceed 60 degrees;
  18. Variation from Title 5A, Chapter 11 in order to set the required number of drive through reservoir spaces at four (4) (existing condition);

19. Variation from Title 4, Chapter 3, Section 4-3-7(E) pertaining to setback of signs from driveways in order to allow the north ground sign not closer than 7 feet to the driveway and the south ground sign not closer than 4 feet to the driveways (existing condition);
20. Variation from Title 4, Chapter 3, Section 4-3-7(E) pertaining to the orientation of wall signs facing residential districts in order to allow continuation of the wall sign locations (existing condition);
21. Variation from Title 4, Chapter 3, Section 4-3-7(G) pertaining to ground sign landscaping in order to waive the requirement of ground sign plantings or, alternatively, permit the director to determine the necessity of a planting plan around ground signs such that will not obstruct the address portion of the signs (existing condition); and
22. Such other Council, Commission or Director authorizations, including conditional uses and variations, as necessary to allow preservation of site conditions and allow re-use of the Subject Property for a retail establishment with two drive throughs, one of which is reserved for as tenant ATM operator.

### THE SUBJECT PROPERTY

In 1956, the Subject Property was larger than 38,000 square feet and hosted a religious institution. In 1978, the land was vacant and unimproved. In 1987, the Subject Property contained its existing west parking field and a small principal building roughly where the today's building entrance is located. In 1990, West Suburban Bank constructed a bank with drive through teller lanes. Later, West Suburban Bank converted the drive through lanes to ATM lanes only. In 2018 and 2019, West Suburban Bank added the east egress drive onto Plainfield Road in coordination with a County stormwater project. Old Second National Bank merged with West Suburban Bank and the branch at the Subject Property closed.

The Subject Property plays a role in regional storm water planning to the extent that its north, east and south property lines and yards are significantly impacted. Since the 1950's, the area has seen massive population and commercial growth that necessitated multiple significant highway modifications to Plainfield Road and to 75th Street. In the meantime, Cass Avenue and Route 83 changed significantly amid an environment where there was a meaningful commercial corridor along 75th Street. The expansion of 75 the Street had the most significant impact with County stormwater installations explaining the County's ownership of the land east of the Subject Property as well as the underground installations north of the building and along the east lot line. Another connected drainage facility dominates the south side of the Subject Property.

The Subject Property comprises a half-acre tract with deep driveways on the north at 75th Street and its angular south lot line on the north side of Plainfield Road. Access has long been planned at multiple locations, with the most recent southeast driveway addition in 2018-19. The east driveways are right-out only and the west driveways are full access along Plainfield and restricted access (eastbound only) along 75th Street.

The existing improvements and plantings substantially reflect plantings in 1990 with the exception of shade trees that grew into the building on its north wall and its northeast corner. Over time, shrubs and other low plantings have been replaced or modified. Some stone exists in areas that would otherwise be landscaped, but this is often due to the stormwater planning for the building, the block or the region. Changes since 1990 have usually been the result of County interests in the drainage and transportation network.

Signage on the Subject Property relies on three business building frontages (north, east and south). The present signage is within the allowable envelope for signage and the nominal increases in wall sign area due to the shape of the proposed signs remains within the envelope. Prior to application, some concern was expressed about Applicant's service mark. Applicant changed course somewhat and adopted a new name for the location, and it just designated a logo to replace the West Suburban Bank "W/S" logo above the entrance. This 5-foot diameter, 20 square foot sign will be reserved for the eventual logo so that the main entrance has an identifiable marker. Applicant provides sign plans showing the logo without its green background to approximately depict the appearance of the signs. It also provides photos of its unincorporated Lombard location.

The drive through facility allows for four vehicles stacked from the service/island area to the end of the curb radii for the drive through stacking. This is the required stacking for banks and more stacking than required for the proposed uses as a retail window and as an ATM lane. In order to more clearly mark traffic lanes and controls, Applicant will add directional arrows, a lane division in the stacking area and signage (some of which must have existed earlier but is no longer present). It will preserve all curblines and parking and drive areas except the southwesternmost two (or three) parking spaces which will host the screened waste enclosure.

### ABOUT THE AREA

The Subject Property carries a B-2 classification. It lies in a commercial area generally surrounded by R-2 and R-3 development. Across the intersection of 75th Street and Plainfield Road from the Subject Property is a small B-1 district. In light of the shape of parcels and the blend of planning and demand for goods and services, there is a mix of R-1, R-3, B-1, B-2 and O districts in the area, with some of the residential development and most of the non-residential development requiring special use or variation treatment.

Applicant will not restate information from the traffic memo and report in this narrative, but respectfully refers the City to that submittal.

Land north of the Subject Property comprises a large residential area with the southern boundary comprised of rear lot lines for homes in the subdivision. East of the Subject Property lie various restaurant, spa, office and service uses. South of the Subject Property is a varied collection of attached and detached single family housing which similarly is oriented with rear or corner side yards along Plainfield Road. The area west of the Subject Property houses an automotive use, restaurant and car wash.

The Subject Property was once in the Plainfield-Cass Avenue Business Redevelopment District approved under Ordinance No. O-01-03 on January 6, 2003. However, the City appears to have removed the property from the District to focus more on downtown areas abutting Cass Avenue. The Subject Property will still generate significant local revenues without usurping any of the opportunities the City may continue to pursue along Cass Avenue. Sales will generate revenues from the standard 6.25% state tax (Darien's share is 16%), the 1% Darien home rule sales tax, the 0.75% RTA tax and Illinois' cigarette and tobacco products taxes.

### APPLICANT'S INTENDED BUSINESS

A company owned and controlled by Applicant will operate on the Subject Property and be responsible for licensing, permitting, inspections and regulatory compliance under the Dr. Smoke trade name. Dr. Smoke is one of the largest vape and smoking retailers in the United States. It carries all cigarettes and tobacco, glass and pipes, CBD, kratom, cigars, hookahs, and vaping supplies. Product inventory includes cigarettes, cigars and other tobacco, liquids and juices, vape mods, electronic cigarettes, vaporizers, pod systems, atomizers, batteries, tanks, power sources and other products. Dr. Smoke sells mainstream brands such as Marlboro, Newport, RJR, Phillip Morris, Smok, Vapresso, Geekvape, Voopoo, Juul, Aspire, UWell, Posh, Sourin, Horizon Tech, Naked, Twist, Vapetasia, Juicehead, Airfactory, Pachamama, The Mamasan, Glas, Basix, Charlies Chalk Dust, Coastal Clouds, Transistor as well as other brands available in Illinois but imported. Additionally, Dr. Smoke carries snack food and beverages.

This Dr. Smoke location will typically have 1-2 employees on site with the most active employee being the cashier. A manager will also be available. Hours of operation vary depending on the neighborhood. The Villa Park location is open from 7:30 AM until 12:00 AM and the unincorporated Lombard location is open from 10:00 AM until 11:00 PM. Applicant intends to open at 10:00 AM and close at 8:00 PM for the first few months of operations. Determinations to open earlier or close later would be made periodically, but, in light of its surroundings, the likely outside hours for this location will likely be 8:00 AM and 11:00 PM.

Since the tobacco and other products are regulated, most items available for sale are available only from counter sales or the drive through. The consumers patronizing Dr. Smoke are persons over 21 who regularly purchase snacks and drinks, and cigarettes and cigars. A large majority of customers are over 50 years old.

### SPECIAL USE REQUEST

The importance of the drive through special use request is borne out in the difference in sales between Applicant's affiliated Villa Park and unincorporated Lombard stores where the Villa Park store with a drive through on St. Charles Road generated roughly \$400,000.00 in sales tax revenues in 2021 compared to the store on Roosevelt Road which has nearly double the volume of traffic but generated less than one-third of the taxes. The tobacco mini mart business model is uniquely adaptable to drive through operations because most purchases involve distinct items known to the consumer, such as a brand or a refill. When customers desire browsing, they will use the retail display areas on the interior, but vast majority of transactions are for particular items that lead to window and in-store transactions that are roughly the same duration as a teller

window bank transaction and, often, slightly shorter than an ATM transaction. Orders for pickup in the drive through can be placed at the window, by telephone, through a smartphone application or on the Internet.

Customers will approach the drive through window from the main north-south driveway after encountering a marked and striped pair of drive through lanes. If they have not already done so, they will place an order at a menu board. The cashier will then fulfill the order. Typical transaction times should be three minutes or less, as determined in the Lombard Location Traffic Impact Study (2021) by Lynn Means, Consulting Engineers BLA Inc. The driver will then have the opportunity to exit the property into traffic on eastbound 75th Street or westbound Plainfield Road using right-out only exit drives (the Plainfield Road drive was constructed in 2018-19).

Preservation of an ATM location in the south or outside drive through lane clearly allows pursuit of a tenant ATM operator for the public convenience. The allowance of this tenant operation would benefit the public by allowing the convenience of drive through ATM banking that has prevailed on the Subject Property since 1990. Sufficient design and site installations relating to security, signage and wiring allow a high confidence level that one of the two drive through lanes can host the ATM. Existing improvements allow for lighting, security cameras and screening of the ATM unit from Plainfield Road and 75th Street.

Each drive through lane offers four (4) reservoir spaces. There is no category for a retail drive through, but Applicant provides a traffic memorandum and study that indicates that four stacking spaces are sufficient for the retail drive through. Four reservoir spaces for the ATM meet Darien requirements and have adequately served the bank and ATM drive throughs since 1990. A bypass lane has not been required at the Subject Property for 32 years, and one is not needed for the proposed drive through operations. Transactions are sufficiently spread and last only a short time. No system malfunction would require a bypass lane for safety reasons.

Section 5A-2-2-6(G) provides the City's standards for special uses which are addressed below. The City should authorize the drive through special use unless there are special concerns about the drive through at this particular location that do not arise on other B-2 properties.

***The drive through is necessary for public convenience.*** The Subject Property sits along two significant streets that have large volumes of traffic on weekdays and weekends. The site is situated east of the Plainfield-Cass Avenue Business District, west of Route 83, and near other attractions in the area. Plainfield Road and 75th Street are key routes for any nearby consumer intending to make a purchase, for thousands of persons employed in the area on a daily basis and for thousands of commuters. The Subject Property is uniquely situated and presently designed for hosting a drive through operation that adapted through several decades of highway improvements to efficiently provide services using two drive through lanes that accept vehicles across the depth of the property and feed them onto two important rights of way. A retail business engaged in frequent consumer transactions amenable to quick service in a vehicle at this location is necessary for many consumers—as noted in Applicant's experience in Villa Park.

***The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, or general welfare.*** Applicant proposes drive through



operations that are consistent with 32 years of drive through operations at the Subject Property. First, Applicant relies on the drive through egress onto 75th Street that the City and County viewed as beneficial since 1990. Second, Applicant will rely on the Plainfield Road egress that developed in 2018-19. Third, the drive through draws traffic from the main driveway across the Subject Property that existed even before the construction of the bank in 1990. Fourth, the retail drive through window and the ATM drive through operation involve transactions that are shorter, on average, than the financial transactions that have occurred between 1990 and 2022.

Transacting the type of business from the ATM lane will be no different than what prevailed during the several years prior. The retail drive through lane will feature a re-installed window for personal interaction during the retail transaction. During this transaction, it will be as important for the Applicant's employee to identify the vehicle occupant (due to the 21 year-old Illinois age restriction on tobacco sales) as it was for the teller identifying the bank customer. The window will afford sufficient opportunity for identification and transacting business.

***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 and impair property values within the neighborhood.*** The residential uses near the Subject Property do not have frontage along the same business frontages on the Subject Property. The nearby homes are parts of other subdivisions that developed at times when there were non-residential uses on the Subject Property and the orientation of these homes is generally to the interior of the residential developments. The Subject Property is on the west side of the wide intersection of Plainfield Road and 75th Street. Adjacent land to the west hosts Chuck's Imports and Automotive, Brooster's and a car wash. Drive through uses are common near these uses and often allow a level of synergy between the uses inasmuch as consumers of the Applicant's goods will also often have also purchased services from neighbors and vice versa. As did the bank, the Applicant will have volume-controlled drive through window communication that will not be audible south of the Subject Property. By relying on existing drives, nothing will change the use of driveways or the location of the drive through egress points. The ATM machines were 24-hour operations, so the periodic headlights (common within the block in any event) will not be a change of nighttime appearances.

***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.*** The improvements for the drive through operations are on the far east side of the Subject Property. Drive through egress will not occur immediately adjacent to any private property. The County is unlikely to develop any structures east of the property, and it will continue to have the cooperation of the owner of the Subject Property. The area is fully developed. Nothing relating to the drive through will affect downtown planning or serve as a disincentive to maintenance in the residential areas.

***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 the 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.***

The appearance of the drive through will improve, with the removal of the unscreened ATM machine in the north interior drive through lane and conversion to a drive through window that will actually offer more design relief across the drive through façade of the building. The drive through lighting will remain the same. Directional signs above the lanes will identify the ATM lane and the retail lane. Otherwise, there will be no changes to the exterior of the building and no changes to landscaping related to the existing drive through are intended. The single-story masonry building is in good condition and will be maintained.

***Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*** Applicant relies on existing improvements to service the drive through. All utilities, roads, drainage and other necessary facilities (including directional signs in the public right of way) are adequate and will continue to serve the Subject Property.

***Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*** The only meaningful change since construction of the bank in 1990 related to the 2018-19 addition of the southeast driveway in conjunction with County improvements to the intersection and highway drainage facilities in the area. The southeast driveway reduced the number of vehicles entering 75th Street from the drive through. Applicant will rely on the existing driveways and improve wayfinding with pavement striping and signage that would ordinarily attend site design in this circumstance.

***The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Plan Commission and Planning and Development Committee.*** Applicant has vetted all aspects of the Subject Property under the Zoning Ordinance as well as under the sign regulations contained within the Building Code. It seeks variations for existing conditions. Applicant will comply with the Zoning Ordinance when installing and screening the waste enclosure.

## VARIATIONS

Darien has managed its development and business occupancies in the area through a collection of special use authorizations, variations and planned unit developments. Several of these instances are noted on the Darien Zoning Map, but there is no related notation and no known Darien zoning authorization particular to the Subject Property. Due to this circumstance and the reality that the Applicant is new to ownership, Applicant seeks to freshly entitle the Subject Property for his intended use as well as for the several improvements that do not comply with the Zoning Ordinance in effect today. Section 5A-2-2-3(G)(3) guides the City's determinations of variations which Applicant addresses below.

Preliminarily, it is important that all of the variations relate to existing site conditions. Be it the location of driveways, the size of yards, the amount of landscaping or setbacks to pavement, or the orientation of signs, the improvements on the Subject Property developed over a period between at least as early 1987 (prior to the bank) and 2019 (with the addition of the southeast driveway). Applicant is re-using the Subject Property and each of Applicant's

functions and improvements will comply with the Zoning Ordinance. Any use on the Subject Property will require many variations.

***The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.*** The Subject Property requires more than the two driveways permitted by code because the site is best suited for a vehicle-oriented operation. A drive through will typically be situated at an intersection of this type. The best separation of the drive through operation from the rest of site activity occurs by placing it on the opposite side of the building from the main parking area and main building entrance. The tapering of the property from west to east does not allow for an interior recirculation aisle that might permit the reduction of driveways.

The front yard regulations would leave the Subject Property with no meaningful opportunity for reasonable use in the B-2 district. The front yard pavement setback regulations have a similar effect. The orientation of the lot lines coupled with the several highway expansions over the years and related planning for driveways along County highways do not allow for the 20-foot setbacks to the east driveways. Compliance with these setbacks would create conflict within the site due to the locations of the compliant west driveways and detention facilities that serve areas beyond the Subject Property—essentially leaving the Subject Property incapable of serving as a location for authorized drive through use when it is situated in an area where such uses should exist.

The landscaping relief will be necessary for any use on the Subject Property. The yards are necessarily (north and south yards) and historically (east and west yards) smaller than called for under the code. The Subject Property also hosts storm facilities that cannot be effectively planted and prior permitting led to the drive through in an area that should be screened while also remaining visible from a point in Plainfield Road. Additionally, there are healthy trees at key corners that have root systems that would suffer if tall or low shrubs were planted. The decorative trees and the shade trees along the north and northeast area of the building did not thrive and one or two of them grew into the building over time. Attaining these points is not only impractical at this location, but it is impossible to plan for the points.

***The plight of the owner is due to unique circumstances.*** The owner and the Applicant face unique circumstances inasmuch as the Subject Property was much larger earlier and faced reductions in size for public benefit, leaving it as the narrowest tract available for commercial use of some sort. The Subject Property also faces unique drainage and storm water planning challenges that are not common to properties in the B-2 district. Lastly the property lines and angles in relation to improved streets are unique. Each of these factors contributes strongly to the need for variations. Between 1956 and 1978, all other properties in the variety of nearby districts developed. The Subject Property remained vacant. The Subject Property was underimproved until 1990. Without the permitted construction that exists today, this lot would remain in an uneconomically viable state compared to all other nearby parcels, including the parcels in the B-2 district.

***The variation if granted will not alter the essential character of the locality.*** The variations will not lead to any change in the use of the Subject Property, change in the flow of

vehicles into and out of the Subject Property or change in views or other impacts related to the occupancy and use of the Subject Property.

***Essential Need: The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.*** Substantial difficulty and hardship would arise if the Applicant were required to remove an operating drive through and eliminate viable existing driveways planned and permitted with Darien and DuPage County prerogatives in mind. Further, Applicant would suffer hardship in the forfeiture of rights that developed over the years of use and collaboration with government agencies on projects that substantially benefitted all of Darien. Applicant notes the financial benefits of a drive through earlier in this narrative (benefits that also prevailed for West Suburban Bank in offering its services), but it presents far more than finance as a basis for the determination.

***Problem With Property: There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with this title. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.*** As noted above, the site has an irregular configuration. The Subject Property lost area over the years. Additionally, the Subject Property is situated where it must manage the drainage and stormwater in conjunction with the County's drainage planning for area roadways. The depth of the property does not allow for division to avoid the single lot with two front yards or to allow for a building with reasonable building business frontage on key rights of way. The features at issue do not exist on neighboring properties. Neither the owner nor the Applicant had anything to do with variations related to the north placement of the building on the site and the placement of parking and driveways on the west side of the Subject Property. Applicant did not play a role in any prior decision-making on the Subject Property. The limited participation of the prior owners in the changes that occurred over time to create these conditions likely occurred under at least an implied threat of the exercise of eminent domain and, in any event, in the public interest.

***Smallest Solution: There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.*** Virtually every structure above and below grade would have to be demolished to provide the required improvements. Following this extraordinary effort, there is no site plan option that leaves a reasonable envelope of commercial use by Applicant or by others pursuing other B-2 authorized uses. Applicant has included provisos in several of the landscape variations in order to provide assurances that the relief granted is the smallest solution.

***Create Neighbor Problem: The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.*** Nothing tied to the variations will change on the Subject Property. None of the neighboring properties will suffer difficulty, hardship, burden or loss in value due to the granting of the variations.

**Create Community Problem:** *The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.* The adjustment of regulations to allow maintenance of longstanding conditions is desirable. Additionally, the west yard variation is a matter of collaborative planning prior to 1987 (the westerly owner also has a narrow east side yard to pavement). The yard planning, including driveway placement, size of yards, setbacks to pavement and the planting of yards, occurred in the larger context of planning for use while abutting roadways changed. The property is attractive today. The location of the building on the Subject Property is reasonable within the district and the corridor.

**Net Benefit:** *The positive impacts to the community outweigh the negative impacts.* The existing improvements are the minimum improvements necessary to allow the use of the Subject Property for B-2 purposes. The lone exception is the southeast driveway, but this addition occurred in conjunction with the County project to the east and in an effort to avoid forcing Plainfield Road users from having to exit the drive through onto 75th Street when this movement is an unnecessary addition to traffic on 75th Street. Applicant will continue the existing landscaping on site which features a planting bed along the building that is larger than necessary and trees that are larger than any that would be planted.

**Sacrifice Basic Protections:** *The variation, if granted, will comply with the purposes and intent of this title set forth in subsection 5A-1-2(A) of this title and summarized as follows: to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.* The variations are a central to allowing safe and efficient vehicular movement, preserving conditions that have existed for 32-35 years, and achieving a balance that recognizes the importance of reasonable use while not abandoning the objectives of the regulations varied. Many of the conditions justifying the variations resulted from the taking and use of portions of the Subject Property for public use and benefit. The driveway exceptions relate to avoiding congestion and overcrowding. Strict adherence to the code would lead to waste, inconvenience, financial loss and, eventually, blight.

Respectfully submitted,

DANIEL LAW OFFICE, P.C.



Mark W Daniel



**SIGN NARRATIVE**  
1005 75TH STREET, DARIEN ILLINOIS (PIN 09-27-300-011)  
KHANLODHI AND ENTITY SUCCESSOR (TBD)  
RE-USE OF WEST SUBURBAN BANK BUILDING  
APPLICATION FOR B-2 SPECIAL USES AND VARIATIONS

Applicant respectfully refers the City to the Project Narrative for background and discussion of the application of code and relief necessary other than for signage.

Tile 4, Chapter 3 governs signs. The Subject Property has an odd shape and three business frontages (75th Street, Plainfield Road, and the east lot line owned by the DuPage County Division of Transportation for public right of way related purposes). Applicant seeks variances from setback requirements for the existing ground signs to allow them to be repaneled at their current location closer than 20 feet to the main north driveway and the main south driveway (Section 4-3-7(E)). Of the three permitted wall signs, two do not face the residential district line along the frontage, but the north wall sign faces 75th Street and Section 4-3-7(E) does not allow signs facing residential districts.

Applicant essentially wishes to continue the existing sign locations in a similar format and area, though there is a slight increase in the otherwise allowable sign area of 142.85 square feet. The signs are necessary to allow efficient vehicular flow in the streets and properly identify the business in a fashion that is not flashy or obnoxious. Applicant will not immediately replace the logo sign due to the time constraints and difficulty evaluating available components that meet the intended design. The logo sign will have a diameter no greater than five feet and an area not to exceed 20 square feet. The logo sign would be white-faced for the time being so that its panel can be replaced without posing risk to the masonry or the electrical service.

The Zoning Compliance Table reflects the level of sign compliance at the Subject Property. The City Council has reserved the power to grant sign variances following hearing before the Planning and Zoning Commission. Applicant has included the request for sign variances in its proposed legal notice since the overall zoning relief requested includes site plan review and signs are a part of this. The City Council considers a handful of issues in reviewing a variance request which are addressed below.

***There are few available locations for adequate signage on the Subject Property other than those that currently exist.*** Placement of the ground signs at their current locations is optimal considering the importance of drawing customers into the proper driveway and avoiding excess “trips” due to a missed turn and the inability to use a route other than either Plainfield Road or other area streets to return to the entrance. Additionally, the north main driveway is a long driveway that developed over the years between conversion of the Subject Property from a religious use to vacant land to a bank, all while 75th Street evolved to its current divided highway condition. The present driveway design at all locations is a preferred design that contemplates the needs of the City and County, and relocation of either sign to the east would place the sign behind a landscape area (north) and in a storm water management facility (south). Neither sign is capable of relocation to the west side of the driveway due to setback regulations

tied to the west lot line. The signs are presently at the required distance from the north lot line and the south lot line.

The wall signs align with the three business frontages and the main entrance. Chapter 3 does not permit the north wall sign to face the residential district. However, the existing sign serves a critical purpose in a divided highway scenario where a vehicle traveling west on 75th Street will see the sign and understand when to use the next lawful U-turn opportunity. The wall signs on the drive through canopy allow vehicles in eastbound and westbound Plainfield Road to identify the site and prepare to turn in sufficient time. There are no adequate replacement locations for the north wall sign or for the other two wall signs if the Code is interpreted to deem these signs as facing a residential district.

***Preservation and replacement of the existing signs at their locations better serves vehicular traffic and makes pedestrian traffic safer.*** As touched on above, the ground signs serve an important purpose of identifying the main driveway entrances. This allows drivers to avoid incorrect turns into restricted driveways on the east side of the property and better identifies the point at which the driver will encounter pedestrians or cyclists on the paths adjacent to the property. The wall signs allow a driver to identify the location and prepare to enter the site without recirculating elsewhere within the neighborhood.

***Applicant will encounter the waste of existing viable sign installations and the expense not only of replacing them but the loss of visibility that was important to a service use (the bank) when it operates a retail use.*** The cost to the Applicant is severe. On the other hand, there is no detriment to the public from granting of the sign variances. The code requires signs to go dark between 11:00 PM and 7:00 AM when the business is closed. Hours of operation are intended to be 7:00 AM until midnight on certain nights but the business will close earlier on weeknights. Light pollution will not be an issue since the signs will not cast light in violation of the lighting requirements of the City—most often being washed out in other lighting between the building and the lot lines. Additionally, the signs are not designed to call undue or unnecessary to proper operation of the site.

***Undue hardships and practical difficulties result from the sign code at this location and Applicant played no role in prior decisions or ownership.*** Loss of visibility and an unnecessary increase in travel inconvenience for those out to make a purchase in Darien is a hardship to Applicant because its customers will opt for other locations (some not situated in Darien when the next most convenient stop is made). Applicant is a prospective purchaser. West Suburban Bank developed the bank in 1990 at a time when the parcel was vacant and undeveloped. Since its prior use as a religious facility, and even since the development of the bank, there have been regular changes in traffic flow, traffic design and management of stormwater tied to the public right of way improvements. The north and south ground signs avoid interference with storm planning. They are situated at the proper location for reasons previously determined best suited for the site and adjacent rights of way by the City and by West Suburban Bank. Further, while West Suburban Bank (prior to Old Second's acquisition of it) cooperated with the City and County in work tied to the adjacent roads and storm planning, these decisions for the public benefit should not be charged against the owner.

*The requests fall within the intent of the sign code as recited in Section 4-3-2.* The motive behind the sign code is to avoid change in the presentation of signs, such as permissible larger ground signs or reduction of some wall signs for the purpose of increasing other wall sign areas. Stability promotes the public health, safety, comfort, morals, convenience and general welfare of the residents of the City. Moreover, proper signage identifying uses and main driveways meets this same objective. Applicant has kept overall signage below the maximum area allowed and relies on the same envelopes for signage that has existed for 32 years which preserves the physical appearance of the City in this block. The sign requests also promote the safety and recreational value of public travel by allowing a safer approach to the site and by better identifying walking areas and the 75th Street bike path. There is no known hazard arising from the signs that have existed at this location for decades. Sight triangles are sufficient and the signs remain well distanced from lot lines and pavement lines. Nothing in the style or nature of the signs offers distractions that may increase traffic accidents but rather they avoid quick deceleration in the streets and misidentification of driveways. These sign locations and orientations have been viewed as compatible with surrounding land uses since 1990. There has been no change in the area that would affect this prior view. The presentation of the signs for a service use should be viewed as reasonable, orderly and effective outdoor advertising for a retail use. Preserving the same sign locations preserves the longstanding character of the single-family residential communities near the property.



# NEW DRIVE THRU WINDOW AND EXTERIOR TRASH ENCLOSURE AT EXISTING COMMERCIAL BUILDING @ 1005 75TH ST, DARIEN IL 60561



consultants:

general notes:

### NEW WORK NOTES:

- THIS PROJECT CONSISTS OF NEW DRIVE THRU WINDOW AT EXISTING COMMERCIAL BUILDING @ 1005 75TH ST, DARIEN IL 60561
- ALL CONSTRUCTION SHALL COMPLY WITH ALL FEDERAL, ILLINOIS STATE, AND CITY OF CHICAGO BUILDING CODES.
- OWNER SHALL BE RESPONSIBLE FOR CARRYING HIS OWN INSURANCE. MINIMUM LIMITS SHALL BE IN COMPLIANCE WITH APPLICABLE LAWS.
- CONTRACTOR MEANS ANY ONE PERSON, PEOPLE, OR COMPANY WHO WORKS FOR CONSTRUCTION UNDER THIS PROJECT.
- ALL CONTRACTORS ARE TO VISIT THE SITE TO BE FAMILIARIZED WITH ALL EXISTING CONDITIONS BEFORE SUBMITTING BIDS.
- ALL DIMENSIONS ARE TO BE VERIFIED BEFORE COMMENCEMENT OF WORK.
- CONTRACTOR SHALL BE RESPONSIBLE TO CARRY WORKMAN'S COMPENSATION, PUBLIC LIABILITY PROPERTY DAMAGE, HOLD HARMLESS, ETC. REQUIRED INSURANCE SHALL BE PROVIDED BY THE CONTRACTOR, OWNER AND ARCHITECT SHALL BE ADDITIONALLY INSURED. COPIES OF INSURANCE SHALL BE SUBMITTED TO OWNER/ARCHITECT BEFORE COMMENCEMENT OF WORK.
- FOR ANY AND ALL DISCREPANCIES, CONTRACTOR IS TO NOTIFY OWNER AND/OR ARCHITECT BEFORE PROCEEDING WITH WORK FOR RESOLUTION. NO EXTRAS WILL BE GRANTED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN CLEANUP AND SHALL COLLECT RUBBISH AND DEBRIS RESULTING FROM THE WORK AND SHALL BE PROPERLY DISPOSED AWAY FROM THE SITE. CONTRACTOR SHALL PROVIDE THE DUMPSTER.
- CONTRACTOR SHALL GUARANTEE HIS WORK FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF SUBSTANTIAL COMPLETION OF THE WORK AND ACCEPTANCE BY THE OWNER.
- ALL NECESSARY CHANGES TO MAKE THE WORK CONFORM TO EXISTING CONDITIONS SHALL BE MADE BY THE APPROPRIATE CONTRACTOR WITH NO EXTRA COST.
- WORK SHOULD BE CONSTRUCTED NEATLY & COMPLETELY DISPLAYING GOOD WORKMANSHIP.
- ALL MATERIALS SHALL BE FREE FROM DEFECTS AND CONFORM TO THE REQUIREMENTS OF THE AUTHORITY HAVING JURISDICTION AND APPLICABLE CODES. ALL SHALL BE BEARING MANUFACTURER'S NAME, MODEL NUMBER, OR OTHER IDENTIFICATION MARKS.
- IT IS AGREED THAT ARCHITECT OR HIS AGENTS HAVE NOT BEEN RETAINED OR COMPENSATED TO PROVIDE CONSTRUCTION OBSERVATIONS SERVICES OF WORK TO BE PERFORMED RELATING TO ALL OWNER OR OWNER'S CONTRACTORS AND MATERIAL SUPPLIERS, AND SAFETY PRECAUTIONS REQUIRED FOR THE CONTRACTOR AND MATERIAL SUPPLIERS TO PERFORM THEIR WORK.
- ALL CONSTRUCTION BONDS REQUIRED SHALL BE PROVIDED BY OWNER, OWNERS AUTHORIZED AGENT, OWNERS CONTRACTORS, AND OWNERS SUB-CONTRACTORS.
- IT IS RESPONSIBILITY OF OWNERS CONTRACTORS AND SUB-CONTRACTORS TO SCHEDULE ALL INSPECTIONS AND TO OBTAIN AN OCCUPANCY PERMIT OR CERTIFICATE.

### GENERAL NOTES:

- THE ASSIGNED ARCHITECTS SHALL HAVE NO RESPONSIBILITY FOR JOB SITE SAFETY ON THE PROJECT AND DOES NOT HAVE CHARGE OF THE WORK. THE CONTRACTOR SHALL HAVE FULL AND SOLE AUTHORITY FOR ALL SAFETY PROGRAMS AND PRECAUTIONS IN CONNECTION WITH THE WORK. WHEN THE ARCHITECT IS PRESENT AT THE SITE, WHETHER PARTICIPATING IN MEETINGS OR OBSERVING ANY OF THE WORK, SUCH PRESENCE SHALL ONLY BE FOR THE PURPOSE OF ENDEAVORING TO PROTECT AGAINST ANY DEVIATIONS OR DEFECTS IN THE COMPLETED WORK, AND THE ARCHITECT SHALL HAVE NO AUTHORITY TO TAKE ANY ACTION WHATSOEVER ON THE SITE REGARDING SAFETY PRECAUTIONS OR PROCEDURES.
- ALL WORK IS TO CONFORM WITH ARCHITECT'S DRAWINGS AND SPECIFICATIONS. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK AS REQUIRED TO FULFILL THE INTENTIONS OF THESE DOCUMENTS.
- ALL WORK SHALL CONFORM TO RECOGNIZED BUILDING STANDARDS AND MANUFACTURERS RECOMMENDATIONS FOR CONSTRUCTION, ASSEMBLY AND APPLICATION.
- THE CONTRACTOR SHALL VISIT THE SITE AND BE KNOWLEDGEABLE OF EXISTING SITE CONDITIONS. THE CONTRACTOR SHALL INVESTIGATE, VERIFY AND BE RESPONSIBLE FOR ALL PROJECT DIMENSIONS AND CONDITIONS, AND SHALL NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE PROCEEDING WITH DEMOLITION, CONSTRUCTION, AND/OR FABRICATION.
- ARCHITECT IS NOT RESPONSIBLE FOR CHANGE ORDERS/CONST. ADMINISTRATION/OBSERVATION.
- ALL PARTITIONS ARE DIMENSIONED FROM FINISHED SURFACES UNLESS OTHERWISE NOTED. ALL ALIGNMENT INDICATIONS ARE FROM FINISHED SURFACES UNLESS OTHERWISE NOTED.
- ALL WORK SHALL BE ERRECTED AND INSTALLED PLUMB, LEVEL, SQUARE AND TRUE, AND IN PROPER ALIGNMENT.
- ALL FLOORS SHALL BE LEVELED AND FREE OF IRREGULARITIES TO ASSURE ONE CONSTANT FLOOR HEIGHT SO THAT DOOR BUICKS WHEN SET ARE A CONSISTENT DIMENSION FROM THE CEILING, WITH NO GAPS BETWEEN THE BOTTOM OF THE DOOR BUICK AT THE SLABS AFTER CARPETING AND OTHER FLOOR FINISHES ARE INSTALLED.
- ALL DEPRESSIONS, CRACKS, SCREEDS, AND EXPANSION JOINTS ARE TO BE FILLED WITH A GOOD GRADE NON-CRUMBLING LATEX BASE FLASHING COMPOUND, WATER PUTTY OR CRACK FILLER.
- REMOVE DEBRIS AS WORK PROGRESSES. MAINTAIN THE PREMISES IN NEAT AND CLEAN CONDITION. UPON COMPLETION OF ALL WORK, REMOVE ALL MATERIALS AND RUBBISH OF ANY SORT. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE FINAL CLEANING OF ALL PROJECT AREAS INCLUDING SPACES ADJACENT TO PROJECT AREAS USED FOR MATERIAL REMOVAL & DELIVERY. ALL PROJECT AREAS AND SPACES TO BE TURNED OVER TO THE OWNER IN A "MOVE IN" CONDITION.
- ARCHITECT IS NOT RESPONSIBLE FOR VERIFYING SHOP DRAWINGS.
- ALL INTERIOR FINISHES SHALL HAVE A MINIMUM CLASS 1 FLAME SPREAD RATING (0-25).

### GENERAL DEMOLITION NOTES:

- THE BELOW REPRESENTATION OF THE EXISTING CONSTRUCTED PORTIONS OF THE BUILDING FLOOR PLAN DO NOT REPRESENT THE "AS BUILT" PORTIONS OF THE ACTUAL EXISTING CONDITIONS, BUT GENERALLY REFLECT THE ORIGINAL DESIGN INTENT OF THE PROPOSED WORK. THE CONTRACTOR & THEIR SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING CONDITIONS, DIMENSIONS, SIZES, LOCATIONS, ELEVATIONS AND EXTENT OF WORK IN PLACE AND YET REQUIRED QUANTITIES, LOCATIONS, CLEARANCES AND SO ON PRIOR TO COMMENCING CONSTRUCTION.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2018 NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL AND STATE REQUIREMENTS.

### GENERAL NOTES:

- COMPLY WITH CODES, LAWS, ORDINANCES, RULES AND REGULATIONS OF PUBLIC AUTHORITIES GOVERNING THE WORK.
- OBTAIN AND PAY FOR PERMITS AND INSPECTIONS REQUIRED BY PUBLIC AUTHORITIES GOVERNING THE WORK.
- REVIEW DOCUMENTS, VERIFY DIMENSIONS AND FIELD CONDITIONS AND CONFIRM THAT WORK IS BUILDABLE AS SHOWN, REPORT ANY CONFLICTS OR OMISSIONS TO THE ARCHITECT FOR CLARIFICATION PRIOR TO PERFORMING ANY WORK IN QUESTION.
- SUBMIT REQUEST FOR SUBSTITUTIONS, REVISIONS, OR CHANGE TO ARCHITECT FOR REVIEW PRIOR TO PURCHASE, FABRICATION OR INSTALLATION.
- COORDINATE WORK WITH THE OWNER, INCLUDING SCHEDULING TIME AND LOCATIONS FOR DELIVERIES, BUILDING ACCESS, USE OF BUILDING SERVICES AND FACILITIES, AND USE OF ELEVATORS. MINIMIZE DISTURBANCE OF BUILDING FUNCTIONS AND OCCUPANTS.
- OWNER WILL PROVIDE WORK NOTED "BY OTHERS" OR "NIC" UNDER SEPARATE CONTRACT INCLUDE SCHEDULE REQUIREMENTS IN CONSTRUCTION PROGRESS SCHEDULE AND COORDINATE TO ASSURE ORDERLY SEQUENCE OF INSTALLATION.
- COORDINATE TELECOMMUNICATIONS, DATA AND SECURITY SYSTEM INSTALLATIONS.
- PROTECT AREA OF WORK AND ADJACENT AREAS FROM DAMAGE.
- MAINTAIN EXITS, EXIT LIGHTING, FIRE PROTECTIVE DEVICES, AND ALARMS IN CONFORMANCE WITH CODES AND ORDINANCES.
- MAINTAIN WORK AREAS SECURE AND LOCKABLE DURING CONSTRUCTION. COORDINATE WITH TENANT AND LANDLORD TO ENSURE SECURITY.
- NO SCALE DRAWINGS: WRITTEN DIMENSIONS GOVERN. IN CASE OF CONFLICT, CONSULT THE ARCHITECT.
- PARTITIONS ARE DIMENSIONED FROM FINISH FACE TO FINISH FACE, UNLESS OTHERWISE NOTED. MAINTAIN DIMENSIONS MARKED "CLEAR". ALLOW FOR THICKNESS OF FINISHES.
- COORDINATE AND PROVIDE BACKING FOR MILLWORK AND ITEMS ATTACHED OR MOUNTED TO WALLS OR CEILINGS.
- WHERE EXISTING ACCESS PANELS CONFLICT WITH CONSTRUCTION, RELOCATE PANELS TO ALIGN WITH AND FIT WITHIN NEW CONSTRUCTION.
- UNDERCUT DOORS TO CLEAR TOP OF FLOOR FINISHES BY 1/4 INCH, UNLESS OTHERWISE NOTED.
- SMOKE, NOISE OR ODOR PRODUCING ACTIVITIES MUST BE DONE AFTER HOURS, WITH CONSENT OF BUILDING MANAGEMENT, INCLUDING, BUT NOT LIMITED TO PAINTING, WALLCOVERING, CARPET, VCT INSTALLATION.
- CONTRACTORS SHALL NOT INTERRUPT ANY SERVICE TO ANY BUILDING TENANT OR OCCUPANTS AND CONSTRUCTION MANUAL.
- CONTRACTORS ARE RESPONSIBLE FOR COMPLIANCE WITH BUILDING CONSTRUCTION MANUAL, NOTIFY BUILDING & ARCHITECT OF ANY CONFLICTS IN DOCUMENTS AND CONSTRUCTION MANUAL.
- CONTRACTORS ARE RESPONSIBLE FOR PROTECTING BUILDING HVAC SYSTEMS FROM CONSTRUCTION DUST & DEBRIS. INSTALL & PERIODICALLY REPLACE PRE-FILTERS, REPLACE MAIN FILTERS & CLEAN INTAKE DUCTWORK UPON COMPLETION OF WORK.

### DEMOLITION NOTES:

- COMPLY WITH APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS PERTAINING TO SAFETY OF PERSONS, PROPERTY AND ENVIRONMENTAL PROTECTION.
- PROVIDE AND MAINTAIN BARRICADES, LIGHTING AND GUARDRAILS AS REQUIRED BY APPLICABLE CODES AND REGULATIONS TO PROTECT OCCUPANTS OF BUILDING AND WORKERS.
- ERECT AND MAINTAIN DUSTPROOF PARTITIONS AS REQUIRED TO PREVENT SPREAD OF DUST, FUMES, AND SMOKE, ETC. TO OTHER PARTS OF THE BUILDING ON COMPLETION. REMOVE PARTITIONS AND REPAIR DAMAGED SURFACES TO MATCH ADJACENT SURFACES.
- IF DEMOLITION IS PERFORMED IN EXCESS OF THAT REQUIRED, RESTORE EFFECTED AREAS AT NO COST TO THE OWNER.
- REMOVE FROM THE SITE DAILY AND LEGALLY DISPOSE OF REFUSE, DEBRIS, RUBBISH, AND OTHER MATERIALS RESULTING FROM DEMOLITION OPERATIONS.
- REMOVE DESIGNATED PARTITIONS, COMPONENTS, BUILDING EQUIPMENT, AND FIXTURES AND PIPING BACK TO SOURCE/RISER/AS REQUIRED FOR NEW WORK.
- REMOVE ABANDONED HVAC EQUIPMENT, INCLUDING DUCT WORK, BACK TO SOURCE.
- REMOVE ABANDONED ELECTRICAL, TELEPHONE AND DATA CABLING AND DEVICES. BACK TO SOURCE/RISER/ UNLESS OTHERWISE NOTED.
- REMOVE EXISTING FLOOR FINISHES AND PREPARE SUBFLOOR AS REQUIRED FOR NEW FLOOR FINISHES.

### FINISH NOTES:

- ENSURE SURFACES TO RECEIVE FINISHES ARE CLEAN, TRUE, AND FREE OF IRREGULARITIES. DO NOT PROCEED WITH WORK UNTILL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED.
- REPAIR EXISTING SURFACES TO REMAIN AS REQUIRED FOR APPLICATION OF NEW FINISHES.
- PROVIDE STRAIGHT, FLUSH RESILIENT BASE AT CARPETED AREAS, AND COVERED TOP SET RESILIENT BASE AT RESILIENT FLOORING, UNLESS OTHERWISE NOTED, PROVIDE MANUFACTURER'S PRE-FORMED OUTSIDE CORNERS AT ALL OUTSIDE CORNER LOCATIONS. DO NOT BEND OR FIELD FORM BASE AT OUTSIDE CORNERS.
- PROVIDE CARPET SEAMING DIAGRAM FOR ARCHITECT REVIEW PRIOR TO ORDERING CARPET MATERIAL. END SEAMS OR CORRIDOR SEAMS AT DOORWAYS WILL NOT BE ACCEPTED. DO NOT USE SEAMS IN ROOMS WHERE SINGLE WIDTH MATERIAL CAN COVER FULL ROOM.

### PRICING NOTES:

- PROVIDE BID PRICING ITEMIZED BY TRADE AND MAJOR COST ITEMS.
- PROVIDE ALTERNATE PRICING FOR DOC CONTROLS PER ENGINEER DRAWINGS.

### GRAPHIC SYMBOLS:

	ELEVATION DATUM POINT
	ALIGN WITH ESTABLISHED SURFACES
	REVISION TAG
	ELEVATION TAG
	SECTION TAG
	DETAIL REFERENCE
	ROOM TAG
	WINDOW TAG
	DOOR TAG
	WALL TAG
	SMOKE /CO DETECTOR
	FLOOR DRAIN
	FIRE HOSE CABINET
	FIRE EXTINGUISHER WITHOUT CABINET
	FIRE EXTINGUISHER CABINET
	FIRE VALVE WITHOUT CABINET
	FIRE VALVE CABINET

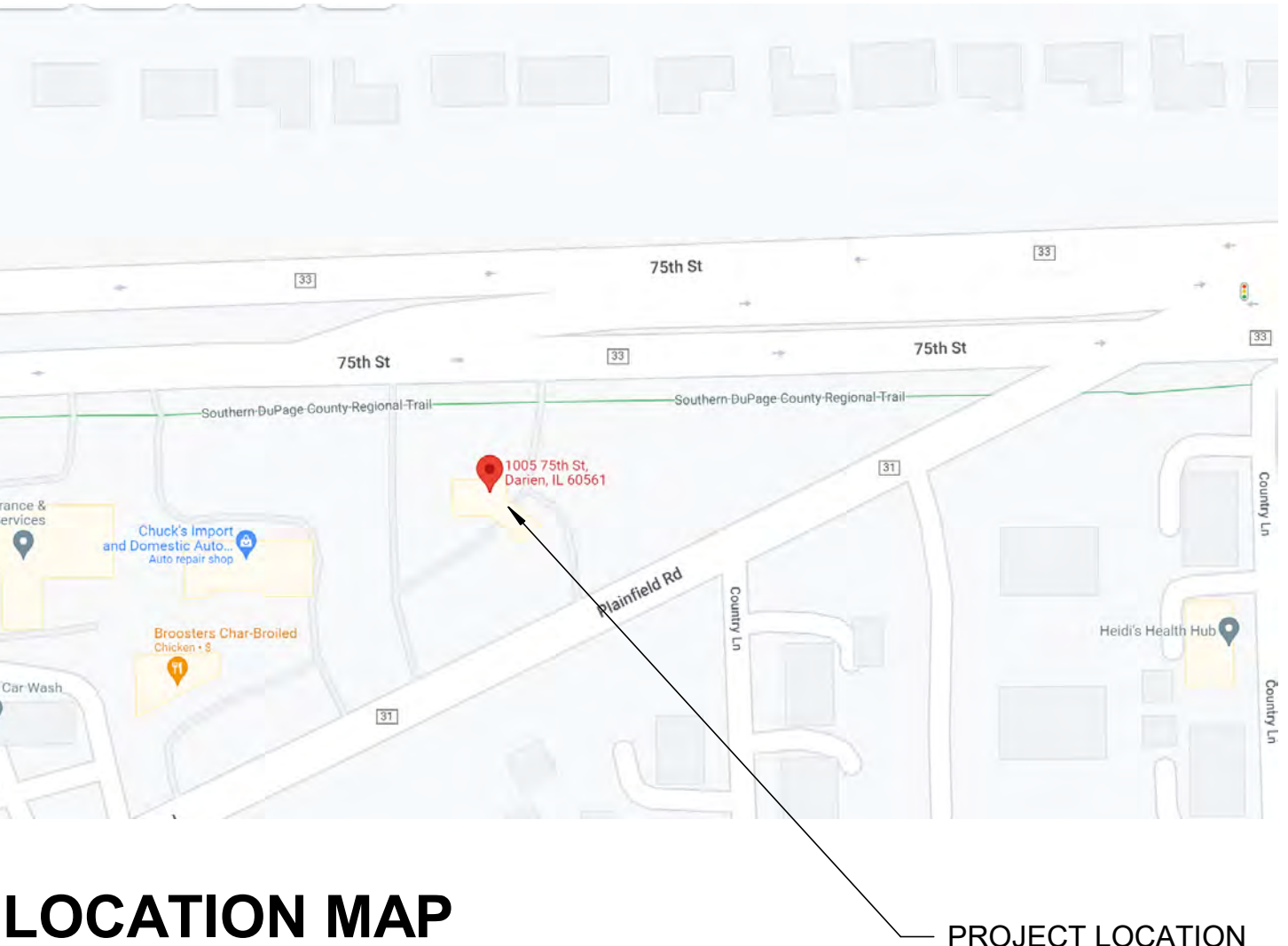
SYMBOLS	ABBREVIATIONS	CONT	ABBREVIATIONS	FE & C	ABBREVIATIONS	INSUL	ABBREVIATIONS	OVFL	ABBREVIATIONS	SIM	ABBREVIATIONS
\$ AND	DOLLAR (US CURRENCY) AND BRITISH POUND (CURRENCY)	CONTR COVER CARPET	CONTINUOUS(ATION) CONTRACT(OR)	FHC FIN	FIRE EXTINGUISHER AND CABINET FIRE HOSE CABINET	INTLTK	INSULATION INTERIOR INTERLOCK(ING)	OVFL OVERFLOW OVERHEAD	SIM SIMILAR	SST STD	STAINLESS STEEL STANDARD
A	ACCESSORY	DBL DEPT	DOUBLE DEPARTMENT	FLDS FLR	FOLDING FLOOR(ING)	JAN KIT	JANITOR KITCHEN	PBD	PARTICLE BOARD	STL	STOREFRONT
ACOUS	ACOUSTICAL	DES DET	DESIGN(ED) DETAIL	FR	FIRE RATING(ED)	LAV	LAVATORY	PEDTR	PEDESTRIAN	STRFR	STOREFRONT
AL	ALUMINUM	DF DIA	DRINKING FOUNTAIN DIAMETER	FRM	FRAMING	LB	POUND	PLAM	PLASTIC LAMINATE	STRUCT	STRUCTURAL
ALT	ALTERNATE	DN DIA	DIAMETER	FWC	FABRIC WALL COVERING	LT	LIGHT	PLAS	PLASTER	SURF	SURFACE
ANNUNC	ANNUNCIATOR	DR DR	DOOR	FXD	FIXED	LVLG	LEVELING	PLYWD	PLYWOOD	SUSP	SUSPENDED SYSTEM(S)
AND	AND	DISCON	DISCONNECT	FXTR	FIXTURE	LVR	LOUVER	PNL	PANEL	T	TONGUE AND GROOVE
APPL	APPLIANCE	DWR	DRAWER	G	GAUGE	MAX	MAXIMUM	PORT	POLYSTYRENE	T&G	TONGUE AND GROOVE
ARCH	ARCHITECT(URAL)	DN	DOWN	GA	GLASS FIBER REINFORCED CONCRETE	MECH	MECHANICAL	PREFAB	PREFABRICATED	THK	THICK
AUTO	AUTOMATIC	ENR	ENTRANCE	GFR	GLASS FIBER REINFORCED GYPSUM	MET	METAL	PREFIN	PREFINISHED	TLT	TOILET
AVG	AVERAGE	EQP	EQUIPMENT	GFRP	GLASS FIBER REINFORCED PLASTER	MEZZ	MEZZANINE	PROTECN	PROTECTION	TRAF	TRAFFIC
B	BOARD	ENR	ENTRANCE	GL	GLASS	MFR	MANUFACTURER	PTN	PARTITION	TRNS	TRANSPARENT
BLDG	BUILDING	EQ	EQUAL	GR	GRADE(ING)	MIN	MINIMUM	R	READER	TRTD	TREATED
BLKG	BLOCKING	ENR	ENTRANCE	GYP	GYPSUM	MISC	MISCELLANEOUS	RDR	READER	TYP	TYPICAL
BOLL	BOLLARD	ENR	ENTRANCE	H	HEAD	MLWK	MILLWORK	RECEPT	RECEPTACLE	UNDRLAY	UNDERLAYMENT
BRODM	BROADROOM	ENR	ENTRANCE	HD	HARDWOOD	MOIST	MOISTURE	RECES	RECESSED	UNO	UNLESS NOTED OTHERWISE
BU	BUILT UP	ENR	ENTRANCE	HDWD	HARDWARE	MOT	MOTOR(ZED)	REF	REFLECTED	UTL	UTILITY
C	CABINET	ENR	ENTRANCE	HM	HOLLOW METAL	MTD	MOUNTED	REFR	REFRIGERATOR	VEH	VEHICLE
CEM	CEMENT(ITIOUS)	ENR	ENTRANCE	HM	HOLLOW METAL	N	NOT IN CONTRACT	REFR	REFRIGERATOR	VERT	VERTICAL
CER	CERAMIC	ENR	ENTRANCE	EXP	EXPANSION JOINT	NTS	NOT IN SCALE	REFR	REFRIGERATOR	VIF	VEHICLE IN FIELD
CLG	CEILING	ENR	ENTRANCE	EXPS	EXPOSE(D) EXTERIOR	O	OPENING(S)	REFR	REFRIGERATOR	W	WITH
CMU	CONCRETE MASONRY UNIT	ENR	ENTRANCE	EXT	EXTERIOR	OPNG	OPENING(S)	REFR	REFRIGERATOR	W/	WITH
COATS	COATINGS	ENR	ENTRANCE	F	FABRICATION	OPR	OPERABLE	REFR	REFRIGERATOR	WC	WATER CLOSET
COILG	COILING	ENR	ENTRANCE	FAB	FABRICATION	ORNA	ORNAMENTAL	REFR	REFRIGERATOR	WD	WOOD
CONC	CONCRETE	ENR	ENTRANCE	FD	FLOOR DRAIN			REFR	REFRIGERATOR	W/	WITH
CONSTR	CONSTRUCTION	ENR	ENTRANCE	FE	FIRE EXTINGUISHER			REFR	REFRIGERATOR	W/	WITH

ZONING ORDINANCE INFORMATION	
ZONING CLASSIFICATION:	B-2
ALLOWABLE FLOOR AREA RATIO:	(NO CHANGE)
LOT AREA:	21,095 SF
MAXIMUM ALLOWABLE F.A.R.:	-
<b>REQUIRED BUILDING SETBACKS:</b>	
FRONT YARD (NORTH)	50 FT
INTERIOR YARD (EAST)	30 FT
INTERIOR YARD (WEST)	30 FT
FRONT YARD (SOUTH)	50 FT
<b>ACTUAL BUILDING SETBACKS:</b>	
FRONT YARD (NORTH)	20.96 FT
INTERIOR YARD (EAST)	33 FT
INTERIOR YARD (WEST)	75 FT
FRONT YARD (SOUTH)	20 FT
<b>FLOOR AREA:</b>	
1ST FLOOR:	1172 (BUILDING) + 490 (CANOPY)
TOTAL:	1,662 SF (NO CHANGE)

INDEX OF DRAWINGS	
SHEET NUMBER	SHEET NAME
01-GENERAL	COVER SHEET
T1	COVER SHEET
02-ARCHITECTURAL	DEMOLITION PLANS
A1	DEMOLITION PLANS
A2	ELEVATIONS

APPLICABLE CODES	
2015 INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS	
2015 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS	
2015 INTERNATIONAL MECHANICAL CODE WITH LOCAL AMENDMENTS	
2015 INTERNATIONAL FUEL GAS CODE WITH LOCAL AMENDMENTS	
2015 INTERNATIONAL SWIMMING POOL AND SPA CODE WITH LOCAL AMENDMENTS	
2015 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH LOCAL AMENDMENTS	
2014 NATIONAL ELECTRIC CODE WITH LOCAL AMENDMENTS	
2015 ILLINOIS ENERGY CONSERVATION CODE	

UNIFORM LOAD TABLE	
USE (FLOOR & ROOF)	MIN. LIVE LOAD (P.S.F.)
DWELLING UNITS / SLEEPING RMS.	40
COMMERCIAL FLOOR	100
CORRIDORS/STAIRS	100
EXTERIOR BALCONIES/ROOFDECKS	100
SIDEWALKS AND DRIVEWAYS	250
ROOF LIVE LOAD	25 SEE DIAGRAM
PARTITION LOAD	15
SNOW LOAD (FLAT)	25
WALLS (WIND LOAD)	20 SURFACE/ UPLIFT
<b>LOW ROOF</b>	
<b>HIGH ROOF</b>	



LOCATION MAP

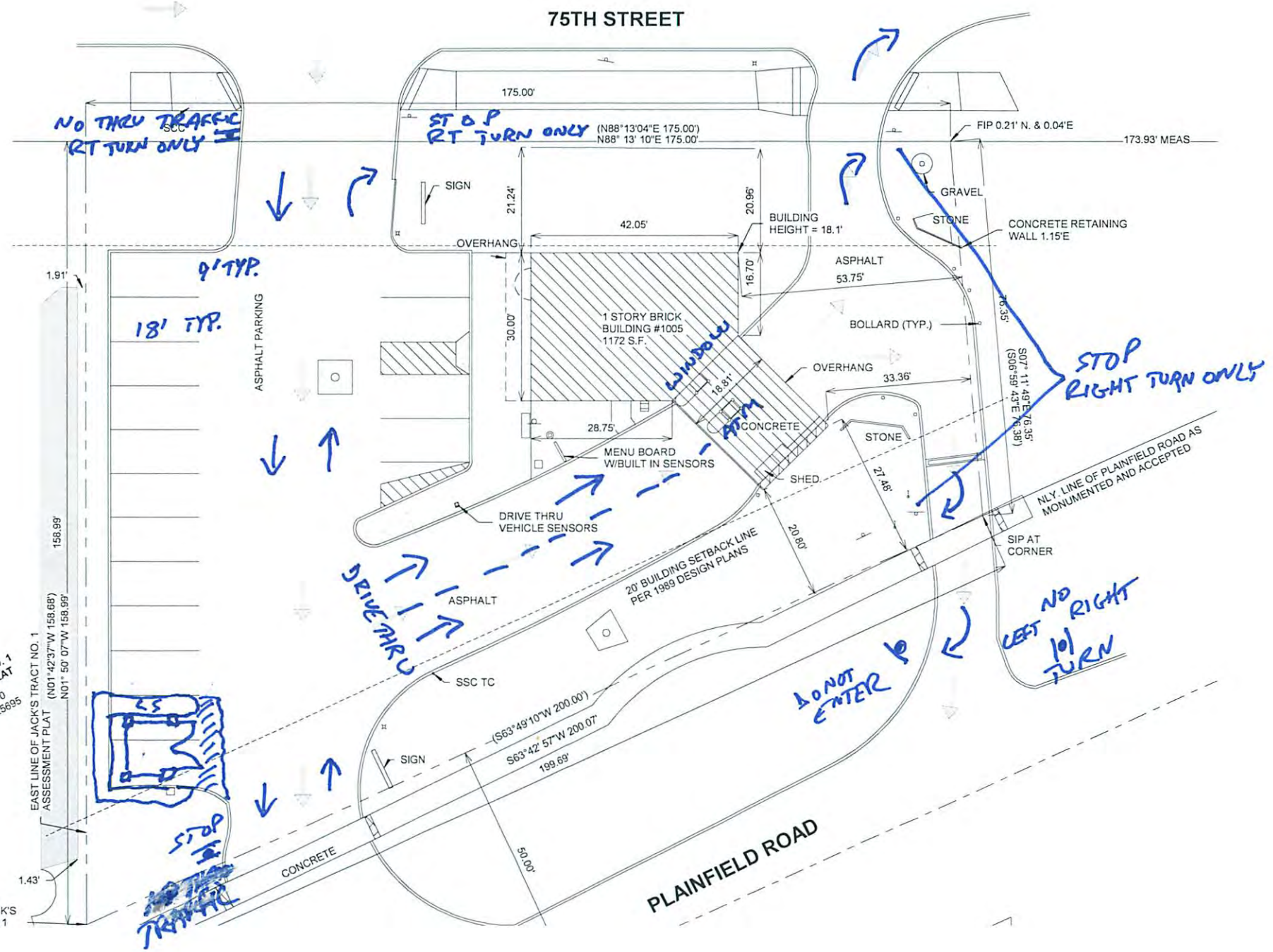
ARCHITECT'S NOTE: ARCHITECT ASSUMES NO RESPONSIBILITY FOR ANY DISCREPANCY BETWEEN THESE DRAWINGS AND THE CONSTRUCTION CONTRACT. ARCHITECT SHALL NOT HAVE CONTROL OVER OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION METHODS, TECHNIQUES, SEQUENCING OR PROCEDURES, OR FOR THE SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK OF THE CONSTRUCTION CONTRACTORS. THE ARCHITECT SHALL NOT HAVE CONTROL OVER THE CHARGE OF ACTS OR OMISSIONS OF THE CONTRACTOR, SUB-CONTRACTOR OR THEIR AGENTS OR EMPLOYEES OR ANY OTHER PERSONS PERFORMING PORTIONS OF THE WORK. THE ARCHITECT SHALL NOT BE "IN CHARGE" OF THE WORK AS THE TERM IS DEFINED IN THE ILLINOIS STRUCTURAL ACT. THE ARCHITECT SHALL NOT BE HELD RESPONSIBLE FOR ERRORS AND/OR OMISSIONS MADE DURING CONSTRUCTION BY THE CONTRACTOR. THE OWNER'S SOLE REMEDY FOR CONSTRUCTION DEFECTS, ERRORS OR OMISSIONS SHALL BE AGAINST THE CONTRACTOR. THIS DRAWING IS THE SOLE PROPERTY OF SENGAARCHITECTS AND IS PROTECTED UNDER US COPYRIGHT LAW AND ARCHITECTURAL WORKS PROTECTION ACT OF 1990. THE COPY OF THIS DRAWING AND /OR DISTRIBUTION TO UNAUTHORIZED PERSONNEL OR CONSTRUCTION OF THE STRUCTURE DEPICTED HEREIN WITHOUT EXPRESS WRITTEN CONSENT OF SENGAARCHITECTS WOULD CONSTITUTE INFRINGEMENT OF SENGAARCHITECTS INC. THE RECEIPT OF THIS DRAWING ACKNOWLEDGES AND AGREES THAT THE OWNERSHIP OF THIS DRAWING AND ALL OTHER RIGHT, TITLE, AND INTEREST THEREIN, INCLUDING WITHOUT LIMITATION, ALL RIGHTS UNDER US COPYRIGHT AND OTHER INTELLECTUAL PROPERTY LAW, ARE RETAINED BY SENGAARCHITECTS (C) 2016



JACK'S TRACT NO. 1  
ASSESSMENT PLAT  
JULY 28, 1970  
DOC. R70-25695

EAST LINE OF JACK'S TRACT NO. 1  
ASSESSMENT PLAT (N01°42'37"W 158.68')  
N01° 50' 07"W 158.99'

SE CORNER JACK'S  
TRACT NUMBER 1







**UNITED STATES OF AMERICA**  
**STATE OF ILLINOIS** **COUNTY OF DUPAGE**  
**BEFORE THE CITY OF DARIEN**  
STATEMENT PERTAINING TO USE

Tabriz Khanlodhi provides the following additional information in relation to its pending application for special use to operate a drive through:

1. The primary business of the applicant and its designated related corporation is and will be the engagement in retail sale of tobacco and tobacco products. I note that the sales through the drive through that is the subject of the request will typically involve only smaller tobacco items and accessories and packaged food and beverage, but they will not involve the transmittal to a customer of larger items and other items that are impractical for delivery through the service window (several glass items for example).
2. Secondary income streams arise from the sale at retail of smoking and smoking-relating products and their accessories. We also engage in sales of items that have as one ingredient what is known as CBD, more technically known as cannabis-derived compound or Cannabidiol.
3. CBD involves hemp flower, extracts and derivatives made in compliance with the definition of "hemp" which is the plant *Cannabis sativa L.* and any part of that plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis that has been cultivated under a license issued under this Act or is otherwise lawfully present in this State, and includes any intermediate or finished product made or derived from industrial hemp. In all respects we will not run afoul of the above current guidance on CBD as provided for under the laws and regulations flowing from the federal Agriculture Improvement Act of 2018 and the Illinois Industrial Hemp Act, 505 ILCS 89/1 *et seq.*
4. Various products can be infused with CBD from oils to creams and foods to beverages. CBD is intentionally, legally and technically not cannabis. Not everyone is aware of the distinction between cannabis which is illegal under the Controlled Substances Act and hemp which is legal under both federal and state law. The difference under federal law in the treatment of cannabis arises from the .3% rule in the Illinois Industrial Hemp Act which is identical to the exclusion under federal law.
5. The sale CBD infused items is compliant with applicable federal, state and local laws and ordinances.
6. The sale of CBD infused items would not extend to the sale of products that exceed the allowable percentage and becomes the sale of something not expressly authorized.
7. In regard to the above, I recognize that I and my entities operate in a regulated field at multiple levels and that the City also has police jurisdiction. If they wish to have

information beyond that which is collected when checking for proper licensee operations on stings or store visits, I am happy to periodically meet with law enforcement officials to explain processes and protocols to allow confidence that we are operating in compliance with applicable law—though this is not required at my other locations.

8. I am not a licensed person and I do not own or operate licensed entities relating to any aspect of operations authorized by the Illinois Cannabis Control Act, 720 ILCS 550/1.
9. I will not consider opening or open any line of business at 1005 75 Street, Darien, if the business requires a license under local cannabis control regulations or under the Illinois Cannabis Control Act.
10. I understand that the City has reserved the opportunity to operate such a business to locations that do not include this site. I also note that I am advised that the site is too small for a dispensary operation under currently known standards of operations.
11. If any of the considerations in Item 8 and Item 9 were to change, I understand that I am not presently allowed to open a business under the Cannabis Control Act at 1005 75th Street, Darien, and that the City may not ever alter its position in regard to the proper location of these types of businesses.
12. This statement is provided in writing in advance of hearing on September 21, 2022 in order that it may be considered before I adopt it under oath at hearing.

Dated: September 15, 2022

TABRIZ KHANDLODHI



---





**Signs**  
& Graphics

Whole Sale & Retail Interior / Exterior Signage  
6144 1/2 N.Lincoln Ave Chicago,IL60659

**773-303-0161**

Licensed • Bonded • Insured

CUSTOMER: Dr Smoke  
LOCATION: 1005 75th St,  
Darien, IL 60561

Design By: CN  
Date: 07/21/2022

Customer approval signature

\_\_\_\_ / \_\_\_\_ / 2022  
Date

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Special Note:

\_\_\_\_\_  
Landlord approval signature

\_\_\_\_ / \_\_\_\_ / 2022  
Date

**TABLE OF ZONING COMPLIANCE**  
**1005 75TH STREET, DARIEN ILLINOIS (PIN 09-27-300-011)**  
 KHANLODHI AND ENTITY SUCCESSOR (TBD)  
 RE-USE OF WEST SUBURBAN BANK BUILDING  
 APPLICATION FOR B-2 SPECIAL USES AND VARIATIONS

<b>SUBJECT</b>	<b>SECTION</b>	<b>STANDARD</b>	<b>PROVIDED</b>	<b>NOTES</b>
Type of Business	5A-8-1-1	Retail	Retail	Complies
Display of Goods	5A-8-1-2	Indoors	Indoors, drive through	Complies
Site Plan Review	5A-8-3-2	Req'd if increase	Not required	Survey provided, complies
Permitted Uses	5A-8-3-3	Art shops	Art shop	
Permitted Uses	5A-8-3-3	General retail	General retail	Complies
Permitted Uses	5A-8-3-3	Tobacco shops	Tobacco shop	Complies
Permitted Uses	5A-8-3-3	Banks	ATM	Drive through
Special Uses	5A-8-3-4	Drive through	Drive through ATM, T	Note: 5A-8-2-4
Minimum Lot Area	5A-8-3-6	2 acres	0.49 acres/21,130 SF	Existing lot of record
Front Yard (North)	5A-8-3-8(A)(1)(a)	50 feet	20.96 feet	Variation, existing condition
Front Yard Pkg. (North)	5A-8-3-8(A)(1)(b)	30 feet	21 feet	Variation, existing condition
Interior Yard (East)	5A-8-3-8(B)(1)(a)	30 feet	33 feet	Complies
Interior Yard Pkg. (East)	5A-8-3-8(B)(1)(b)	20 feet	1.7 feet	Variation, existing condition
Front Yard (South)	5A-8-3-8(A)(1)(a)	50 feet	20 feet	Variation, existing condition
Front Yard Pkg. (South)	5A-8-3-8(A)(1)(b)	30 feet	20 feet	Variation, existing condition
Interior Yard (West)	5A-8-3-8(B)(1)(a)	30 feet	75 feet	Complies
Int. Yard Pkg. (West)	5A-8-3-8(B)(1)(b)	20 feet	2.5 feet	Variation, existing condition
Height	5A-8-3-9	40 feet (3 stor.)	+/-16 feet (1 story)	Complies
FAR	5A-8-3-9	0.60 (12,678 SF)	0.06 (1,172 SF)	Complies
Building coverage	5A-8-3-9	0.50 (10,565 SF)	0.08 (1,662 SF)	Complies, incl. drive through canopy
Lot coverage	5A-8-3-9	0.75 (15,847 SF)	0.70 (+/-14,698 SF)	Complies (will decr. w/ waste encl.)
<b><i>Landscape Ch. 10</i></b>	5A-8-3-10(A)			
Stone	5A-10-2(A)	Not landscape	Used in storm planning	Variation, existing condition
Plantings	5A-10-3	Standards	No new planting	Not applicable
Front Yard Points North	5A-10-5(A)	787.5	390	Variation, existing condition



<b>SUBJECT</b>	<b>SECTION</b>	<b>STANDARD</b>	<b>PROVIDED</b>	<b>NOTES</b>
Front Yard Points East	5A-10-5(B)	456	0	Variation, existing condition
Front Yard Points South	5A-10-5(A)	900	175	Variation, existing condition
Front Yard Points West	5A-10-5(B)	954	0	Variation, existing condition
Shrubs Adj. to Parking	5A-10-6(A)	58 shrbs, 2 shade	2 shade	Variation, existing condition
Points near drives, front	5A-10-6(B)	720	515	Variation, existing condition
Points near drives, side	5A-10-6(B)	930	0	Variation, existing condition
Screen mechanicals	5A-10-6(B)	So. ATM area	Screened	Complies
End of row landscape	5A-10-6(C)(1)	4-6 trs, 64-96 shr	2 strees, 9 shrubs	Variation, existing condition
Circulation delineation	5A-10-6(C)(2)	9-foot width	3 feet along north D.T.	Variation, existing condition
Intermediate L.S. Islands	5A-10-6(D)	For 15+ spaces	Not required	Complies, waste encl. -2 spaces
Existing Vegetation	5A-10-9	Replacement	NW SW only replaced	Variation, existing condition
Landscape Plan	5A-10-10(A)	LS Plan req'd	Perm Pl enclosure only	Variation, no new development
<b><i>Parking Loading Ch 11</i></b>	5A-8-3-10(B)			
Appropriate access	5A-11-2-1(D)	Least interf.		Complies
Appropriate access	5A-11-2-1(D)	Meet DW specs		
Stall Size, Aisle Width	5A-11-2-1(F)(3)	9' x 18'; 24'; 60'	9' x 18'; >30'; 66'	Complies
Landscape Requirements	5A-11-2-1(G)	Comply w Ch 10	Need Relief	Variation, existing condition
Accessible Spaces	5A-11-2-3(B)	1 req'd	1 provided	Complies
Number Driveways	5A-11-3(B)(1)(a)	2	4	Variation, existing condition
1-Way Drive W @ Lot	5A-11-3(B)(1)(b)	12'-15'	18' (N); 14' (S)	Variation (N), existing condition
2-Way Drive W @ Lot	5A-11-3(B)(1)(b)	24'-30'	30' (N); 29' (S)	Complies
DW Dist. from Lot Line	5A-11-3(B)(1)(c)	20 feet	2' (SE); >20' (others)	Variation (SE), existing condition
Driveway Spacing	5A-11-3(B)(1)(d)	50' minimum	35' (SW); >50' (others)	Variation (SW), existing condition
DW to Intersection	5A-11-3(B)(1)(e)	50' minimum	>50' (all)	Complies
DW to Crosswalk	5A-11-3(B)(1)(f)	10' minimum	>10' (all)	Complies
DW Curb Radii	5A-11-3(B)(1)(g)	15' minimum	>15' (all)	Complies
DW Curblin Angle	5A-11-3(B)(1)(h)	60 degree max	Vague, NE may be >60	Variation (NW), existing condition
Parking (Cl. 4, 4:1000)	5A-11-5 (Table)	4	13-14 (incl 1 accessible)	Complies (range for waste encl.)
Stacking Store	5A-11-5 (Table)	No regulation	4	2-3 at most required, drug store (0)
Stacking ATM	5A-11-5 (Table)	4	4	Complies
Loading (Cl. 4, 7K-60K)	5A-11-5 (Table)	0	0	Complies

<b>SUBJECT</b>	<b>SECTION</b>	<b>STANDARD</b>	<b>PROVIDED</b>	<b>NOTES</b>
<i>Signs T4, Ch 3</i>	5A-8-3-10(E)			
Window Sign Max Area	4-3-7(A)(12)	25% of window	TBD	Will Comply
If not open, signs off	4-3-7(C)(1)	11 PM-7 AM	TBD	Will Comply
Ground signs allowed	4-3-7(D)	2	2	Complies
Sign Setback	4-3-7(E)	4' (str), 30' (lot)	4' (str); >30' (lot line)	Complies
Sign to Driveway	4-3-7(E)	20' to driveway	8' (N); 4'-10' (S)	Variation, existing condition
Wall Sign to Residential	4-3-7(E)	Prohibited	N faces; others comply	Variation, existing condition
Ground Sign Landscape	4-3-7(G)	Min. 4' wide	0	Comply at permit; Director review
Wall Signs Allowed	4-3-10(B)(2)	3	3	3 business frontages (N, E, S)
Wall Sign Area	4-3-10(B)(2)	142.85 SF max	125 SF (20 SF logo)	Complies, logo same size as prior
Ground Sign Area	4-3-10(B)(3)	60 SF per side	36 SF per side	Complies
Ground Sign Height	4-3-10(B)(3)	12 feet max	<12 feet	Complies



## Memo

**Date:** July 25, 2022

**To:** Mr. Tabriz Khanlodhi  
Top Property, LLC

**From:** Lynn M. Means, P.E., PTOE, RSP1  
Senior Transportation Engineer - BLA, Inc

**Re:** *Tobacco Shop with Drive-Thru Development*  
1005 75<sup>th</sup> Street  
Darien, Illinois

BLA-Inc. has conducted an evaluation of traffic and parking conditions in connection with the proposed redevelopment of the property located at 1005 75<sup>th</sup> Street in Darien, Illinois. The approximately 0.5-acre site currently contains an approximately 1,172 square-foot drive-in bank (1,662 square-feet with exterior canopy), with two drive-up ATMs, accessed via two driveways on 75<sup>th</sup> Street (a right-in/right-out and a right-out only) and two driveways on Plainfield Road (a full access and a right-out only). The site is served by 16 parking spaces, including 1 accessible space. *Exhibit 1* shows the location of the site with respect to the surrounding street system.

As currently proposed, the project will include the reuse of the site to a tobacco shop with drive-thru window. Access to the site will be maintained via the existing driveways on 75<sup>th</sup> Street and Plainfield Road. It will also include the retention of an ATM in the outer drive-thru lane. The project will reduce parking by 2 to 3 spaces to provide a waste enclosure (to a total of 13 to 14 spaces).

The following summarizes the analysis conducted, our findings and recommendations for your consideration.

## EXISTING CONDITIONS

### Area Land Use

The site includes a drive-in bank. The site is bound by 75<sup>th</sup> Street, the Southern DuPage County regional trail and residential uses to the north, commercial uses to the west, public highway, drainage and commercial uses to the east and Plainfield Road and residential uses to the south.

### Existing Traffic

The annual average daily traffic (AADT) was obtained from the Illinois Department of Transportation (IDOT) ([www.gettingaroundillinois.com](http://www.gettingaroundillinois.com)) along the study area roadways near the site and are summarized in *Table 1*.

**Table 1: Summary of IDOT AADT Volumes**

Location	IDOT AADT (year 2020)
<b>75<sup>th</sup> Street</b>	
Between Cass Ave and Plainfield Rd	16,100
<b>Plainfield Road</b>	
Between Cass Ave and 75 <sup>th</sup> St	11,200

Peak period count data along 75<sup>th</sup> Street and Plainfield Road was obtained from IDOT's Traffic Count Database System. Based on these counts, the weekday morning and evening peak hours occurred from 8 to 9 AM and 4 to 5 PM, respectively.

Summaries of the IDOT traffic count data are contained in *Appendix A*. It should be noted, the IDOT traffic volumes presented in *Appendix A* represent "raw", unadjusted data. These volumes are adjusted based on day of week and month of year factors, resulting in an AADT which is lower than the raw total.

**Exhibit 1: Site Location Map**



## SITE TRAFFIC CHARACTERISTICS

### Proposed Development Plan

As proposed, the project consists of reusing the site to provide a tobacco shop with drive-thru window. It will also include the retention of an ATM in the outer drive-thru lane. The development will be served by a total of 13 to 14 off-street parking spaces, including one accessible space. Access to the site will be maintained via the existing site access: two driveways on 75<sup>th</sup> Street (one right-in/right-out and one right-out only) and two driveways on Plainfield Road (one full access and one right-out only). The right-out exit driveways will predominately be used by drive-thru traffic.

### Proposed Operational Characteristics

Based on information received from the Client, anticipated operational characteristics of the proposed tobacco shop include:

- Typical hours of operation: Monday to Sunday, 10:00 AM to 11:00 PM.
- Staff: typically, one staff present, occasionally with a manager.
- Deliveries: no scheduled deliveries/large box trucks; deliveries occur only via USPS and vans.
- Customers: Typical weekday (Monday to Thursday) 160. On weekends typically 160 per day. Typical transaction time (average customer time spent in the store) is 3 minutes.

### Trip Generation

The amount of traffic generated by a development depends on the type and density of the land use. Trip generation estimates for the development were calculated based on information published in the Institute of Transportation Engineers (ITE) Manual *Trip Generation*, 11<sup>th</sup> Edition (see **Appendix B**). The ITE manual is a compilation of national traffic data surveys used to estimate traffic volumes for various land uses.

However, the trip generation manual does not contain data specific to a tobacco shop with drive-thru window. The closest ITE land use codes (LUC) available are strip retail plaza (<40k), LUC 822, and pharmacy with drive-thru window, LUC 881. Accordingly, to provide a conservative analysis scenario, BLA obtained trip generation rates from similar existing facilities located in the Chicagoland area (see **Appendix C**). The local trip generation rates were compared to the available ITE rates, and the highest trip generation was assumed (highlighted in gray in **Table 2**). ITE LUC 912, Drive-In Bank, was assumed for the ATM use.

Not all vehicle trips expected to be generated by the proposed project represent new trips on the study area roadway system. Studies have shown that for similar developments, a substantial portion of the site-generated vehicle trips are already present in the adjacent passing stream of traffic or are diverted from another route to the proposed site. Based on data presented in the ITE *Trip Generation*, 11<sup>th</sup> Edition, the average pass-by trip percentage is between 31 and 49 percent for the tobacco use and between 29 and 38 percent for a drive-in bank/ATM use (see **Appendix B**). However, to provide a conservative analysis, a 25 percent reduction for pass-by traffic was applied to the development site-generated trips. *It should be noted that the volume of pass-by traffic does not reduce the total trips generated and those trip volumes will still be realized as turning movements at the site driveways.*

**Table 2** provides a summary of the total trips to be generated by the proposed development



**Table 2: Estimated Trip Generation**

Land Use		Size	ITE Land Use Code	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
				In	Out	Total	In	Out	Total	In	Out	Total
Tobacco Shop with Drive-Thru	Local Rates <sup>1</sup>	1,172 SF	--	--	--	24	24	48	23	23	46	
	ITE Rates		822	4	3	7	8	9	17	4	4	8
ATM	ITE Rates	1 Lane	912	5	3	8	13	14	27	14	14	28
Subtotal (Tobacco Shop & ATM)				9	6	15	37	38	75	37	37	74
<i>Less pass-by trips (25%)</i>				-2	-2	-4	-9	-9	-18	-9	-9	-18
<b>Total New Trips</b>				<b>7</b>	<b>4</b>	<b>11</b>	<b>28</b>	<b>29</b>	<b>57</b>	<b>28</b>	<b>28</b>	<b>56</b>

<sup>1</sup> The proposed tobacco shop use is anticipated to experience minimal traffic during the weekday AM peak hour of adjacent street traffic. No local observations were available during this timeframe.

### Former Site Use: Drive-In Bank

A trip generation comparison was also performed between the proposed tobacco store with drive-thru use, which includes the retention of one ATM, and the former drive-in bank based on the trip generation rates contained in the 11<sup>th</sup> Edition of the ITE Trip Generation Manual (see *Appendix B*).

As shown in *Table 3*, the proposed tobacco store with drive-thru use is anticipated to generate 2 less vehicle trips (-1 entering, -1 exiting) during the weekday AM peak hour, 21 more vehicle trips (11 entering, 10 exiting) during the weekday PM peak hour and 19 more vehicle trips (10 entering, 9 exiting) during the Saturday midday peak hour than the former drive-in bank use.

**Table 3: Trip Generation Comparison: Proposed Versus Former Site Use**

Land Use/Size	ITE Land Use Code	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Proposed Use – Tobacco Shop with Drive-Thru Window and Existing ATM <sup>1</sup>										
1,172 SF & 1 ATM	--	9	6	15	37	38	75	37	37	74
Previous Site Use – Drive-In Bank										
1,172 SF / 2 Lanes	912	10	7	17	26	28	54	27	28	55
<b>Net Change<sup>2</sup></b>		<b>-1</b>	<b>-1</b>	<b>-2</b>	<b>11</b>	<b>10</b>	<b>21</b>	<b>10</b>	<b>9</b>	<b>19</b>

<sup>1</sup> Total Trips (not discounting for pass-by traffic) from Table 2.

<sup>2</sup> Proposed use less previous site use.

Of note, banking has significantly changed over time. Up until the late 1990s, if you had to do any banking, it was necessary to use the drive-through lane or park/walk into the lobby. Since that time, online banking, direct deposits, and use of ATMs, has significantly changed banking and its associated traffic characteristics. Thus, the former bank use trip generation was realistically higher than summarized in the above table.

## TRAFFIC EVALUATION

The total (including both entering and exiting) *new* weekday AM, weekday PM and Saturday midday peak hour vehicular trips of 15 to 74, are expected on the streets leading beyond the study area, or approximately 1 additional vehicle every 1 to 4 minutes. *Note, this increase does not discount for the former drive-in bank use on the site (see Table 3 for comparison to former site use).*

***Accordingly, the amount of site-generated traffic is expected to have minimal effects on the operations of the external street network.***

**DRIVE-THRU QUEUING (STACKING) ANALYSIS**

A drive-thru queuing (stacking) analysis was conducted to determine whether the proposed storage space is adequate to accommodate the drive-thru vehicles. Based on the Site Plan prepared by Senga Architects, the on-site vehicle storage space of the proposed drive-thru window lane is four vehicles in each lane without the disruption of site access or on-site circulation. An additional eight vehicles could be stored on site, six to the north towards 75<sup>th</sup> Street and two to the south towards Plainfield Road (for a total of 12 vehicles), prior to impacting operations off-site.

Based upon recent surveys conducted in 2021 at similar tobacco shops in the Chicagoland area with drive-through facilities (see *Appendix C*), the average stacking was two vehicles, which can be adequately accommodated on site without impacting on- or off-site operations. The maximum stacking observed at the locations surveyed was three vehicles, which can also be accommodated on-site.

For the existing ATM use, the minimum City of Darien requirements of 4 spaces per ATM is provided on-site.

**PARKING ANALYSIS**

**Parking Demand Requirements**

Based on the parking requirements outlined in the City of Darien Code of Ordinance (5A-11-5), 5 parking spaces are required for the proposed site. The City’s parking requirements are summarized in *Table 4*.

**Table 4: City of Darien Parking Requirements**

Use	Size	Parking Requirement	Parking Spaces	
			Required	Provided
Retail, Tobacco Shop	1,172 SF	4 spaces per 1,000 SF GFA	5	<b>13 to 14</b>

**Parking Demand Projections**

Based on parking surveys conducted by BLA on a weekday and weekend in December 2021, the peak observed parking demand at similar tobacco shops did not exceed 5 spaces, or 2.25 spaces per 1,000 square-feet of gross-floor area. Using this rate, the peak parking demand for the proposed 1,172 square-foot facility is anticipated to be 3 spaces.

*Accordingly, the proposed parking supply of a minimum of 13 spaces will be adequate to accommodate the project parking demand for the proposed development.*

**CONCLUSIONS AND RECOMMENDATIONS**

A traffic and parking summary was performed for the proposed tobacco shop with drive-thru window development located at 1005 75<sup>th</sup> Street in Darien, Illinois. Overall, the development is anticipated to have little effect on the operations of the area roadway network. The proposed site access is adequate to accommodate the projected site traffic. Adequate parking will be provided on-site to accommodate the anticipated peak demand. The on-site vehicle storage capacity of the proposed drive-thru is expected to be accommodated on-site.

We offer the following recommendations for your consideration:

- Appropriate wayfinding signing and/or pavement markings should be provided on site to direct traffic to the drive thru, including delineation/definition of the drive-thru lane, to discourage wrong-way traffic.
- Employee(s) should be encouraged to park in remote spaces (furthest from the site entrance) to provide convenient parking for customers.
- Should deliveries via a larger vehicle be required in the future, they should be scheduled, to the extent feasible, during off-peak hours.

## Appendices

## **Appendix A**

### **IDOT Traffic Count Summaries**



# Volume Count Report

LOCATION INFO	
Location ID	022 3307
Type	LINK
Funct'l Class	3
Located On	75th St
From Road	Cass Ave
To Road	Plainfield Rd
Direction	2-WAY
County	Dupage
Community	DARIEN
MPO ID	
HPMS ID	
Agency	Illinois DOT

COUNT DATA INFO	
Count Status	Accepted
Start Date	Tue 6/9/2020
End Date	Wed 6/10/2020
Start Time	11:00:00 AM
End Time	11:00:00 AM
Direction	2-WAY
Notes	
Station	75TH RD
Study	
Speed Limit	
Description	
Sensor Type	
Source	CombineVolumeCountsIncremental
Latitude,Longitude	

INTERVAL:60-MIN	
Time	Hourly Count
0:00-1:00	98
1:00-2:00	52
2:00-3:00	46
3:00-4:00	41
4:00-5:00	105
5:00-6:00	337
6:00-7:00	714
7:00-8:00	949
8:00-9:00	973
9:00-10:00	1,043
10:00-11:00	1,133
11:00-12:00	1,404
12:00-13:00	1,542
13:00-14:00	1,492
14:00-15:00	1,540
15:00-16:00	1,584
16:00-17:00	1,630
17:00-18:00	1,526
18:00-19:00	1,143
19:00-20:00	876
20:00-21:00	601
21:00-22:00	428
22:00-23:00	261
23:00-24:00	140
<b>Total</b>	<b>19,658</b>
<b>AM Peak</b>	11:00-12:00 1,404
<b>PM Peak</b>	16:00-17:00 1,630





# Volume Count Report

LOCATION INFO	
Location ID	022 3507
Type	LINK
Funct'l Class	4
Located On	Plainfield Rd
From Road	Cass Ave
To Road	75th St
Direction	2-WAY
County	Dupage
Community	DARIEN
MPO ID	
HPMS ID	
Agency	Illinois DOT

COUNT DATA INFO	
Count Status	Accepted
Start Date	Mon 7/20/2020
End Date	Tue 7/21/2020
Start Time	12:00:00 PM
End Time	12:00:00 PM
Direction	2-WAY
Notes	
Station	PLAINFIELD RD
Study	
Speed Limit	
Description	
Sensor Type	
Source	CombineVolumeCountsIncremental
Latitude,Longitude	

INTERVAL:60-MIN	
Time	Hourly Count
0:00-1:00	55
1:00-2:00	26
2:00-3:00	16
3:00-4:00	35
4:00-5:00	89
5:00-6:00	201
6:00-7:00	399
7:00-8:00	570
8:00-9:00	695
9:00-10:00	663
10:00-11:00	667
11:00-12:00	811
12:00-13:00	879
13:00-14:00	796
14:00-15:00	902
15:00-16:00	987
16:00-17:00	1,106
17:00-18:00	1,040
18:00-19:00	803
19:00-20:00	660
20:00-21:00	533
21:00-22:00	292
22:00-23:00	183
23:00-24:00	94
<b>Total</b>	<b>12,502</b>
<b>AM Peak</b>	11:00-12:00 811
<b>PM Peak</b>	16:00-17:00 1,106

## **Appendix B**

### **ITE Trip Generation Excerpts**

# Land Use: 822

## Strip Retail Plaza (<40k)

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### Description

A strip retail plaza is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. Each study site in this land use has less than 40,000 square feet of gross leasable area (GLA). Because a strip retail plaza is open-air, the GLA is the same as the gross floor area of the building.

The 40,000 square feet GFA threshold between strip retail plaza and shopping plaza (Land Use 821) was selected based on an examination of the overall shopping center/plaza database. No shopping plaza with a supermarket as its anchor is smaller than 40,000 square feet GLA.

Shopping center (>150k) (Land use 820), shopping plaza (40-150k) (Land Use 821), and factory outlet center (Land Use 823) are related uses.

### Additional Data

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Delaware, Florida, New Jersey, Ontario (CAN), South Dakota, Vermont, Washington, and Wisconsin.

### Source Numbers

304, 358, 423, 428, 437, 507, 715, 728, 936, 960, 961, 974, 1009

# Strip Retail Plaza (<40k) (822)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GLA**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 5

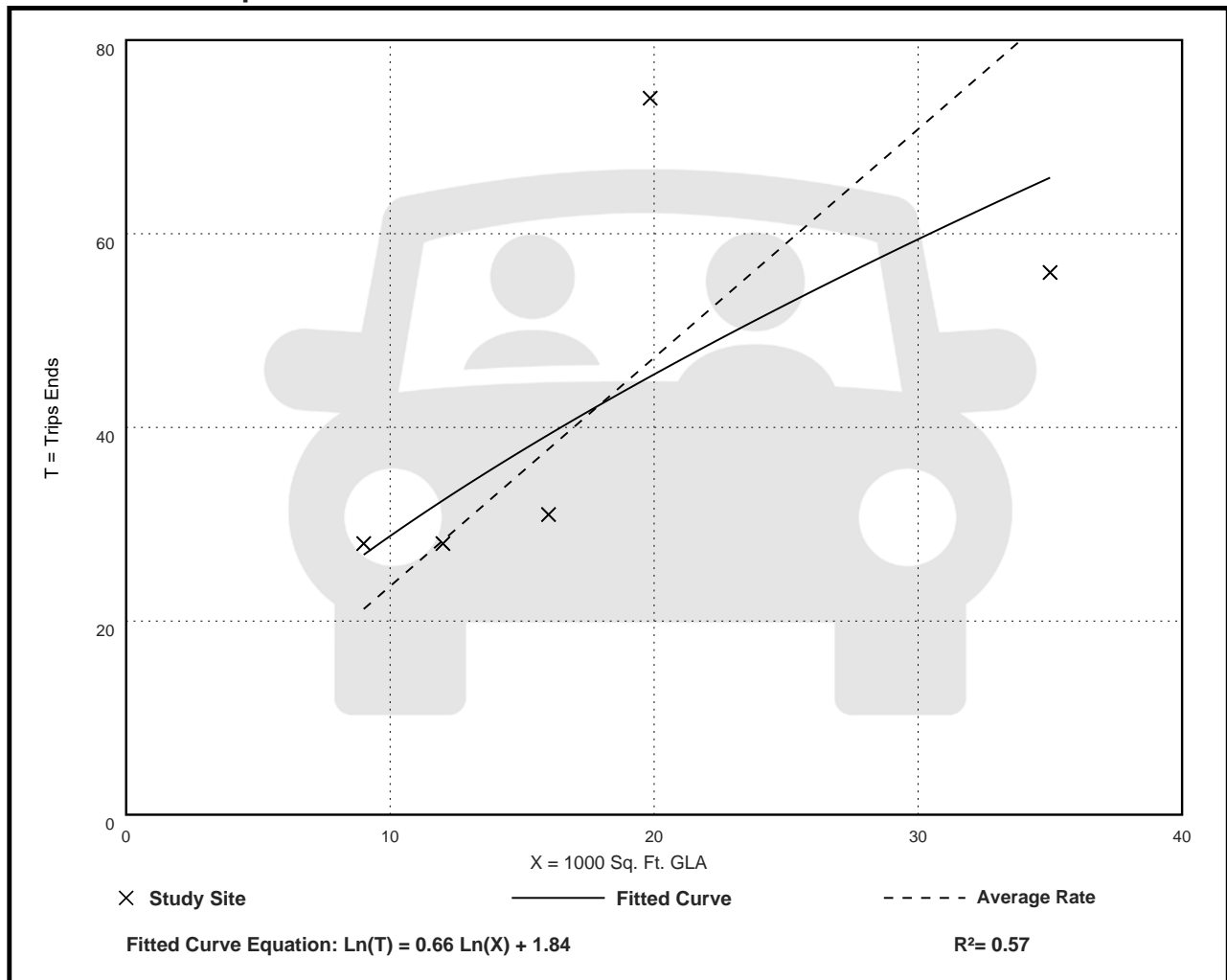
Avg. 1000 Sq. Ft. GLA: 18

Directional Distribution: 60% entering, 40% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
2.36	1.60 - 3.73	0.94

## Data Plot and Equation



# Strip Retail Plaza (<40k) (822)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GLA**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 25

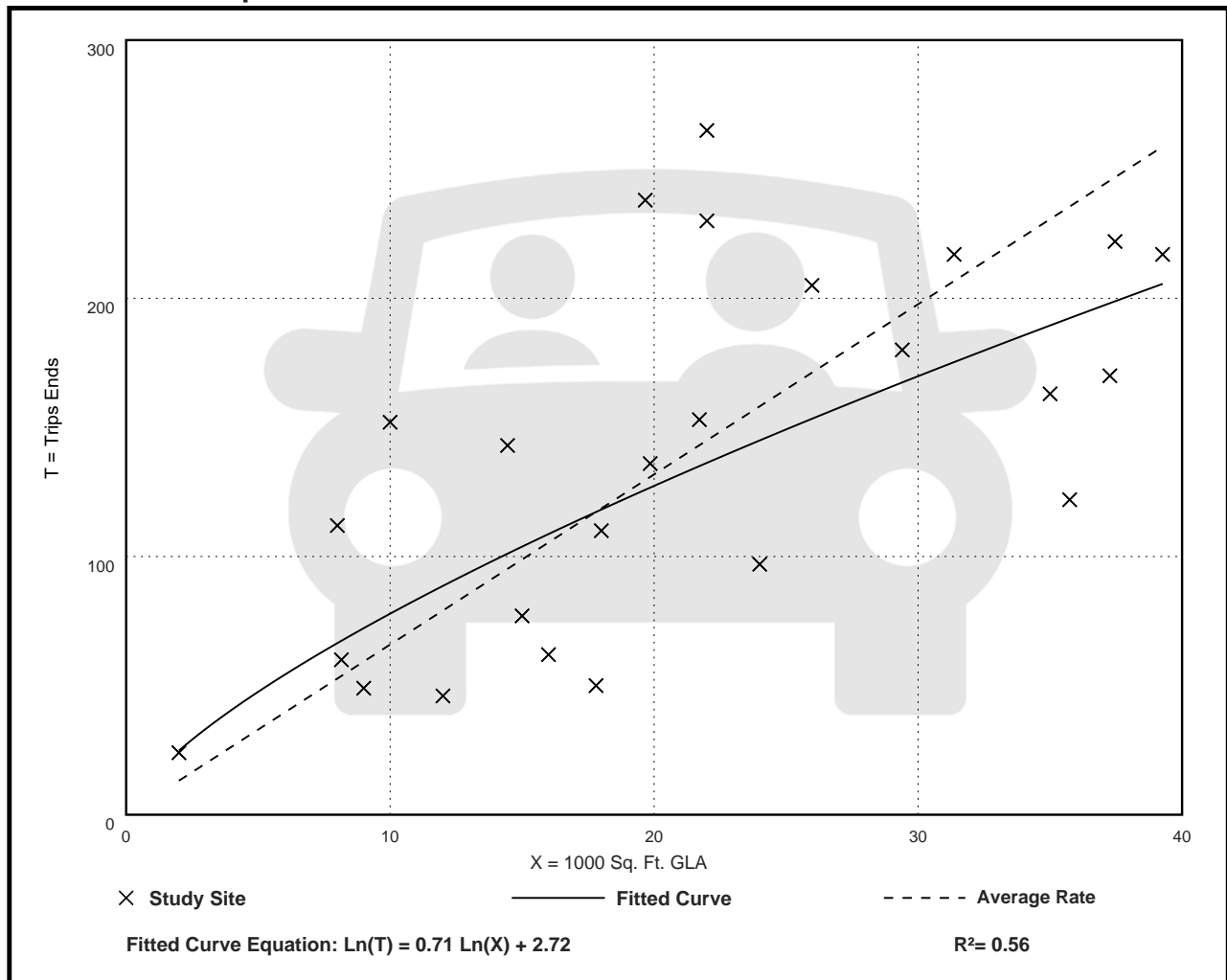
Avg. 1000 Sq. Ft. GLA: 21

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
6.59	2.81 - 15.20	2.94

## Data Plot and Equation





# Strip Retail Plaza (<40k) (822)

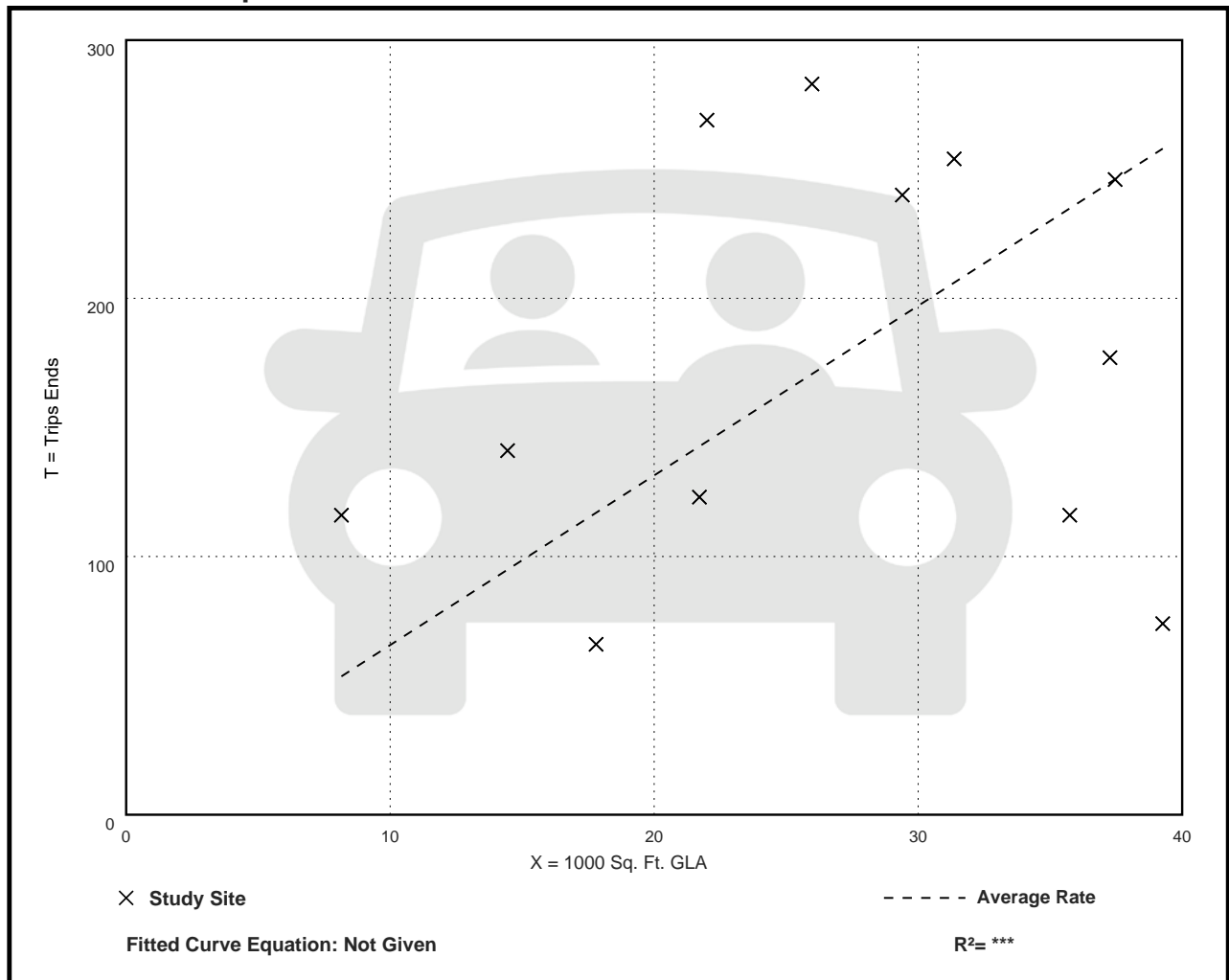
**Vehicle Trip Ends vs: 1000 Sq. Ft. GLA**  
**On a: Saturday, Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**  
 Number of Studies: 12  
 Avg. 1000 Sq. Ft. GLA: 27  
 Directional Distribution: 51% entering, 49% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
6.57	1.88 - 14.23	3.45

## Data Plot and Equation



# Land Use: 881

## Pharmacy/Drugstore with Drive-Through Window

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### Description

A pharmacy/drugstore is a retail facility that primarily sells prescription and non-prescription drugs. A pharmacy/drugstore also typically sells cosmetics, toiletries, medications, stationery, personal care products, limited food products, and general merchandise. The pharmacy/drugstores in this category have a drive-through window. Pharmacy/drugstore without a drive-through window (Land Use 880) is a related use.

### Additional Data

Several study sites have two drive-through windows.

***To assist in the future analysis of this land use, it is important that the number of drive-through lanes at the study site be reported.***

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1990s, the 2000s, and the 2010s in California, Colorado, Florida, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Texas, Vermont, and Wisconsin.

### Source Numbers

369, 418, 436, 547, 550, 552, 563, 568, 573, 599, 621, 716, 727, 728, 734, 810, 870, 883, 1004, 1053

# Pharmacy/Drugstore with Drive-Through Window (881)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 21

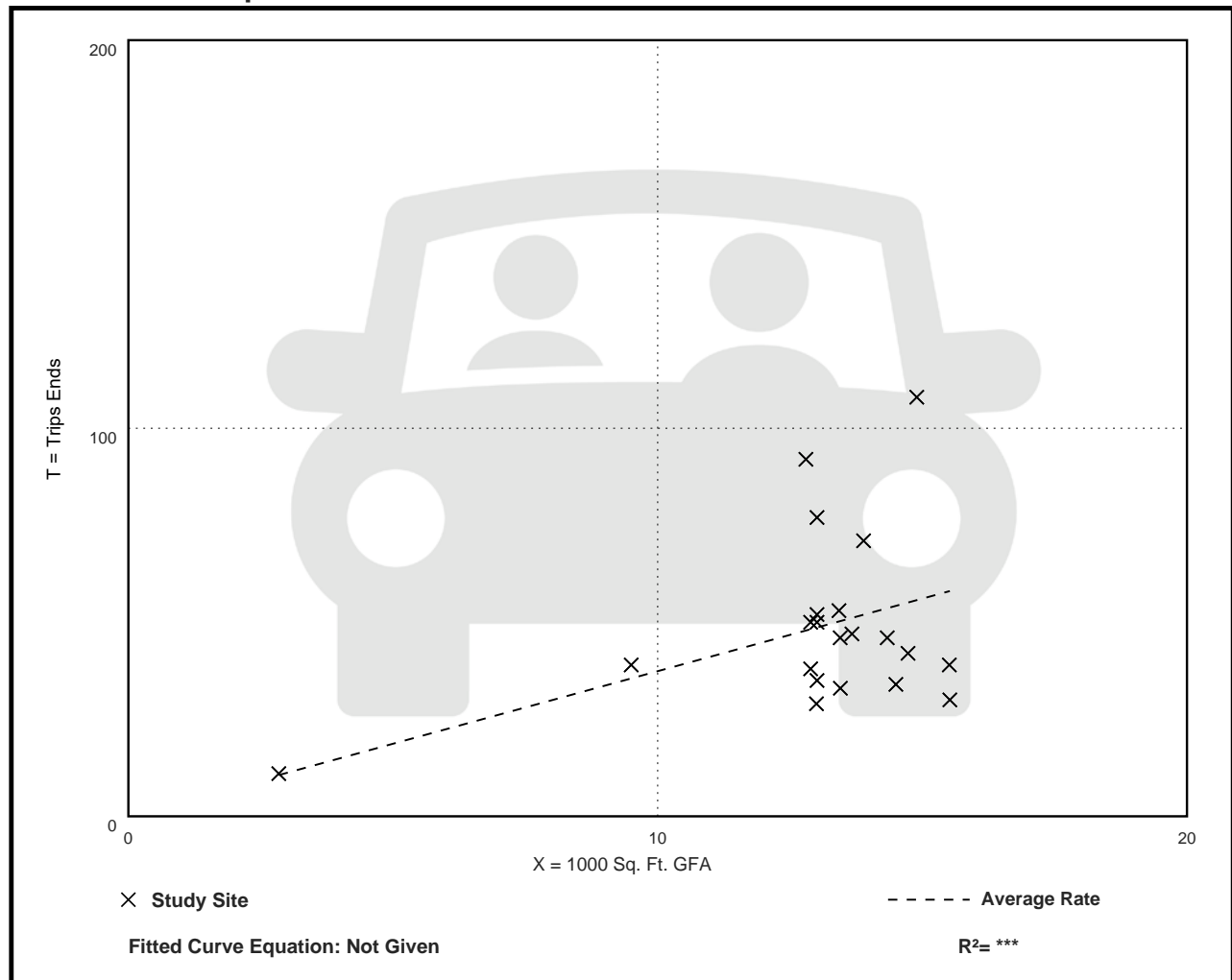
Avg. 1000 Sq. Ft. GFA: 13

Directional Distribution: 52% entering, 48% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.74	1.93 - 7.25	1.55

## Data Plot and Equation



# Pharmacy/Drugstore with Drive-Through Window (881)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 39

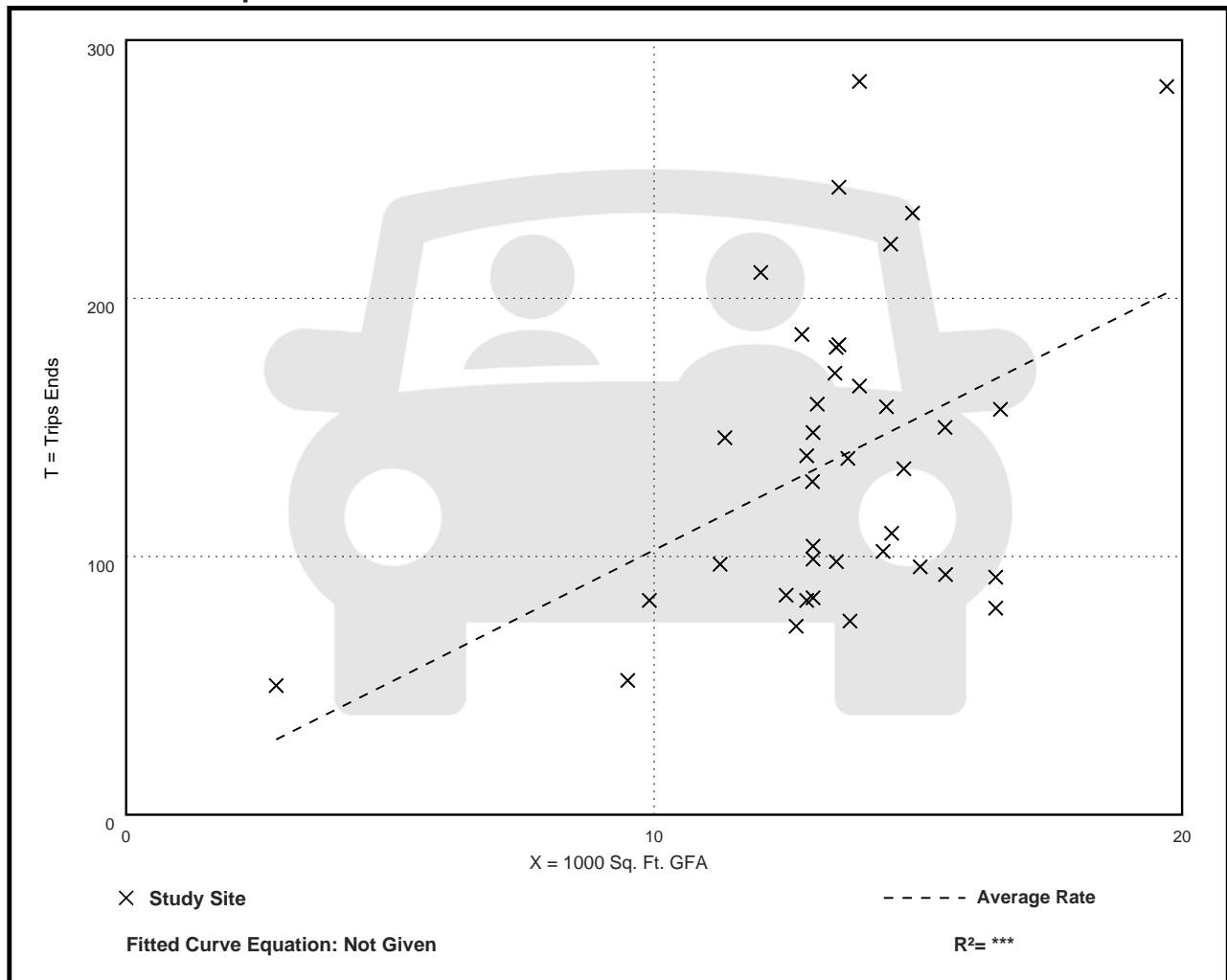
Avg. 1000 Sq. Ft. GFA: 13

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
10.25	4.86 - 20.45	4.01

## Data Plot and Equation



# Pharmacy/Drugstore with Drive-Through Window (881)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Saturday, Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 16

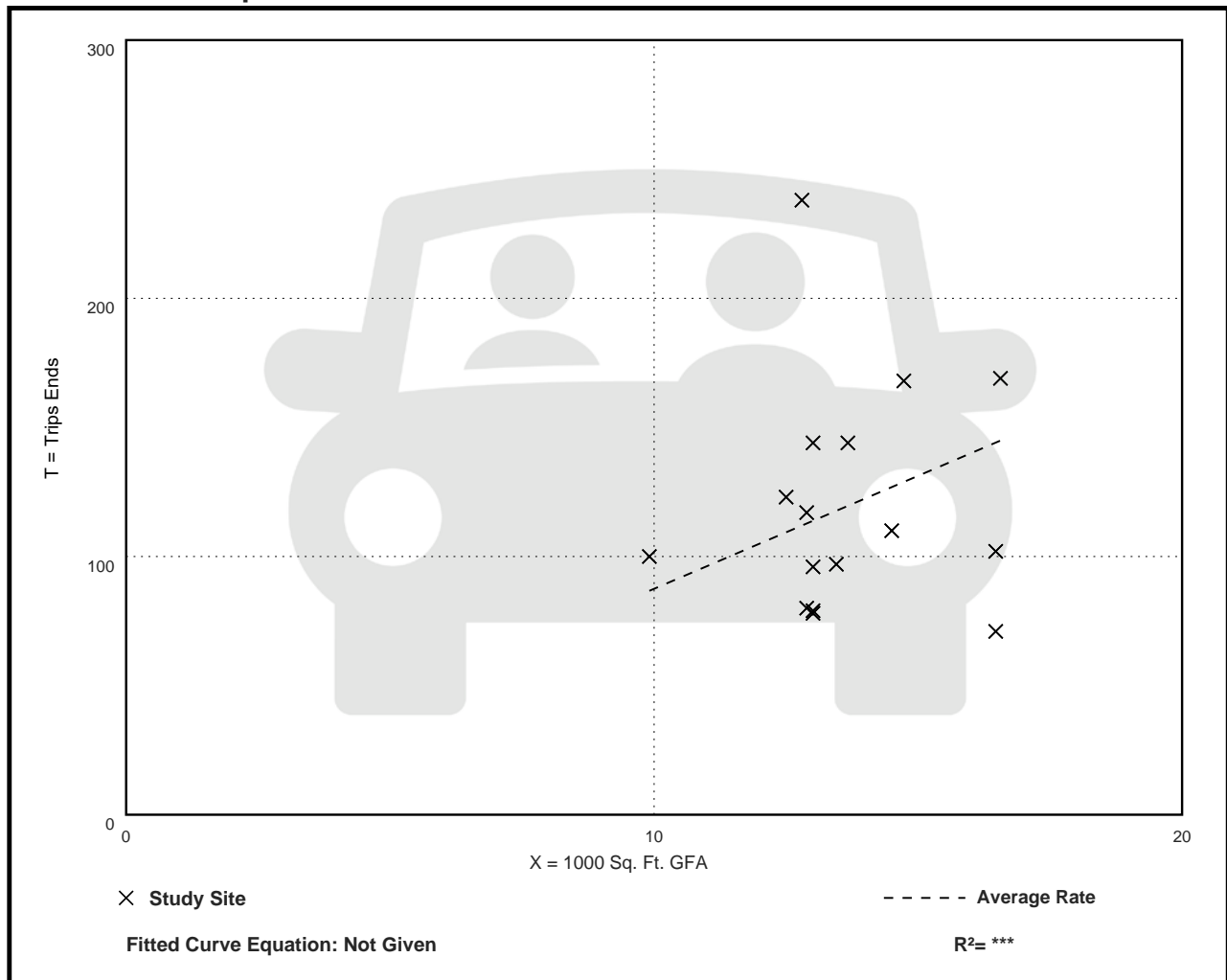
Avg. 1000 Sq. Ft. GFA: 14

Directional Distribution: 49% entering, 51% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
8.75	4.31 - 18.59	3.36

## Data Plot and Equation





# Land Use: 912

## Drive-in Bank

---

### Description

A bank is a financial institution that can offer a wide variety of financial services. A drive-in bank provides banking services for a motorist through a teller station. A drive-in bank may also serve patrons who walk into the building. The drive-in lanes may or may not provide an automatic teller machine (ATM). Walk-in bank (Land Use 911) is a related use.

### Additional Data

The independent variable—drive-in lanes—refers to all lanes at a banking facility used for financial transactions, including ATM-only lanes.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 2000s and the 2010s in Colorado, Kentucky, Minnesota, Nebraska, New Jersey, New York, Oregon, Pennsylvania, Texas, Vermont, Virginia, Washington, and Wisconsin.

***To assist in the future analysis of this land use, it is important that Friday data be collected and reported separately from weekday data. It is also important to specify the date and month of the data collection period and the number of drive-through lanes that are open at the time of the study.***

### Source Numbers

535, 539, 553, 555, 573, 577, 600, 624, 626, 629, 630, 637, 656, 657, 710, 724, 728, 866, 869, 883, 884, 927, 935, 961, 1047

# Drive-in Bank (912)

## Vehicle Trip Ends vs: Drive-In Lanes

On a: **Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 36

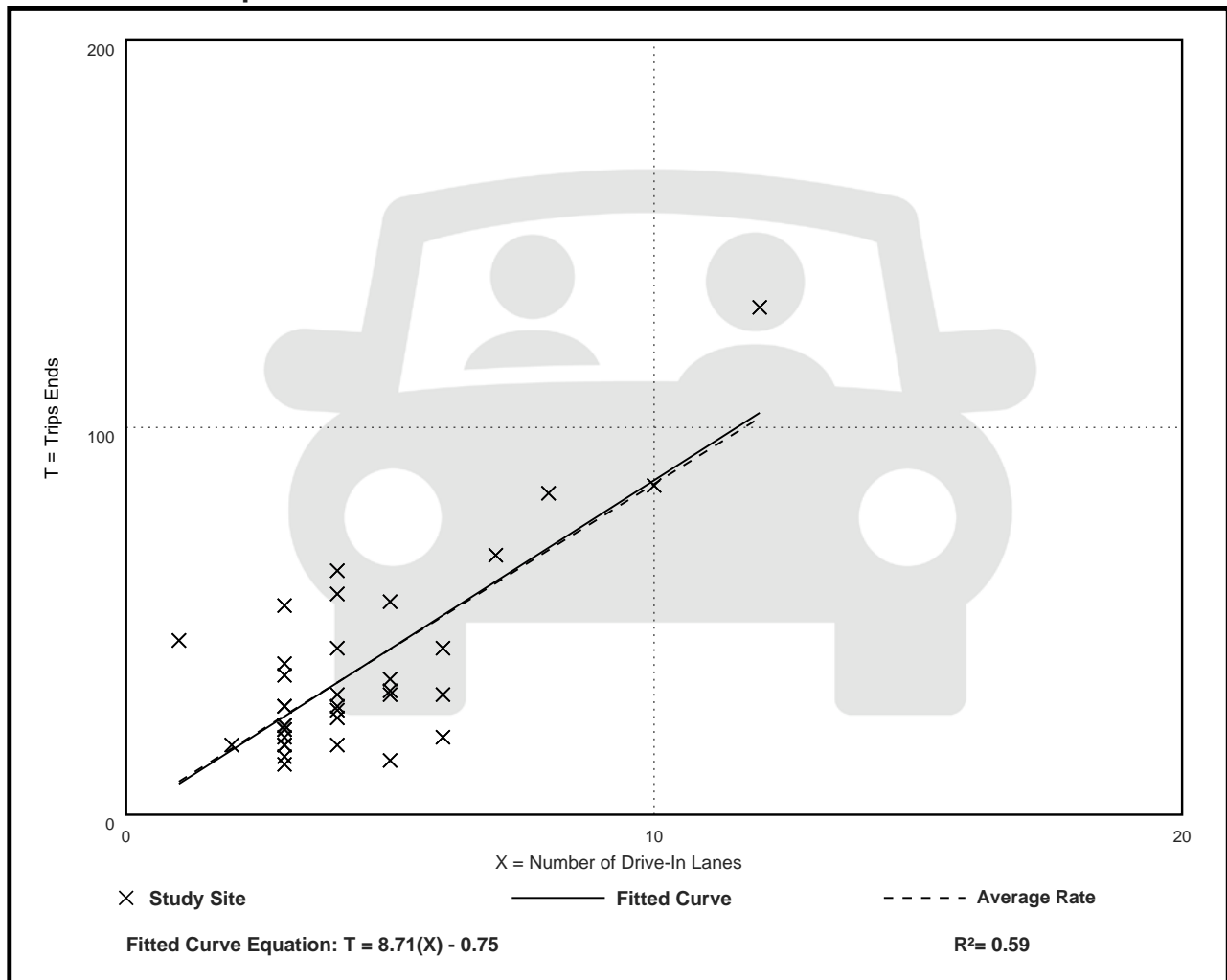
Avg. Num. of Drive-In Lanes: 4

Directional Distribution: 61% entering, 39% exiting

### Vehicle Trip Generation per Drive-In Lane

Average Rate	Range of Rates	Standard Deviation
8.54	2.80 - 45.00	4.37

### Data Plot and Equation



# Drive-in Bank (912)

## Vehicle Trip Ends vs: Drive-In Lanes

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 109

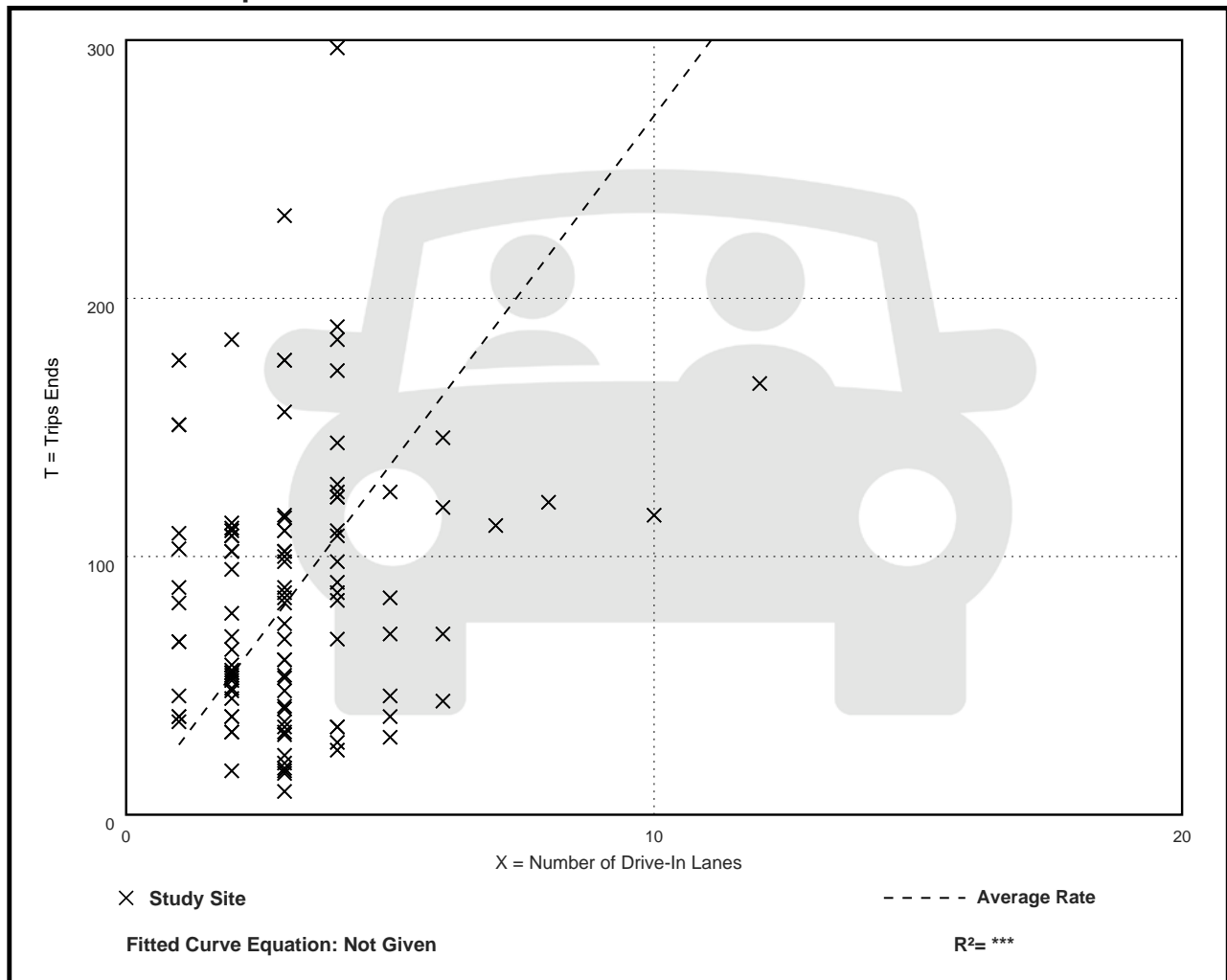
Avg. Num. of Drive-In Lanes: 3

Directional Distribution: 49% entering, 51% exiting

## Vehicle Trip Generation per Drive-In Lane

Average Rate	Range of Rates	Standard Deviation
27.07	3.00 - 176.00	22.13

## Data Plot and Equation



# Drive-in Bank (912)

## Vehicle Trip Ends vs: Drive-In Lanes

On a: Saturday, Peak Hour of Generator

**Setting/Location: General Urban/Suburban**

Number of Studies: 31

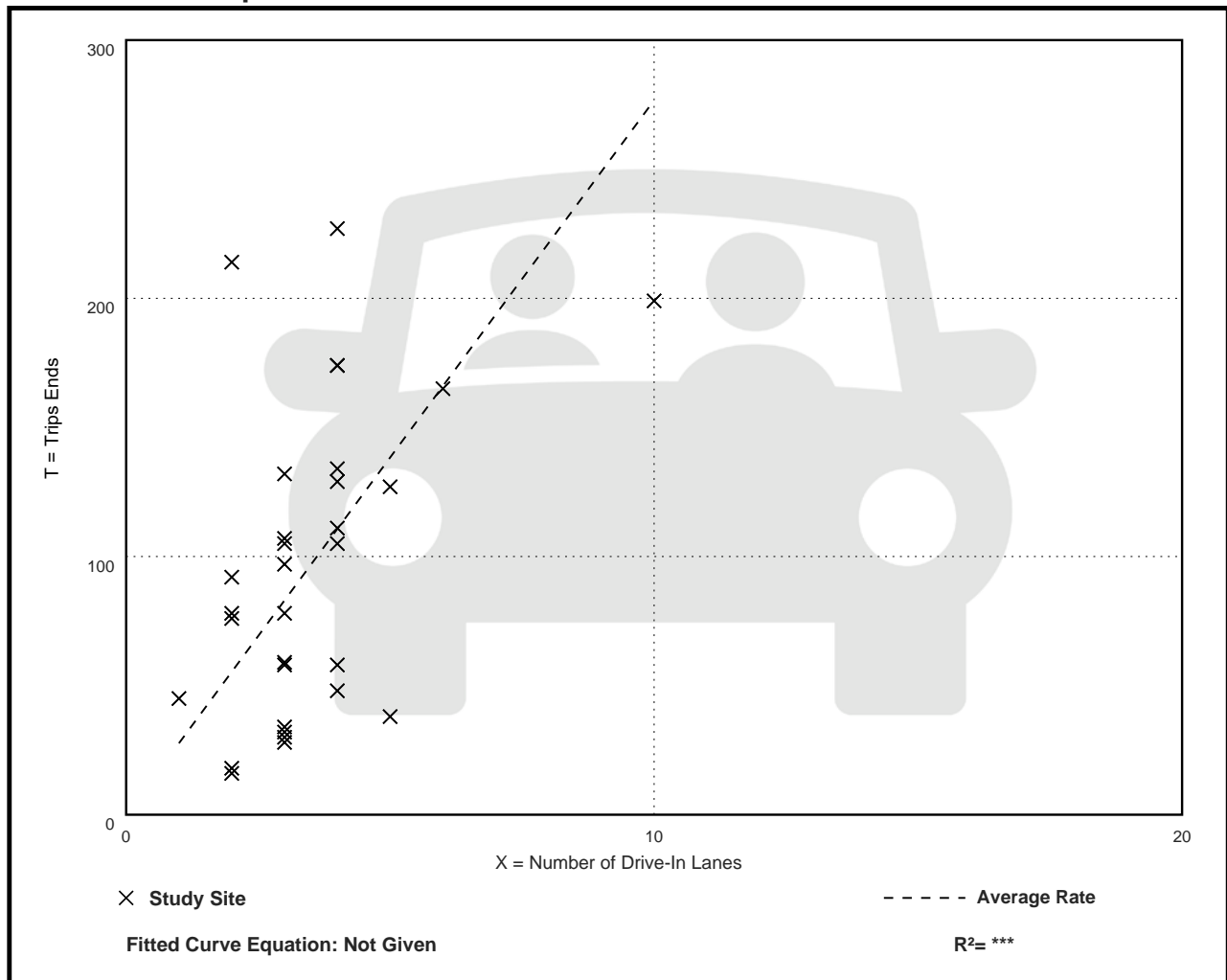
Avg. Num. of Drive-In Lanes: 3

Directional Distribution: 49% entering, 51% exiting

### Vehicle Trip Generation per Drive-In Lane

Average Rate	Range of Rates	Standard Deviation
27.67	7.60 - 107.00	17.13

### Data Plot and Equation



### Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual*, 11th Edition

Land Use Code	821								
Land Use	Shopping Plaza (40 - 150k)								
Setting	General Urban/Suburban								
Time Period	Saturday Midday								
# Data Sites	1								
Average Pass-By Rate	31%								
	Pass-By Characteristics for Individual Sites								
						Non-Pass-By Trips			Adjacent Street
GLA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Primary (%)	Diverted (%)	Total (%)	Daily Volume	Source
144	New Jersey	1990	264	31	47	22	69	63362	24



### Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual*, 11th Edition

Land Use Code	881									
Land Use	Pharmacy/Drugstore with Drive-Through Window									
Setting	General Urban/Suburban									
Time Period	Weekday PM Peak Period									
# Data Sites	3									
Average Pass-By Rate	49%									
	Pass-By Characteristics for Individual Sites									
		State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume	Source
	GFA (000)					Primary (%)	Diverted (%)	Total (%)		
9.6	Florida	1995	370	47	40	13	53	—	30	
16	Florida	1995	385	41	50	9	59	—	30	
16	Florida	1995	522	58	25	17	42	—	30	

### Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual*, 11th Edition

Land Use Code	912								
Land Use	Drive-In Bank								
Setting	General Urban/Suburban								
Time Period	Weekday AM Peak Period								
# Data Sites	8								
Average Pass-By Rate	29%								
	Pass-By Characteristics for Individual Sites								
	GFA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume
					Primary (%)	Diverted (%)	Total (%)		
3.8	Pennsylvania	2005	11	27	—	—	73	—	19
3.8	Pennsylvania	2005	9	24	—	—	76	—	19
3.8	Pennsylvania	2005	22	34	—	—	66	—	19
3.8	Pennsylvania	2005	30	27	—	—	73	—	19
3.8	Pennsylvania	2005	34	40	—	—	60	—	19
3.8	Pennsylvania	2005	7	27	—	—	73	—	19
3.8	Pennsylvania	2005	15	16	—	—	84	—	19
3.8	Pennsylvania	2005	27	36	—	—	64	—	19

### Vehicle Pass-By Rates by Land Use

Source: ITE Trip Generation Manual , 11th Edition

Land Use Code	912								
Land Use	Drive-In Bank								
Setting	General Urban/Suburban								
Time Period	Weekday PM Peak Period								
# Data Sites	19								
Average Pass-By Rate	35%								
	Pass-By Characteristics for Individual Sites								
	GFA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume
					Primary (%)	Diverted (%)	Total (%)		
2.7	Washington	2007	—	26	66	8	74	—	11
2.8	Washington	2007	—	21	55	24	79	—	11
3.3	Kentucky	1993	—	48	22	30	52	2570	34
3.4	Kentucky	1993	—	64	22	14	36	2266	34
3.4	Kentucky	1993	75	57	11	32	43	1955	34
3.5	Kentucky	1993	53	47	32	21	53	2785	2
3.6	Washington	2007	—	42	50	8	58	—	11
3.6	Washington	2007	—	29	—	—	71	—	11
3.8	Pennsylvania	2005	56	43	—	—	57	—	19
3.8	Pennsylvania	2005	38	41	—	—	59	—	19
3.8	Pennsylvania	2005	14	24	—	—	76	—	19
3.8	Pennsylvania	2005	63	29	—	—	71	—	19
3.8	Pennsylvania	2005	70	29	—	—	71	—	19
3.8	Pennsylvania	2005	29	27	—	—	73	—	19
3.8	Pennsylvania	2005	41	25	—	—	75	—	19
3.8	Pennsylvania	2005	37	31	—	—	69	—	19
3.8	Pennsylvania	2005	19	29	—	—	71	—	19
3.8	Pennsylvania	2005	34	21	—	—	79	—	19
3.8	Pennsylvania	2005	36	29	—	—	71	—	19

### Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual*, 11th Edition

Land Use Code	912								
Land Use	Drive-In Bank								
Setting	General Urban/Suburban								
Time Period	Saturday Midday								
# Data Sites	5								
Average Pass-By Rate	38%								
	Pass-By Characteristics for Individual Sites								
					Non-Pass-By Trips				
GFA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Primary (%)	Diverted (%)	Total (%)	Adj Street Peak Hour Volume	Source
3.8	Pennsylvania	2005	63	33	—	—	67	—	19
3.8	Pennsylvania	2005	103	77	—	—	23	—	19
3.8	Pennsylvania	2005	34	37	—	—	63	—	19
3.8	Pennsylvania	2005	53	33	—	—	67	—	19
3.8	Pennsylvania	2005	25	12	—	—	88	—	19

## **Appendix C**

### **Tobacco Shop with Drive-Thru Survey Data**



## Tobacco Shops with Drive-Thru Window Weekday PM (4-6 PM) Observations

December 2021

Location	Trip Generation						Peak Parking Demand		Drive-Thru Queue		AADT (year)
	Peak Hour Trips			Rate <sup>3</sup>			Spaces	Rate <sup>3</sup>	AVE	MAX	
	In	Out	Total	In	Out	Total					
Smokes for Less <sup>1</sup> 330 W. Lake St Addison, IL	37	37	74	18.5	18.5	37.0	4	2.0	2	3	29,300 (2019)
No Limit Smoke <sup>2</sup> 320 E. St. Charles Rd Villa Park, IL	44	44	88	22.0	22.0	44.0	5	2.5	2	3	16,400 (2020)
<b>Average</b>	<b>41</b>	<b>41</b>	<b>82</b>	<b>20.5</b>	<b>20.5</b>	<b>41.0</b>	<b>4.5</b>	<b>2.25</b>	<b>2</b>	<b>3</b>	<b>--</b>

<sup>1</sup>Building size is approximately 2,000 square-feet (SF). Approximately 80 percent of site traffic was observed to use the drive-thru.

<sup>2</sup>Building size is approximately 2,000 square-feet (SF). Approximately 70 percent of site traffic was observed to use the drive-thru.

<sup>3</sup>Per 1,000 square-feet (SF) Gross Floor Area (GFA).

## Tobacco Shops with Drive-Thru Window Saturday Midday (11 AM - 1 PM) Observations

December 2021

Location	Trip Generation						Peak Parking Demand		Drive-Thru Queue		AADT (year)
	Peak Hour Trips			Rate <sup>3</sup>			Spaces	Rate <sup>3</sup>	AVE	MAX	
	In	Out	Total	In	Out	Total					
Smokes for Less <sup>1</sup> 330 W. Lake St Addison, IL	38	38	76	19.0	19.0	38.0	4	2.0	2	3	29,300 (2019)
No Limit Smoke <sup>2</sup> 320 E. St. Charles Rd Villa Park, IL	42	42	84	21.0	21.0	42.0	5	2.5	2	3	16,400 (2020)
<b>Average</b>	<b>40</b>	<b>40</b>	<b>80</b>	<b>20.0</b>	<b>20.0</b>	<b>40.0</b>	<b>4.5</b>	<b>2.25</b>	<b>2</b>	<b>3</b>	<b>--</b>

<sup>1</sup>Building size is approximately 2,000 square-feet (SF). Approximately 75 percent of site traffic was observed to use the drive-thru.

<sup>2</sup>Building size is approximately 2,000 square-feet (SF). Approximately 70 percent of site traffic was observed to use the drive-thru.

<sup>3</sup>Per 1,000 square-feet (SF) Gross Floor Area (GFA).



**Parcel Viewer**

1005 75TH ST, DARIEN, IL X

Show search results for 1005 7...

175

1009

158.83

1005 -011

42.46

40R

41.751695 -87.968872 Degrees

County of DuPage, Esri Canada, Esri, HERE, G

**Layer List**

Layers

- Soils (SSURGO\_Soils\_2011)
- Unincorporated Zoning Data
- DTM 2017 Hillshade
- Imagery 2021 Service

**Parcel Search**

Searches Shapes Buffer Results

Remove Clear TXT Download PDF Report

PIN	0927300011
OWNER	WEST SUBURBAN BK DARIEN
PROPERTY STREET NUMBER	1005
PROPERTY STREET DIRECTION	
PROPERTY STREET NAME	75TH ST
PROPERTY APARTMENT	
PROPERTY CITY	DARIEN
STATE	IL
PROPERTY ZIPCODE	60561
PROP_CLASS	C
FCVLAND	84,250
FCVIMP	49,780
FCVTOTAL	134,030
LEGAL DESCRIPTION	W 1/2 SW 1/4 LYG N OF
LEGAL CODE 1	00000000
PROPERTY ADDRESS	1005 75TH ST
TOWN STATE ZIP	DARIEN IL 60561

1 - 1 of 1 results











**AGENDA MEMO**  
**Municipal Services Committee**  
**September 26, 2022**

**ISSUE STATEMENT**

Approval of an [ordinance](#) regulating parking and traffic control regulations on the 8300/8400 block of Kearney Road.

**BACKGROUND/HISTORY**

The City has received ongoing complaints concerning traffic congestion on Kearney Rd. related to the activities at 8404 Kearney Rd., aka Honey Bee Garden. Generally, the farmers' market activities are conducted on Fridays and Saturdays-mid morning to early afternoon, between June and October.

The concerns during the abovementioned days are related to parking issues. There are currently no restrictions for parking on Kearney Rd. Patrons park on both sides of the 8300 block of Kearney Rd. thus creating safety concerns for emergency vehicles and general motor vehicle traffic for northbound and southbound traffic.

The Municipal Services Department has field reviewed and discussed options with the owner of the farm and has memorialized a solution.

The Municipal Services Department recommends the following parking and traffic control regulations, see attached aerial labeled as [Attachment A](#):

**NO PARKING ANYTIME**

1. Eastern Right of Way-Kearney Rd at Creekside Ln-Immediately north of Creekside Ln  
Two (2) No Parking Anytime signs
2. Eastern Right of Way-Kearney Rd-South of 9S385 Kearney Rd at the City Limits-Between first utility pole approximately 240 feet south to the Second utility pole.
3. Western Right of Way-8400 Kearney Rd  
Approximately 360 feet from the existing driveway south to Creekside Ln  
Four (4) No Parking Anytime signs
4. Southeast Corner of Kearney Road and Creekside Lane-Existing light pole  
No Farm Parking Beyond This Point  
Ordinance No. O-XX-22 (implemented on sign) TBD  
Honey Bee Gardens will be reimbursing the City for the custom sign

In order to provide additional parking measures, the Municipal Services Department will be installing aggregate shoulders at the following locations at a pass through cost, see attached aerial labeled as [Attachment B](#):

1. Eastern Right of Way-8305B Kearney Road -Immediately north of existing driveway  
Up to a 4-foot shoulder
2. Western Right of Way- 9S410 KEARNEY RD  
Up to a 5-foot shoulder

The owner of the Honey Bee Gardens has agreed to reimburse the City for the labor and expenses related to the shoulder extension.

**STAFF RECOMMENDATION**

The Staff recommends approval of an ordinance regulating parking and traffic control regulations on the 8300/8400 block of Kearney Road.:

**ALTERNATE CONSIDERATION**

As Directed by the Committee

**DECISION MODE**

This item will be on the October 3, 2022 City Council agenda, for formal consideration.









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

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING  
SECTION 9-3-2 (PROHIBITED PARKING)  
OF CHAPTER 3 (PARKING RESTRICTIONS)  
TITLE 9 (TRAFFIC REGULATIONS),  
OF THE DARIEN CITY CODE**

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

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022**

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**Published in pamphlet form by authority of  
the Mayor and City Council of the City of  
Darien, DuPage County, Illinois, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2022.**

**AN ORDINANCE AMENDING  
SECTION 9-3-2 (PROHIBITED PARKING)  
OF CHAPTER 3 (PARKING RESTRICTIONS)  
TITLE 9 (TRAFFIC REGULATIONS),  
OF THE DARIEN CITY CODE**

**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: Amendment:** Section 9-3-2 (Prohibited Parking) of Chapter 3 (Parking Restrictions), Title 9 (Traffic Regulations) be amended by adding the following places where parking is prohibited:

Eastern Right of Way-Kearney Road at Creekside Lane-Immediately north of Creekside Lane.

Eastern Right of Way-Kearney Road-South of 9S385 Kearney Road at the City Limits-Between First utility pole approximately 240 feet south to the Second utility pole.

Western Right of Way-8400 Kearney Road Approximately 360 feet from the existing driveway south to Creekside Lane.

Southeast Corner of Kearney Road and Creekside Lane-Existing light pole.

**SECTION 2: Signage.** The City Municipal Services Department is hereby authorized and directed to post appropriate signs noting the restrictions set forth in Section 1 of this Ordinance.

**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 of 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.

ORDINANCE NO. \_\_\_\_\_

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN,  
DU PAGE COUNTY, ILLINOIS, this \_\_\_\_ day of \_\_\_\_\_, 2022.**

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE  
COUNTY, ILLINOIS, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
JOSEPH MARCHESE, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**AGENDA MEMO**  
**Municipal Services Committee**  
**September 26, 2022**

**ISSUE STATEMENT**

A [resolution](#) authorizing the Mayor to execute a Bill of Sale for the transfer of certain water main and appurtenances to the County of DuPage.

**BACKGROUND**

In July of 2000, the City and the County entered into an agreement to extend a water main south and east of the City. As per the attached and labeled as [Attachment A](#), consisting of 22 pages, City Resolution No. R-19-00, Intergovernmental Agreement PW-0022-00, on page 7 item “6” (at such time as the City has determined it has recovered its costs of extending and maintaining the System Extension, or at the expiration of 20 years (whichever comes first), the City would convey the system extension to the County at no cost or charge to the County.).

The expiration of 20 years has occurred and the City is desirous to conveying the water main extension to the County, conduits, pipes, laterals, hydrants and valves that run from Frontage Road South through 87<sup>th</sup> St. then east on 87<sup>th</sup> St., to the County’s existing Water System, see attached Bill of Sale, labeled as [Exhibit A](#).

**STAFF RECOMMENDATION**

Staff recommends approval of the resolution authorizing the Mayor to execute a Bill of Sale for the transfer of certain water main and appurtenances to the County of Dupage. The City Attorney reviewed the Bill of Sale and recommends approval through said resolution.

**ALTERNATE CONSIDERATION**

As directed by the Municipal Services Committee

**DECISION MODE**

This item will be on the October 3, 2022 City Council agenda, for formal approval.



RESOLUTION NO.     R-19-00    

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE COUNTY OF DU PAGE AND THE CITY OF DARIEN  
FOR THE CONSTRUCTION OF WATER IMPROVEMENTS  
AND THE PROVISION OF WATER SERVICE TO CERTAIN AREAS OF  
DU PAGE COUNTY AND THE CITY OF DARIEN**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN,  
DU PAGE COUNTY, ILLINOIS,** that the Mayor and City Clerk be and the same are hereby authorized to execute an Intergovernmental Agreement between the county of DuPage and the City of Darien for the construction of water improvements and the provision of water service to certain areas of DuPage County and the City of Darien, a copy of which is attached hereto as "Exhibit A", which is by this reference expressly incorporated herein.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
DARIEN, DU PAGE COUNTY, ILLINOIS,** this     7th     day of August, 2000.

AYES:     7 - Biehl, Cotten, Durkin, Hagen, Marchese, Quiaoit, Weaver    

\_\_\_\_\_

NAYS:     0 - None    

ABSENT:     0 - None



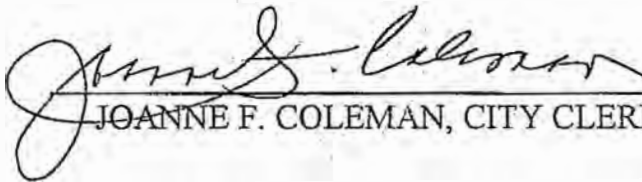
RESOLUTION NO. R-19-00

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE  
COUNTY, ILLINOIS, this 7th day of August, 2000.



CARMEN D. SOLDATO, MAYOR

ATTEST:



JOANNE F. COLEMAN, CITY CLERK



APPROVED AS TO FORM:



JUDITH N. HOLMAN  
CITY ATTORNEY

IA County Water Service

R E S O L U T I O N

PW-0022-00

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND THE COUNTY OF DUPAGE FOR THE CONSTRUCTION OF WATER IMPROVEMENTS AND THE PROVISION OF WATER SERVICE TO CERTAIN AREAS OF DUPAGE COUNTY AND THE CITY OF DARIEN

WHEREAS, the City of Darien ("City") and the County of DuPage ("COUNTY") are public agencies within the meaning of the Illinois "Intergovernmental Cooperation Act", as specified at 5 ILCS 220/1, et seq., and are authorized by Article 7, Section 10 of the Constitution of the State of Illinois to cooperate for any public purpose; and

WHEREAS, the purpose of the Intergovernmental Cooperation Act and Article 7 of the Constitution of the State of Illinois includes fostering cooperation among governmental bodies; and

WHEREAS, pursuant to authority granted at 55 ILCS 5/5-15001, et. seq., the COUNTY is authorized to operate and maintain a water distribution system, including water mains and appurtenances thereto, for the purpose of providing a safe and dependable supply of water to County inhabitants; and

WHEREAS, pursuant to authority granted at 65 ILCS 5/11-129-1, et. seq., the CITY is authorized to operate and maintain a water distribution system, including water mains and appurtenances thereto, for the purpose of providing a safe and dependable supply of water to its inhabitants; and

WHEREAS, the COUNTY currently provides a potable water supply to certain portions of the CITY from the COUNTY'S Southeast Regional Water Facility; and

WHEREAS, the COUNTY is desirous of extending its water improvements to a certain area generally south and east of the CITY. This area is depicted on Exhibit 1 of the AGREEMENT, attached thereto and made a part hereof (said area sometimes

hereinafter referred to as the "County Extension Area"). The County Extension Area is currently not served by any public water supply; and

WHEREAS, the CITY is also desirous of making a public water distribution system available to certain areas located generally south of Interstate 55 and representing the far southeastern area of the CITY as well as areas in unincorporated DuPage County within the CITY'S planning jurisdiction. This area is also depicted on Exhibit 1, and is sometimes hereinafter referred to as the "City Extension Area." The parcels comprising the City Extension Area are further identified by Permanent Tax Index Number (P.I.N.) on Exhibit 2 of the AGREEMENT, attached thereto and made a part hereof; and

WHEREAS, in order for the COUNTY to efficiently serve the County Extension Area, it is necessary for the COUNTY to extend its water system under Interstate 55 at approximately Woodland Drive and thereafter south and east to the intersection of 87<sup>th</sup> Street and Clarendon Hills Road. Similarly, in order for the CITY to extend its water system to the City Extension Area, it would be necessary for the CITY to construct a water line under Interstate 55 at Woodland Drive and thereafter proceed south and east with said improvements; and

WHEREAS, the CITY and COUNTY have determined it would be an imprudent expenditure of public monies for both the COUNTY and the CITY to provide what would be redundant water improvements; and

WHEREAS, the CITY and COUNTY have each determined, through their respective legislative bodies, that it is in the best interests of each party, and of their residents, for the CITY and COUNTY to engage in a Project to extend their respective water systems as a joint and cooperative effort in accord with the terms and conditions of the Inter-governmental Agreement attached hereto; and

WHEREAS, the Public Works Committee has reviewed and approved the attached Intergovernmental Agreement.

NOW THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement between the County of DuPage and the City of Darien is hereby accepted and approved, and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the County; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached Agreement to the City of Darien, Rick Curneal, 1702 Plainfield Road, Darien, IL 60559; John B. Murphey, Esq., Rosenthal, Murphey, Coblantz & Janega, 30 No. LaSalle-Ste. 1624, Chicago, IL 60602; Anthony Hayman, Assistant State's Attorney; County Auditor; Purchasing; Karen Wilson, 7900 South Route 53, Woodridge, IL 60517; and three (3) copies to the DuPage County Department of Public Works.

Enacted and approved this 25<sup>th</sup> day of July, 2000 at Wheaton, Illinois.

By:   
ROBERT J. SCHILLERSTROM  
CHAIRMAN, DUPAGE COUNTY BOARD

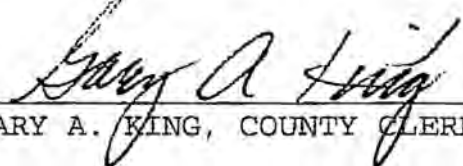
ATTEST  
By:   
GARY A. KING, COUNTY CLERK

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE COUNTY OF DU PAGE AND THE CITY OF DARIEN  
FOR THE CONSTRUCTION OF WATER IMPROVEMENTS  
AND THE PROVISION OF WATER SERVICE TO CERTAIN AREAS OF  
DU PAGE COUNTY AND THE CITY OF DARIEN

This Agreement is entered into this 25th day of July, , 2000, between the County of DuPage, a body corporate and politic with offices at 421 North County Farm Road, Wheaton, IL 60187 (the "COUNTY") and the City of Darien, a municipal corporation with offices at 1702 Plainfield Road, Darien, IL 60559 (the "CITY").

RECITALS

A. The COUNTY and CITY are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, et seq. as authorized by Article VII, Section 10 of the 1970 Constitution of the State of Illinois.

B. The Intergovernmental Cooperation Act encourages and provides for units of local government to cooperate and enter into intergovernmental agreements for mutual benefit.

C. The COUNTY owns, operates and maintains a well, water storage reservoir, water pumping system, water softeners and the tributary water distribution system consisting of water mains and laterals, pursuant to 55 ILCS 5/15001, et seq. The City owns and



operates a water distribution system pursuant to 65 ILCS 5/11-129-1, et seq.

D. The COUNTY currently provides a potable water supply to certain portions of the CITY from the COUNTY'S Southeast Regional Water Facility.

E. The COUNTY is desirous of extending its water improvements to a certain area generally south and east of the CITY. This area is depicted on **Exhibit 1** attached hereto and made a part hereof (said area sometimes hereinafter referred to as the "County Extension Area"). The County Extension Area is currently not served by any public water supply.

F. The CITY is also desirous of making a public water distribution system available to certain areas located generally south of Interstate 55 and representing the far southeastern area of the CITY as well as areas in unincorporated DuPage County within the CITY'S planning jurisdiction. This area is also depicted on **Exhibit 1**, attached hereto and made a part hereof, and is sometimes hereinafter referred to as the "City Extension Area." The parcels comprising the City Extension Area are further identified by Permanent Tax Index Number (P.I.N.) on **Exhibit 2**, attached hereto and made a part hereof.

G. In order for the COUNTY to efficiently serve the County Extension Area, it is necessary for the COUNTY to extend its water system under Interstate 55 at approximately Woodland Drive and thereafter south and east to the intersection of 87<sup>th</sup> Street

and Clarendon Hills Road. Similarly, in order for the CITY to extend its water system to the City Extension Area, it would be necessary for the CITY to construct a water line under Interstate 55 at Woodland Drive and thereafter proceed south and east with said improvements.

H. The CITY and COUNTY have determined it would be an imprudent expenditure of public monies for both the COUNTY and the CITY to provide what would be redundant water improvements.

I. To that end, the CITY and COUNTY have engaged in discussions and have determined it is in their mutual best interests and in the interests of the sound and orderly growth and development of this area of the CITY and COUNTY for the two governmental entities to enter into an agreement containing these essential elements:

1) The COUNTY has completed its extension of its water system south across Interstate 55 at Woodland Drive;

2) The CITY would make water available to the County Extension Area and the City Extension Area by constructing a 10-inch diameter water line from the extension of the 1999 County Improvements to the intersection of 87<sup>th</sup> Street and Clarendon Hills Road at no cost to the COUNTY;

3) The CITY would retain ownership and title to this water system extension (sometimes hereinafter referred to as the "System Extension") for a period of not to exceed 20 years;

4) The COUNTY would utilize the System Extension for purposes of distributing a water supply to the County Extension Area and the City Extension Area;

5) The CITY would recover the costs incurred by the CITY in constructing and maintaining the System Extension by way of appropriate connection charges or other fees assessed against owners of property located within the City Extension Area who desire to obtain a supply of water from the COUNTY and whom the CITY authorizes to use of the System Extension;

6) At such time as the CITY has determined it has recovered its costs of extending and maintaining the System Extension, or at the expiration of 20 years (whichever comes first), the CITY would convey the System Extension to the COUNTY at no cost or charge to the COUNTY.

J. The DU PAGE COUNTY BOARD and the DARIEN CITY COUNCIL have determined entering into this Agreement for the construction of the System Extension to the County Extension Area and the City Extension Area in the manner set forth hereinbelow will benefit the citizens of the COUNTY and the citizens of the CITY.

K. The COUNTY and CITY desire to enter into an appropriate intergovernmental agreement to achieve the goals set forth hereinabove in the manner set forth hereinbelow.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE MUTUAL COVENANTS CONTAINED HEREIN, THE COUNTY AND CITY AGREE, as follows:

**1.0: Recitals Incorporated.** The foregoing Recitals are fully incorporated herein.

**2.0: "County Extension Area," "City Extension Area," "County Improvements, " and the "System Extension" Defined.**

**2.1:** For purposes of this Agreement, "County Extension Area" shall refer to that area of the COUNTY depicted in green on Map **Exhibit 1**, attached hereto and made a part hereof.

**2.2:** For purposes of this Agreement, "City Extension Area" shall refer to that area of the CITY and COUNTY depicted in yellow on Map **Exhibit 1**, attached hereto and made a part hereof.

**2.3:** For purposes of this Agreement, "County Improvements" shall refer to the COUNTY'S construction of a ten inch (10") diameter water distribution line and related improvements necessary to extend the COUNTY'S water system from its present terminus north of I-55 at approximately Woodland Drive south under Interstate 55 to the terminus thereof at and under South Frontage Road.

**2.4:** For purposes of this Agreement, "System Extension" shall refer to the construction of a 10-inch diameter water line and related improvements necessary to extend the COUNTY'S Water

System from the terminus of the County Improvements to the intersection of 87<sup>th</sup> Street and Clarendon Hills Road, so as to serve the County Extension Area and the City Extension Area.

**3.0: Construction of the County Improvements.**

**3.1:** The COUNTY has completed the extension of the County improvements.

**4.0: Construction of the System Extension.**

**4.1:** Promptly upon execution of this Agreement, the CITY shall cause the preparation of engineering and construction plans to construct the System Extension. The City shall be responsible for the selection of one or more consultants to provide all engineering activities, including design, construction, supervision and resident engineering, if applicable. The City shall be solely responsible for paying these consultant costs.

**4.2:** Upon completion of said plans, the COUNTY shall review and approve thereof.

**4.3:** Upon the COUNTY'S approval of the plans for the System Extension, the CITY shall proceed to cause the construction thereof in accordance with all applicable laws and regulations to which the CITY is subject in the construction of public improvements. The CITY shall be solely responsible for the cost of construction of the System Extension.

**4.4:** The City shall be responsible for administering, directing and supervising all work designs, bids, contracts and



the like for all System Extension Improvements, including making all payments to contractors used in the Project.

**5.0: Construction and COUNTY Right-of-Way; Construction in State Right-of-Way.**

**5.1:** As part of the COUNTY'S approval of the System Extension, the COUNTY shall grant the CITY permission to construct said improvements under any existing street or other suitable right-of-way where the COUNTY has an existing and compatible easement or other right to access.

**5.2:** The parties shall cooperate to use their mutual best efforts to obtain requisite permits from the Illinois Department of Transportation (IDOT) in order to construct the System Extension subject to the jurisdiction of IDOT, including but not limited to South Frontage Road.

**6.0: Easements.**

**6.1:** The CITY shall be solely responsible for obtaining easements across any property not under the control of the CITY, COUNTY, or IDOT for purposes of constructing the System Extension.

**6.2:** The exact location and dimensions of the easements shall be subject to the direction and control of the CITY provided the width and form of easement are approved by the COUNTY. For purposes of this section, the COUNTY'S minimum width for the required easements is 10 feet, with 20 foot easements being preferred. The City shall use its best efforts to obtain

easements substantially in accordance with the DuPage County standard easement format, and in accordance with the 20 foot preferred width, but in no case less than 10 feet.

6.3: The CITY shall require that all such easements be permanent, be for purposes of constructing and maintaining the System Extension, and run in favor of both the CITY and the COUNTY.

7.0: Ownership of System Extension; COUNTY'S Right to Utilize System Extension.

7.1: Throughout the term of this Agreement, all right, title and interest in the System Extension and related improvements shall remain vested solely in the CITY; except that the section of the System Extension located south and/or east of the CITY'S southeast boundary shall be transferred from the CITY to the COUNTY upon the CITY'S final acceptance of the System Extension in accordance with the contract between the City and the entity performing the work..

7.2: Throughout the term of this Agreement, the COUNTY shall have the right to utilize the System Extension free of charge for purposes of (a) distributing water throughout the City Extension Area subject to the terms and limitations set forth in Section 9 hereinbelow; and, (b) transmitting water to the County Extension Area in the sole discretion of the COUNTY.

**8.0: Maintenance of the System Extension.**

**8.1:** Throughout the term of this Agreement, the CITY and COUNTY shall each be solely responsible for the maintenance of the portion of the System Extension owned by each entity.

**8.2:** The CITY shall from time to time report to the COUNTY as to the status of any maintenance activities performed on the portion of the System Extension owned by the CITY, and upon notification from the COUNTY, shall perform such additional maintenance and repairs as the parties mutually determine to be necessary.

**9.0: Connections to the System Extension within the City Extension Area; Connection and Water Use Rights of Existing Homeowners within the City Extension Area .**

**9.1:** For purposes of this Agreement, all water service customers within the City Extension Area shall be deemed for all purposes as City customers. All those water service customers within the County Extension Area shall be considered County water customers for all purposes. The sale of water to any customer within the City Extension Area shall be in accordance with and subject to the terms, conditions and limitations set forth in Agreements in existence between the City and County as those Agreements may change from time to time.

**9.2:** In addition to the requirements set forth hereinabove, and subject to the rights prescribed in **Section 9.3** hereinbelow

the COUNTY shall not grant any connections from the County improvements or the System Extension to properties located within the City Extension Area unless the CITY approves of such extension in writing by action of the CITY'S corporate authorities. The determination of whether or not to grant such approval shall be vested in the sole discretion of the CITY.

9.3: The properties identified by an asterisk (\*) on **Exhibit 2** are properties within the City Extension Area located in unincorporated DuPage County and which are improved by existing homes being served by private water wells (the "Existing Homes"). In the event an owner of an Existing Home desires to connect up to the System Extension, said owner shall be allowed to do so under the following terms and conditions:

1) The Owner shall be required to pay any extension costs. The CITY shall not impose any fees, charges, surcharges or any other additional costs over and above what the CITY charges to residents of the CITY who extend water service to their homes.

2) The Owner shall pay only the connection charge currently being charged by the CITY for CITY residential customers.

3) The improvements located in any right-of-way shall be conveyed to the CITY by Bill of Sale.

4) The Owner shall pay the CITY'S standard basic water rate for in-CITY residential customers.

5) The CITY shall not require any owner of an existing home to sign an annexation agreement with the CITY in order to obtain water service.

**9.4:** The rights accorded to owners of Existing Homes pursuant to Section 9.3 shall apply to successor owners of the Existing Homes. However, these rights shall not apply to any owner or successors owner of an Existing Home who chooses to further redevelop or redevelop any such property.

**10.0: Transfer of the System Extension to the COUNTY.**

**10.1:** The CITY shall transfer all of its right, title and interest to the System Extension (not previously transferred pursuant to Section 7.1) to the COUNTY at the earlier of: (a) 90 days after notice of intent to transfer, as provided to the COUNTY from the CITY; or, (b) 20 years from the date the System Extension is complete and operational.

**11.0: Notice of Land Use Proposals within the City Extension Area; No Delegation of Zoning Authority.**

**11.1:** The COUNTY shall notify the CITY within 30 days of the COUNTY'S receipt of any application for rezoning, special use, variation, planned unit development or subdivision with respect to any portion of the City Extension Area located within unincorporated DuPage County.

**11.2:** Nothing in this Agreement is intended to limit or delegate the COUNTY'S legislative discretion and authority with respect to the consideration of any land use proposal located



within that portion of the City Extension Area that is within unincorporated DuPage County.

11.3: Nothing herein is intended to limit the rights possessed by the CITY under the Counties Code or any other applicable statute or ordinance with respect to any land use proposal for any property located within the CITY'S Extension Area that is in unincorporated DuPage County.

12.0: COUNTY Warranties.

12.1: The COUNTY warrants there are no commitments or contracts of any kind which would limit the COUNTY from entering into this Agreement.

12.2: The COUNTY warrants that upon the completion of the System Extension, the COUNTY possesses adequate supply and pumping capacity to serve the reasonably anticipated needs of the City Extension Area and the County Extension Area, and will provide water service to the City Extension Area subject to the terms hereof.

12.3: The COUNTY warrants there is not now any litigation, suit or administrative proceeding pending or, to the best of its knowledge, threatened which might adversely affect the COUNTY'S title to, right to possession of, or right to use the COUNTY'S water system in the manner contemplated by this Agreement.

**13.0: CITY Warranties.**

**13.1:** The CITY warrants it has taken all actions necessary to authorize the performance of its obligations under this Agreement.

**13.2:** The CITY warrants there is not now any litigation, suit or administrative governmental proceedings pending or, to its knowledge, threatened which would limit the CITY'S right to enter into this Agreement.

**13.3:** The CITY warrants it will take no action, enter into no contract, incur no indebtedness, engage in no financing or take any other action which would in any way limit, impair or inhibit the CITY'S ability to transfer ownership of the System Extension to the COUNTY pursuant to the terms hereof.

**14.0: Notices.**

**14.1:** All notices or communications provided for herein shall be in writing and shall be delivered to the COUNTY or the CITY by both facsimile and by United States Mail, First Class, postage prepaid, addressed as follows:

If to the COUNTY: County of DuPage Offices  
421 North County Farm Road  
Wheaton, IL 60187  
Attn: Gregory Wilcox

With a copy to: Anthony E. Hayman  
Assistant State's Attorney  
505 No. County Farm Road  
Wheaton, IL 60187

If to the CITY: City of Darien  
1702 Plainfield Rd.  
Darien, IL 60559  
Attn: Rick Curneal, City Administrator

With a copy to: John B. Murphey, Esq.  
Rosenthal, Murphey,  
Coblentz & Janega  
30 No. LaSalle - Ste. 1624  
Chicago, IL 60602

**15.0: Indemnification.**

**15.1:** The CITY shall indemnify, defend and hold harmless the COUNTY from any and all claims, causes of action, suits, setoffs or actions which have been made, or may arise, as a result of discharge of the COUNTY'S obligations pursuant to this Agreement, to the extent allowed by law and provided such indemnification obligation shall not include acts resulting from the negligent or wilful conduct of the COUNTY.

**15.2:** The COUNTY agrees to defend, hold harmless and indemnify the CITY from any and all claims, causes of action, suits, setoffs or actions which may have been made or may arise as a result of the discharge of the CITY of its obligations pursuant to this Agreement, to the extent permitted by law and except to the extent any claim arises from the negligence or willful conduct of the CITY.

**15.3:** The CITY shall require the contractor or contractors responsible for the construction of the System Extension to name both the CITY and the COUNTY as additional insureds on said contractor's liability insurance policy.

16.0: Miscellaneous.

16.1: This Agreement constitutes the total agreement between the COUNTY and the CITY and no amendments, alterations or changes shall be made except those which are in writing authorized by the parties' respective corporate authorities and signed by the parties hereto.

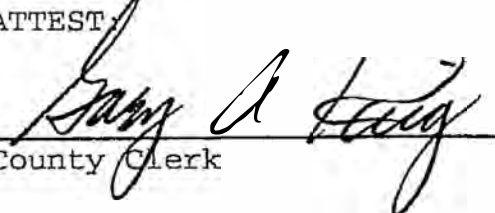
16.2: This Agreement shall inure to the benefit of the parties hereto, their successors and assigns.

16.3: This Agreement shall be governed by the laws of the State of Illinois.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date and year first written above.

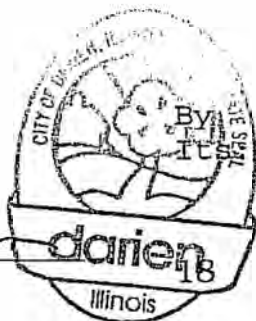
COUNTY OF DU PAGE  
a body corporate and politic

By   
Its: \_\_\_\_\_ Chairman

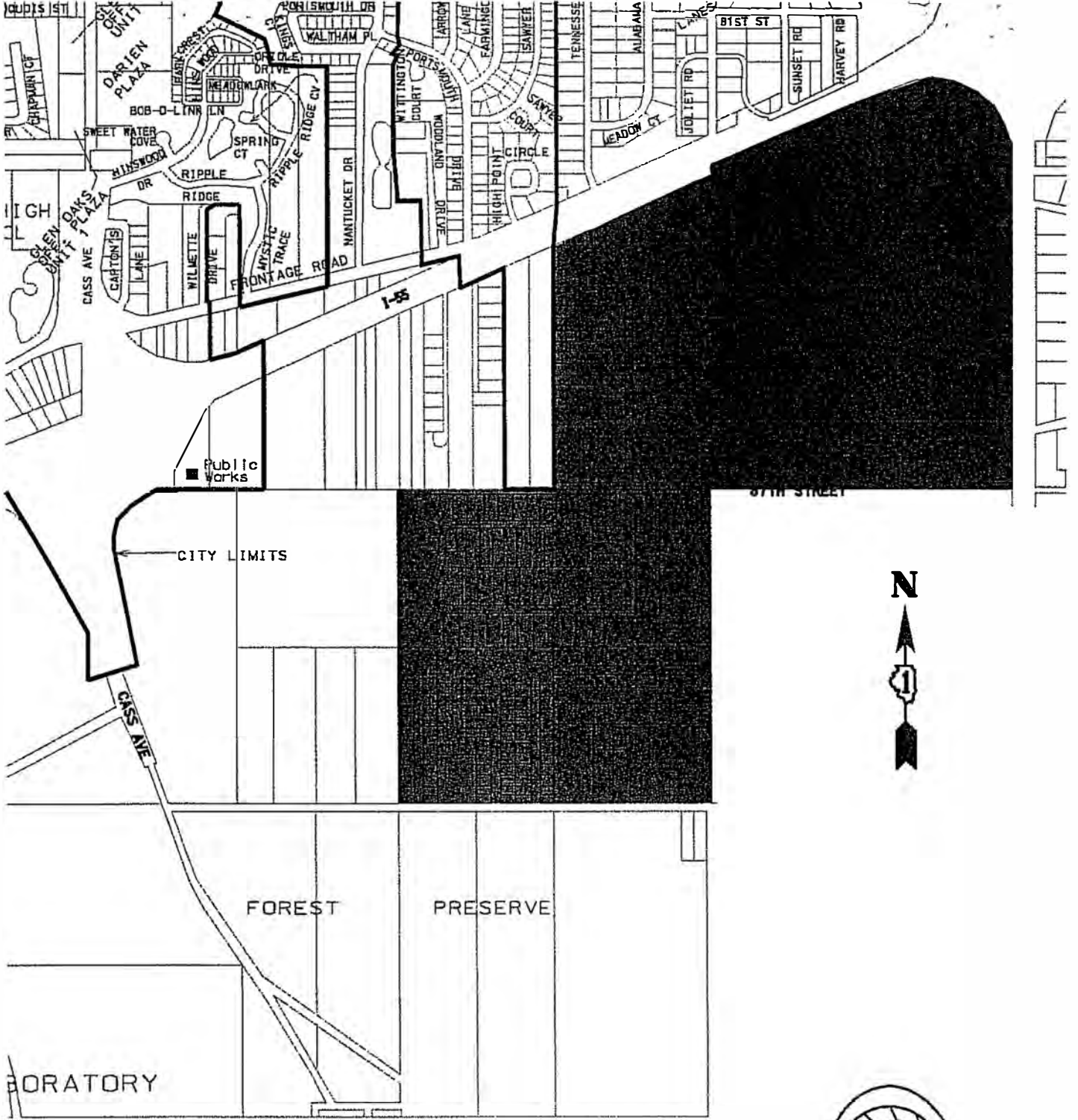
ATTEST:  
  
County Clerk

CITY OF DARIEN  
a municipal corporation

ATTEST:  
  
City Clerk



  
\_\_\_\_\_ Mayor



CITY LIMITS

CITY EXTENSION AREA

COUNTY EXTENSION AREA



**CB** CHRISTOPHER B. BURKE ENGINEERING LTD.  
 9575 West Higgins Road, Suite 600  
 Rosemont, Illinois 60018 (847) 823-0500

CLIENT: **CITY OF DARIEN**  
**EXHIBIT 1**

PROJECT NO. **95-323**  
 DATE **07/09/99**  
 DWG. NO. **1**

Exhibit 2  
PARCELS IN THE CITY EXTENSION AREA

- 09-34-403-003
- 09-34-403-004
- 09-34-403-005
- 09-34-403-006
- \* 09-34-403-007 9 S. 660 Leonard Drive
- \* 09-34-403-008 9 S. 670 Leonard Drive
- 09-34-403-009
- 09-34-403-010
- 09-34-403-011
- 09-34-403-012
- \* 09-34-403-013 17 W. 411 S. Frontage Road
- \* 09-34-403-014 17 W. 367 S. Frontage Road
- \* 09-34-403-015
- \* 09-34-404-001 Western Avenue Address not available
- \* 09-34-405-003 9 S. 531 Western Avenue
- \* 09-34-405-004 9 S. 539 Western Avenue
- 09-34-405-005
- \* 09-34-405-006 9 S. 549 Western Avenue
- \* 09-34-405-007 9 S. 567 Western Avenue
- \* 09-34-405-008 9 S. 579 Western Avenue
- \* 09-34-405-009 9 S. 600 Western Avenue
- 09-34-405-010
- \* 09-34-405-011 9 S. 645 Western Avenue
- \* 09-34-405-012 9 S. 665 Western Avenue
- \* 09-34-405-013 9 S. 675 Western Avenue
- 09-34-405-015
- 09-34-405-016
- 09-34-405-017
- 09-34-405-018
- 09-34-405-013
- 09-34-303-012
- 09-34-303-013
- \* 09-34-303-014 17 W. 541 S. Frontage Road
- 09-34-303-015
- \* 09-34-303-016 17 W. 457 S. Frontage Road
- 09-34-303-017
- 09-34-303-019
- \* 09-34-303-021
- \* 09-34-303-022 17 W. 367 S. Frontage Road
  
- \* Denotes Existing Homes





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A BILL OF SALE FOR THE TRANSFER OF CERTAIN WATER MAIN AND APPURTENANCES TO THE COUNTY OF DUPAGE**

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

**SECTION 1:** The City Council of the City of Darien does hereby authorize the Mayor to execute a Bill of Sale for the transfer of certain water main and appurtenances to the County of DuPage, attached hereto as “**Exhibit A**” and is by this reference expressly incorporated hereto.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

\_\_\_\_\_  
JOSEPH MARCHESE, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## Bill of Sale Agreement

This Agreement dated July 25<sup>th</sup>, 2000 as Resolution PW-0022-00 by and between the GRANTOR, City of Darien ("City") and the GRANTEE, the County of DuPage. A body corporate and public ("County").

The County and City were desirous of extending its water improvements to SERWF Water System in the area south and east of the City. As per the Intergovernmental Agreement PW-0022-00 on page 7 item "6" (at such time as the City has determined it has recovered its costs of extending and maintaining the System Extension, or at the expiration of 20 years (whichever comes first), the City would convey the system extension to the County at no cost or charge to the County.).

The expiration of 20 years has occurred and the City is desirous to conveying the water main extension to the County. Said Extension is within an easement on parcel 09-34-404-001 and the within the Right of Way of 87<sup>th</sup> St as described as follows:

: Lot 4 Except that part taken for Roadway Purposes, in Downers Grove Township Supervisor's Assessment Plat of the Southeast Quarter of Section 34, Township 38 North, Range 11, East of the Third Principal Meridian According to the plat Recorded September 28, 1955, as Document 774968, In DuPage County, Illinois  
 And  
 That Part within the Right of Way of 87<sup>th</sup> Street as Dedicated on the Hinsdale Timberlake Unit 2 Said Subdivision in the Southwest Quarter of the Southwest Quarter of Section 35 and the East Half of the Southeast Quarter of Section 34, Township 38 North, Range 11, and the North Half of the Northeast Quarter of Section 3, township 37 North, Range 11, East of the Third Principal Meridian According to the Plat Recorded on November 24, 1954 as Document R1954-738316, in DuPage County, Illinois

The water main, conduits, pipes, laterals, hydrants and valves that run from Frontage Road South through said easement to 87<sup>th</sup> St then east on 87<sup>th</sup> St to the Counties existing Water System (SERWF).

18 Valves including Hydrant Valves  
 10 Hydrants  
 2753 Lin Feet of 10" Water Mains

The City is transferring the easement and water pipes from Frontage Road to the easement, the pipe within the easement on parcel 09-34-404-001 and all rights to that easement Recorded on February 4<sup>th</sup>, 2003 as Document R2003-044568 and the pipes within the Right of Way of 87<sup>th</sup> St.

Parcel Number: 09-34-404-001 and Road Right of Way

Property Address: 09-34-404-001 is a Vacant parcel and no address for the 87<sup>th</sup> Street R-O-W  
Willowbrook, Illinois 60527

This will be part of the SERWF Water System

Prepared By: DuPage County Public Works Dept.  
421 N. County Farm Road  
Wheaton, Illinois 60187

Return To: DuPage County Public Works Dept.  
Attn: Janet Williams  
421 N. County Farm Road  
Wheaton, Illinois 60187

Said transfer and assignment is made pursuant to and in accord with the intergovernmental agreement between the GRANTOR (City ) the GRANTEE (County), adopted by Resolution PW-0022-00 dated July 25<sup>th</sup>, 2000 as such the above-described agreement and resolution is hereby incorporated herein for the purpose of defining the extent and limit of the transfers and assignments made hereby.

GRANTOR hereby represents and warrants to the GRANTEE, to the best of GRANTOR'S knowledge and to the fullest extent the GRANTOR is so authorized under the law to make such representations and warranties: a) that the GRANTOR is the owner of said personal property and equipment; b) that the aforesaid property is free and clear of all liens, charges and encumbrances; and, that the GRANTOR has the full right, power and authority to sell/transfer/assign said personal property and to make this Bill of Sale; however, all warrants, guaranties, representations and, or, assurances as to fitness and, or, merchantability are hereby excluded.

In Witness of, the parties set their hands and seals as of the date first written

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022

GRANTORS: City of Darien

By: \_\_\_\_\_ Attest: By: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Title: \_\_\_\_\_ Title: \_\_\_\_\_

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that \_\_\_\_\_, personally known to me, to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary acts, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2022

Notary Public \_\_\_\_\_ My commission expires: \_\_\_\_\_

GRANTEE: COUNTY OF DUPAGE:

By: \_\_\_\_\_  
Name: Nicholas Kottmeyer P.E.  
Director of Public Works and Operations

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Nicholas Kottmeyer P.E., Director of Public Works and Operations, personally known to me, to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary acts, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public \_\_\_\_\_ My commission expires: \_\_\_\_\_

**AGENDA MEMO**  
**Municipal Services Committee**  
**September 26, 2022**

**ISSUE STATEMENT**

A [resolution](#) waiving the competitive quote process and accepting a proposal from Baxter & Woodman Natural Resources for the purchase and installation of three (3) educational informational signs for the native prairie plantings adjacent to the 74<sup>th</sup> Street and Elm Native Planting project at a cost not to exceed \$11,700.

**BACKGROUND/HISTORY**

The recent conversion of the Elm and 74<sup>th</sup> Street basin included converting approximately 3 acres of the turf area to a native plant habitat. The conversion project was completed by Baxter and Woodman in 2021/22 promotes storm water to filter through the plantings and soils prior to flowing downstream, thus producing less sediments and pollutants downstream.

As we approach the final stages of the project, City staff worked with Baxter & Woodman to develop custom informational signs and hardware for the purpose of education. The signage includes the benefits of such a storm water project and includes description of the types of native plantings that were installed. [Attachment A](#) is a diagram of the signs. The signs would be installed adjacent to Elm Street, Eleanor and 74<sup>th</sup> Street.

Please recall, the City collects storm water fees referred to as; Fee in Lieu. The fees are collected during new construction and right of way work where Best Management Practices (BMPs) would be difficult to create on a site. BMPs are structural, vegetative or managerial practices used to treat, prevent or reduce water pollution. The funds on file may only be used for water quality projects. The City has a period of 10 years to utilize the funds on file and are approaching the shelf life.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FUNDS ON FILE	PROPOSED EXPENDITURE
07-85-4379	Storm Water Fee In Lieu of CBMP	\$73,000	\$11,700

**STAFF RECOMMENDATION**

The Staff approves of a resolution waiving the competitive quote process and accepting a proposal from Baxter & Woodman Natural Resources for the purchase and installation of three (3) educational informational signs for the native prairie plantings adjacent to the 74<sup>th</sup> Street and Elm Native Planting project at a cost not to exceed \$11,700.

**ALTERNATE CONSIDERATION**

As directed by the Municipal Services Committee.

**DECISION MODE**

This item will be on the October 3, 2022 City Council agenda for formal consideration at the.



# 73<sup>RD</sup> STREET NATIVE PRAIRIE

The City of Darien is proud to support native prairie restoration. This prairie plot is part of the larger effort to restore prairies in Illinois. According to the Illinois Department of Natural Resources - 22 million acres of Illinois was once prairie - now less than 1% (2,500 acres) remains.

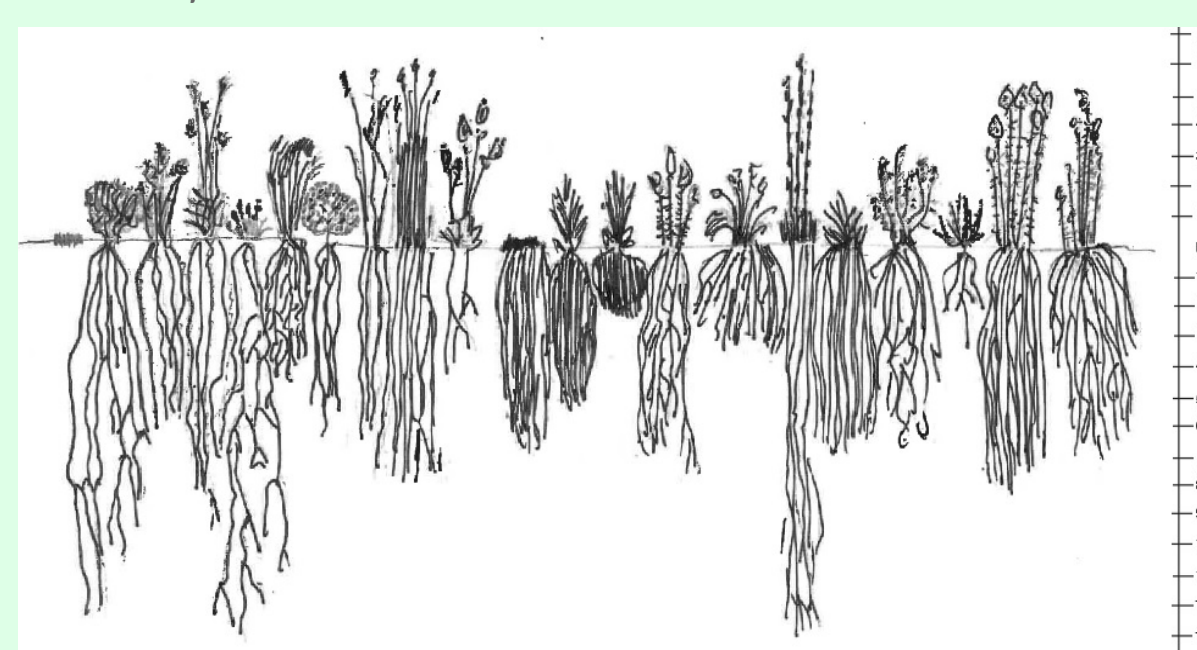
## What is a Prairie?

Prairies are ecosystems considered part of the temperate grasslands, savannas, and shrublands biome by ecologists, based on similar temperate climates, moderate rainfall, and a composition of grasses, herbs, and shrubs, rather than trees, as the dominant vegetation type. Prairies are composed of plants that are seldom found in other habitats. They are defined by unique soil characteristics, grasses, and wildflowers.

## How Do Prairies Preserve the Environment?

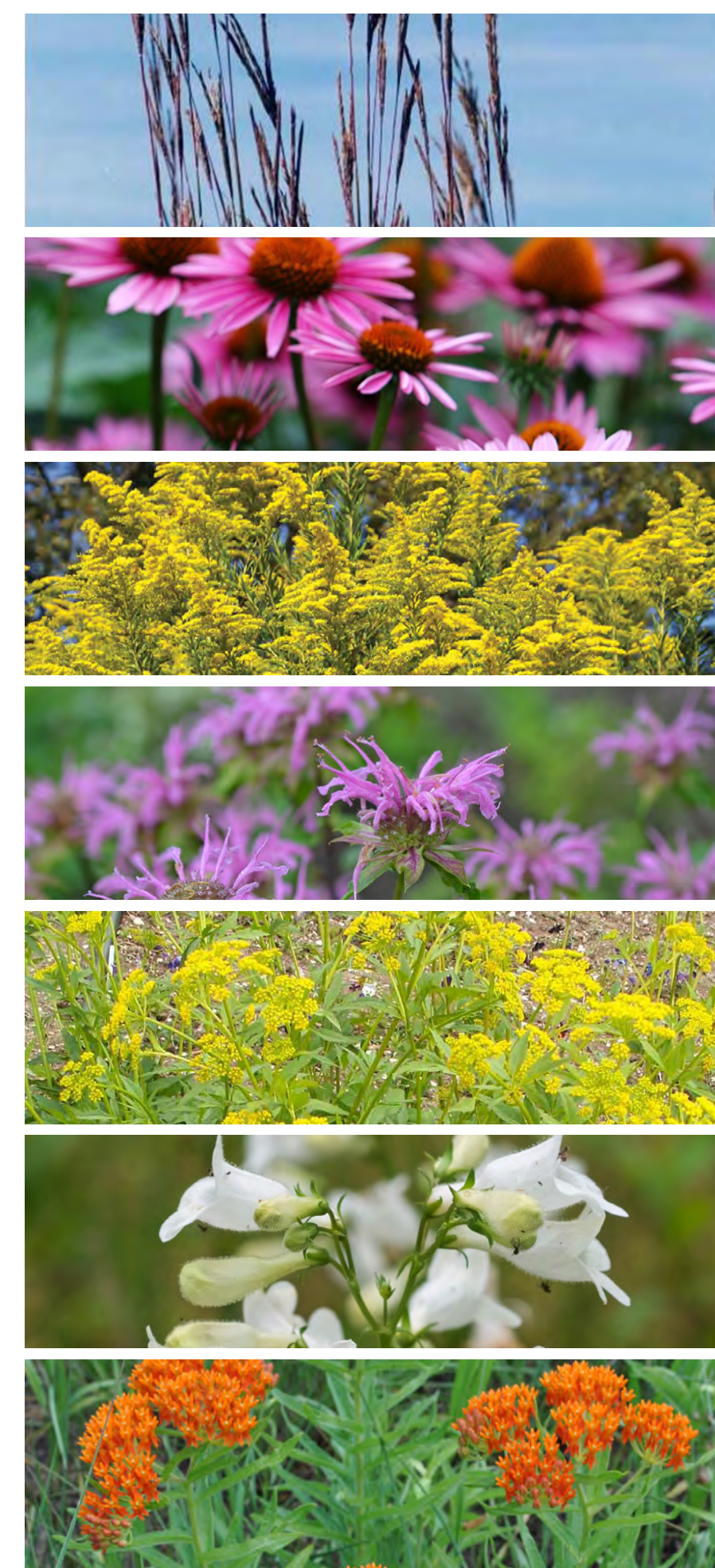
Prairies provide a rare native habitat for birds, butterflies, insects, reptiles, and other small wildlife. They require little maintenance, are long lasting, and do not need fertilizers or pesticides. Prairie root systems are drought resistant, hold soils in place, and absorb water.

One major reason for the use of native plant species for improving soil erosion for streams and stormwater facilities comes from the extensive root systems many native plant species possess. These root systems improve the ability of the soil to infiltrate and withstand erosive and wet conditions.



## Why are Prescribed Burns Helpful to Prairies?

Prairies have evolved with fire as part of their natural lifecycle. Fire removes invasive species while allowing the native prairie plants to keep growing into the next season.



## Plants in the Prairie...

Expect to see the most color from plants in the Prairie from late summer to early fall.

- Big Bluestem *Andropogon gerardii* – Illinois official state prairie grass
- Purple Coneflower *Echinacea purpurea*
- Goldenrod *Solidago*
- Bergamot *Monarda fistulosa*
- Golden Alexanders *Zizia aurea*
- Foxglove *Penstemon digitalis*
- Butterfly Milkweed *Asclepias tuberosa*



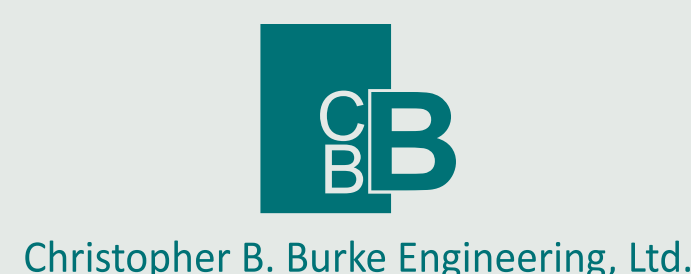
## Wildlife in the Prairie...

Expect to see many types of wildlife in the Prairie including...

- Monarch Butterfly
- Thirteen-lined ground squirrel



Installed by the City of Darien in partnership with Baxter & Woodman Natural Resources and Christopher B. Burke Engineering, Ltd.







RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION WAIVING THE COMPETITIVE QUOTE PROCESS AND ACCEPTING A PROPOSAL FROM BAXTER & WOODMAN NATURAL RESOURCES FOR THE PURCHASE AND INSTALLATION OF THREE (3) EDUCATIONAL INFORMATIONAL SIGNS FOR THE NATIVE PRAIRIE PLANTINGS ADJACENT TO THE 74<sup>TH</sup> STREET AND ELM NATIVE PLANTING PROJECT AT A COST NOT TO EXCEED \$11,700**

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

**SECTION 1:** The City Council of the City of Darien does hereby waive the competitive quote process and accept a proposal from Baxter & Woodman Natural Resources for the purchase and installation of three (3) educational informational signs for the native prairie plantings adjacent to the 74<sup>th</sup> Street and Elm Native Planting project at a cost not to exceed \$11,700, attached hereto as "**Exhibit A**" and is by this reference expressly incorporated hereto.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3<sup>rd</sup> day of October 2022.**

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3<sup>rd</sup> day of October 2022.**

\_\_\_\_\_  
JOSEPH MARCHESE, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



September 12, 2022

Ms. Regina Kokkinis  
Administrative Assistant  
1702 Plainfield Road  
Darien, Illinois 60561

***Subject: City of Darien, IL – Proposal for Informational Sign Installation at 74<sup>th</sup> Street Project Area***

Dear Ms. Kokkinis:

Baxter & Woodman Natural Resources, LLC is pleased to provide this Proposal for the installation of educational signs at the 74<sup>th</sup> Street Native Prairie project. A detailed summary of our proposed scope of services and fees is as follows.

**Scope of Services**

1. SIGN INSTALLATION

*Purchase and Installation of Educational Signs* - This is for purchase of three educational signs, including posts and mounting hardware, as well as the complete installation of the signs at the project site. An additional fourth sign is an option.

**Restoration Fees**

The Owner shall pay Baxter & Woodman Natural Resources, LLC. a total Lump Sum cost of \$11,700.00. Any additional sign installations would be an additional \$3,900 each.

Each scope item will be invoiced separately at completion of work.

1.	Sign materials and installation – 3 signs	\$11,700
2.	Optional additional 4 <sup>th</sup> sign	\$3,900
	Check box if additional sign is requested	<input type="checkbox"/>

**Assumptions**

This scope of services assumes Permit and other agency fees are as noted above.




If you find this Proposal acceptable, **please sign below and return one copy for our files.** The attached Standard Terms and Conditions apply to this Proposal. We appreciate the opportunity to work with you. If you have any questions or need additional information, please do not hesitate to call Brandie Bray at (815) 219-0520.

Sincerely,

BAXTER & WOODMAN NATURAL RESOURCES, LLC

  
Coilin P. McConnell  
Natural Resources Manager  
Attachment

  
Dennis Dabros, P.E.  
Vice President

CITY OF DARIEN, IL

ACCEPTED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

P:\DARNC\221378-Native Educational S\Contracts\221378.30\_SignInstallation\_Proposal.docx

## STANDARD TERMS AND CONDITIONS

PLEASE READ THESE STANDARD TERMS AND CONDITIONS (“TERMS”) CAREFULLY BEFORE EXECUTING THE LETTER PROPOSAL PRESENTED BY BAXTER & WOODMAN NATURAL RESOURCES, LLC (“BWNR”). BY EXECUTING THE LETTER PROPOSAL, OWNER AGREES TO BE BOUND BY THESE TERMS, THE PROVISIONS OF THE LETTER PROPOSAL, AND THE PROVISIONS OF ANY DOCUMENT REFERRING TO THESE TERMS OR THE LETTER PROPOSAL, ALL OF WHICH SHALL COLLECTIVELY CONSTITUTE THE “AGREEMENT”.

**Owner’s Responsibility** – Provide BWNR with all criteria and full information for the “Project”, which is generally otherwise identified in the Letter Proposal. BWNR will rely, without liability, on the accuracy and completeness of all information provided by the Owner including its consultants, contractors, specialty contractors, subcontractors, manufacturers, suppliers and publishers of technical standards (“Owner Affiliates”) without independently verifying that information. The Owner represents and warrants that all known hazardous materials on or beneath the site have been identified to BWNR. BWNR and their consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of, or exposure of persons to, unidentified or undisclosed hazardous materials unless this service is set forth in the Letter Proposal.

**Schedule for Rendering Services** - The agreed upon services shall be completed within a reasonable amount of time. If BWNR is hindered, delayed or prevented from performing the services as a result of any act or neglect of the Owner, any Owner Affiliate, or force majeure event, BWNR’s work shall be extended and the rates and amounts of BWNR’s compensation shall be equitably adjusted in a written instrument executed by all Parties.

**Invoices and Payments** - The fees to perform the proposed scope of services constitutes BWNR’s estimate to perform the agreed upon scope of services. Circumstances may dictate a change in scope, and if this occurs, an equitable adjustment in compensation and time shall be agreed upon by all Parties by written agreement. No service for which added compensation will be charged will be provided without first obtaining written authorization from the Owner. BWNR invoices shall be due and owing by Owner in accordance with the terms and provisions of the Local Government Prompt Payment Act (50 ILCS 505/1 *et seq.*).

**Opinion of Probable Construction Costs** - BWNR’s opinion of probable construction costs represents its reasonable judgment as a professional engineer. Owner acknowledges that BWNR has no control over construction costs or contractor’s methods of determining prices, or over competitive bidding, or market conditions. BWNR cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from BWNR’s opinion of probable construction costs.

**Standards of Performance** – (1) The standard of care for all services performed or furnished by BWNR will be the same care and skill ordinarily used by professionals practicing under similar circumstances, at the same time and in the same locality on similar projects. BWNR makes no warranties, express or implied, in connection with its services; (2) BWNR shall be responsible for the technical accuracy of its services and documents; (3) BWNR shall use reasonable care to comply with applicable laws, regulations, and Owner-mandated standards; (4) BWNR may employ such sub-consultants as BWNR deems necessary to assist in the performance or furnishing of the services, subject to reasonable, timely, and substantive objection by Owner; (5) BWNR is not acting as a municipal advisor as defined by the Dodd-Frank Act. BWNR shall not provide advice or have any responsibility for municipal financial products or securities.

**Insurance** - BWNR will maintain insurance coverage with the following limits and Certificates of Insurance will be provided to the Owner upon written request:

Worker’s Compensation	\$1 million each occurrence	
Automobile Liability:	\$1 million combined single limit	
Commercial General Liability:	\$1 million each occurrence	\$2 million general aggregate
Excess Umbrella Liability	\$5 million each occurrence	\$5 million general aggregate
Professional Liability:	\$5 million per claim	\$5 million aggregate

In no event will BWNR’s collective aggregate liability under or in connection with this Agreement or its subject matter, based on any legal or equitable theory of liability, including breach of contract, tort (including negligence), strict liability and otherwise, exceed the contract sum to be paid to BWNR’s under this Agreement. Any claim against BWNR arising out of this Agreement may be asserted by the Owner, but only against the entity and not against BWNR’s directors, officers, shareholders or employees, none of whom shall bear any liability and may not be subject to any claim.

**Indemnification and Mutual Waiver** – (1) To the fullest extent permitted by law, BWNR shall indemnify and hold harmless the Owner and its officers and employees from claims, costs, losses, and damages (“Losses”) caused by the Project, provided that such Losses are attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom, but only to the extent caused by any grossly negligent act or omission of BWNR; (2) To the fullest extent permitted by law, Owner shall indemnify and hold harmless BWNR and its officers, directors, employees, agents and consultants from and against any and all Losses (including but not limited

to all fees and charges of engineers, architects, attorneys, and other professionals, and all court, arbitration, or other dispute resolution costs) arising out of or relating to the Project provided that any such Losses are attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom, but only to the extent arising out of or occurring in connection with the Owner's, or Owner's officers, directors, employees, consultants, agents, or others retained by or under contract to the Owner, negligent act or omission, willful misconduct, or breach of this Agreement; (3) To the fullest extent permitted by law, Owner and BWNR waive against each other, and the other's employees, officers, directors, insurers, and consultants, any and all claims for or entitlement to special, incidental, indirect, enhanced, punitive, or consequential damages, in each case regardless of whether such party was advised of the possibility of such losses or damages or such losses or damages were otherwise foreseeable, and notwithstanding the failure of any agreed or other remedy of its essential purpose; (4) In the event Losses or expenses are caused by the joint or concurrent fault of the BWNR and Owner, they shall be borne by each party in proportion to its respective fault, as determined by a mediator or court of competent jurisdiction; (5) The Owner acknowledges that BWNR is a business corporation and not a professional service corporation, and further acknowledges that the corporate entity, as the party to this contract, expressly avoids contracting for individual responsibility of its officers, directors, or employees. The Owner and BWNR agree that any claim made by either party arising out of any act of the other party, or any officer, director, or employee of the other party in the execution or performance of the Agreement, shall be made solely against the other party and not individually or jointly against such officer, director, or employees.

**Termination** - Either party may terminate this Agreement upon ten (10) business days' written notice to the other party in the event of failure by the other party to comply with the terms of the Agreement through no fault of the terminating party. A condition precedent to termination shall be conformance with the Dispute Resolution terms below. If this Agreement is terminated, Owner shall receive reproducible copies of drawings, developed applications and other completed documents upon written request. Owner shall be liable, and shall promptly pay BWNR, for all services and reimbursable expenses rendered through the effective date of suspension/termination of services.

**Use of Documents** – All BWNR documents (data, calculations, reports, Drawings, Specifications, Record Drawings and other deliverables, whether in printed form or electronic media format, provided by BWNR to Owner pursuant to this Agreement) are instruments of service and BWNR retains ownership and property interest therein (including copyright and right of reuse). Owner shall not rely on such documents unless in printed form, signed or sealed by BWNR or its consultant. Electronic format of BWNR's design documents may differ from the printed version and BWNR bears no liability for errors, omissions or discrepancies. Reuse of BWNR's design documents is prohibited and Owner shall defend and indemnify BWNR from all claims, damages, losses and expenses, including attorney's fees, consultant/expert fees, and costs arising out of or resulting from said reuse. Project documents will be kept for time periods set forth in BWNR's document retention policy after Project closeout.

**Successors, Assigns, and Beneficiaries** – Nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or BWNR to any third party, including any lender, contractor, subcontractor, supplier, manufacturer, other individual, entity or public body, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement are for the sole and exclusive benefit of the Owner and BWNR and not for the benefit (intended, unintended, direct or indirect) of any other entity or person.

**Dispute Resolution** - All disputes between the Parties shall first be negotiated between executives who have authority to settle the dispute for a period of thirty (30) days. If unresolved, disputes shall be then submitted to mediation as a condition precedent to litigation. The mediation session shall be held within forty-five (45) days of the retention of the mediator, and last for at least one (1) full mediation day, before any party has the option to withdraw from the process. If mediation is unsuccessful, litigation may be pursued in the federal courts of the United States or the courts of the State of Illinois, in each case located in the County of McHenry.

**Miscellaneous Provisions** – (1) This Agreement is to be governed by the law of the state of Illinois without giving effect to any choice or conflict of law provision or rule that would require or permit the application of the laws of any jurisdiction other than those of the State of Illinois; (2) all notices must be in writing and shall be deemed effectively served upon the other party when sent by certified mail, return receipt requested; (3) all express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion and/or termination for any reason; (4) any provision or part of the Agreement held to be void or unenforceable under any laws or regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the Owner and BWNR, which agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that expresses the intention of the stricken provision; (5) a party's non-enforcement of any provision shall not constitute a waiver of the provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement; (6) to the fullest extent permitted by law, all causes of action arising under this Agreement shall be deemed to have accrued, and all statutory periods of limitation shall commence, no later than the date of substantial completion, which is the point where the Project can be utilized for the purposes for which it was intended; (7) this Agreement, together with any other documents incorporated herein by reference, constitutes the sole and entire agreement of the parties with respect to the subject matter of this Agreement and supersedes all prior and contemporaneous understandings, agreements, representations and warranties, both written and oral, with respect to such subject matter; (8) no amendment to or modification of this Agreement is effective unless it is in writing and signed by each party.



**AGENDA MEMO**  
**Municipal Services Committee**  
**September 26, 2022**

**ISSUE STATEMENT**

Approval of a [resolution](#) accepting a proposal from Illinois Landscape Supply, LLC. for the purchase and delivery of Unilock PISA retaining wall block and coping for the Municipal Complex 1710 Plainfield Rd Retaining Wall Project in an amount not to exceed \$7,540.80.

AND

Approval of a [resolution](#) accepting a proposal from Terrain Landscape Contractors for the preparation and installation of a retaining wall at the Municipal Complex 1710 Plainfield Rd in an amount not to exceed \$10,395.

**BACKGROUND**

**Municipal Complex - 1710 Plainfield Road**

At the western property, line of the Police Department the landscape consists of a mulch landscaping with over story trees. During heavy rain events ongoing erosion and the displacement of the mulch contributes to blockage of the storm sewer inlet and trench grates along with mulch strewn within the drive isle.

To eliminate the ongoing concern, the site was reviewed for a decorative retaining wall adjacent to the curb line. The wall will assist in channeling the storm water to an inlet located within the landscaped area.

The City will be responsible for the oversight and the scope of work includes the following:

City Purchase of Unilock Material and Coping  
 Preparation and Installation of Material by Terrain Landscape Contractors  
 City Crews-Miscellaneous landscaping and rip-rap application

**Retaining Block Wall-Material**

Staff requested competitive quotes for the Unilock block and components and received the following quotes:

*Illinois Landscape Supply, LLC. - \$7,540.80*  
*Tamelings Industry \$8,215.76*  
*Unilock - \$8,751.68*

**Preparation and Installation**

Staff had requested competitive quotes for the preparation and installation of the retaining walls and received the following two quotes:

*JC Landscaping \$12,540*  
*Terrain Landscape Contractors \$10,395*

Terrain Landscaping Contractors has provided services to the City with very satisfactory services. The FY22-23 Budget includes funding for the project and the expenditure summary is as follows:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>FY 22/23 PROPOSED BUDGET</b>	<b>PROPOSED EXPENDITURE</b>	<b>PROPOSED BALANCE</b>
01-30-4223	City Hall-Police Department- Unilock Material	\$30,000	\$ 7,540.80	\$ 22,459.20
01-30-4223	Installation-Terrain Landscape		\$ 10,395.00	\$ 12,064.20
01-30-4223	City Crews-Storm Sewer Modifications Landscape Restoration-Rip-Rap		\$ 4,000.00	\$ 8,064.20
01-30-4223	Contingency		\$ 3,000.00	\$ 5,064.20
01-30-4223	Unilock Pallet Deposit		\$ (528)	\$ 5,592.20

**STAFF RECOMMENDATION**

Staff recommends approval of the resolutions as submitted.

**ALTERNATE CONSIDERATION**

As directed by the Municipal Services Committee

**DECISION MODE**

This item will be on the October 3, 2022 City Council agenda, for formal approval.



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ACCEPTING A PROPOSAL FROM ILLINOIS LANDSCAPE SUPPLY, LLC. FOR THE PURCHASE AND DELIVERY OF UNILOCK PISA RETAINING WALL BLOCK AND COPING FOR THE MUNICIPAL COMPLEX 1710 PLAINFIELD RD RETAINING WALL PROJECT IN AN AMOUNT NOT TO EXCEED \$7,540.80**

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

**SECTION 1:** The City Council of the City of Darien does hereby accept a proposal from Illinois Landscape Supply, LLC., for the purchase and delivery of Unilock PISA retaining wall block and coping for the Municipal Complex 1710 Plainfield Rd Retaining Wall Project in an amount not to exceed \$7,540.80, attached hereto as “[Exhibit A](#)” and is by this reference expressly incorporated herein.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

\_\_\_\_\_  
JOSEPH MARCHESE, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



60 Wolf Road  
 Oswego, IL 60543  
 815-267-3311  
 F: 815-267-3399

# PROPOSAL

Date	Proposal #
9/15/2022	22-11366

<b>Name / Address</b>
City of Darien Dan Gombac 1702 Plainfield Rd. Darien, IL 60561

<b>Job Name / Address</b>
City Hall Darien

Phone #	Terms	Ship Date	Ship Via	Rep	Project
	Net ~ 30	10/15/2022		MDW	
Qty	Description	Unit Price	Total		
640	C/ Direct Load UNILOCK PISA XL - Granite - per single unit (20 pal)	7.70	4,928.00		
168	C/ Direct Load UNILOCK Pisa II Coping 12"- Granite per double unit (4 pal)	7.35	1,234.80		
24	UNILOCK STANDARD Unilock Pallets	22.00	528.00		
2	Delivery Charge--Direct Load ILS Truck-Semi w/ machine	425.00	850.00		
<p>This quotation is based on information provided by contractor.</p> <p>This quotation is a service provided by Illinois Landscape Supply, LLC.</p> <p>This is a "Unit Price Quote" only.</p> <p>Illinois Landscape Supply will not be held liable for any discrepancies in actual purchase quantities to quantities quoted herein.</p> <p>\$ 22.00 Pallet Deposit on Unilock "Standard" Pallets.                      \$ 28.00 Pallet Deposit on Unilock "Premium" Pallets.                      \$ 32.00 Pallet Deposit on Unilock "LTD" Pallets                      \$ 1.00 Usage fee on all "Unilock" Pallets returned                      \$ 36.00 Non-refundable deposit on all Bluestone Pallets                      \$ 5.00 Non-refundable deposit on all Northfield Pallets</p>					
<b>THIS QUOTATION IS GOOD FOR 24 HOURS.</b>					
<b>Subtotal</b>			\$7,540.80		
<b>Sales Tax (7.0%)</b>			\$0.00		
<b>Total</b>			\$7,540.80		

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ACCEPTING A PROPOSAL FROM TERRAIN LANDSCAPE CONTRACTORS FOR THE PREPARATION AND INSTALLATION OF A RETAINING WALL AT THE MUNICIPAL COMPLEX 1710 PLAINFIELD RD IN AN AMOUNT NOT TO EXCEED \$10,395**

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

**SECTION 1:** The City Council of the City of Darien does hereby accept a proposal from Terrain Landscape Contractors for the preparation and installation of a retaining wall at the Municipal Complex 1710 Plainfield Rd in an amount not to exceed \$10,395, attached hereto as "**Exhibit A**" and is by this reference expressly incorporated herein.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

\_\_\_\_\_  
JOSEPH MARCHESE, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



# Terrain

LANDSCAPE CONTRACTORS

City of Darien

9/20/2022

Re: Retaining wall projects.

Dan / Kris, here are your #'s for your retaining wall projects. This proposal is based on the City of Darien supplying all the materials needed to complete these projects. Please let me know if you have any questions. Respectfully Tim

Retaining wall project for the Darien Police Dept, installation of 315 In. ft. of Unilock Pisa XL. \$ 10,395.00

~~Retaining wall project for Alsworth & Stowers~~

~~\$25,250.00~~

**AGENDA MEMO**  
**Municipal Services Meeting**  
**September 26, 2022**

**ISSUE STATEMENT**

Approval of a [resolution](#) accepting a proposal from Illinois Landscape Supply, LLC., for the purchase and delivery of Unilock PISA retaining wall block and coping for the Ailsworth and Stewart Over Land Flow Drainage Project in an amount not to exceed \$11,186.60.

AND

Approval of a [resolution](#) accepting a proposal from JC Landscaping and Tree Services for the preparation and installation of a retaining wall for the Ailsworth and Stewart Over Land Flow Drainage Project in an amount not to exceed \$24,300.

**BACKGROUND**

**Stewart and Ailsworth-Side Yard Overflow Drainage Project**

During severe rain events, the 8600 block of Ailsworth Drive tends to hold up to 2.5 feet of storm water within the roadway and encroaches upon private property. While there has been no reports of private property structure damage, a residual amount of debris has deposited onto properties and Municipal Services has been engaged on the cleanup. The roadway flooding typically lasts from 15 to 45 minutes pending the rain event.

The storm sewer system drains over land from Farmingdale Unit 4 and Unit 2. The storm sewers lead to the intersection of Ailsworth and Stewart Drive. From the intersection, a 27-inch storm sewer drains westerly through the side yard easement between 8642 and 8652 Ailsworth Dr., where it then makes its way to the detention facilities/ponds within the Village of Woodridge. The subdivision was built under DuPage County in 1977 and subsequently was annexed into the City of Darien. Attached, as additional information, labeled as [Attachment A](#), is a City Council agenda, dated April 18, 2022 authorizing the project. Please note, the City was further awarded a 50/50 grant through the County of DuPage at a not to exceed \$75,000.

**Retaining Block Wall-Material**

Staff requested competitive quotes for the Unilock block and components and received the following quotes:

*Illinois Landscape Supply-\$11,186.60*

Tamelings Industry \$11,631.81

Unilock-\$12,993.68

**Preparation and Installation**

Staff had requested competitive quotes for the preparation and installation of the retaining walls and received the following two quotes:

*JC Landscaping \$24,300*

Terrain Landscape Contractors \$25,250

Attached and labeled, as [Attachment B](#) is a revised cost summary of the proposed cost expenditure and would be expended from the following line account:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>FY 22/23 BUDGET</b>	<b>PROPOSED EXPENDITURE-REVISED</b>	<b>PROPOSED BALANCE</b>
25-35-4376	CAPITAL STORM WATER PROJECT SUMMARY COST	\$ 150,000	\$ 105,000	\$ 45,000
	<b>DUPAGE COUNTY GRANT</b>	<b>GRANT FUNDS AWARDED</b>	<b>PROPOSED COST SHARE ELIGIBLE 50/50</b>	<b>PROPOSED BALANCE</b>
25-35-4376	CAPITAL STORM WATER PROJECT SUMMARY COST	\$ 75,000	\$ 52,500	\$ 97,500

**STAFF RECOMMENDATION**

Staff recommends approval of the resolutions as submitted.

**ALTERNATE CONSIDERATION**

As directed by the Municipal Services Committee

**DECISION MODE**

This item will be placed on the October 3, 2022 City Council agenda, for formal approval.

**AGENDA MEMO**  
**City Council**  
**April 18, 2022**

**ISSUE STATEMENT**

A **resolution** authorizing Public Works Project FYE23-PW6 for the storm water improvements for the Ailsworth Drive Project in an amount not to exceed \$148,000.

**BACKGROUND**

During severe rain events, the 8600 block of Ailsworth Drive tends to hold up to 2.5 feet of storm water within the roadway and encroaches upon private property. While there has been no reports of private property structure damage, a residual amount of debris has deposited onto properties and Municipal Services has been engaged on the cleanup. The roadway flooding typically lasts from 15 to 45 minutes pending the rain event. An evaluation was completed by Christopher B. Burke Engineering for ponding concerns during intense rain events and is referred to as the Ailsworth Drive and Stewart Drive review, see attached memo labeled as **Attachment A**.

The storm sewer system drains over land from Farmingdale Unit 4 and Unit 2. The storm sewers lead to the intersection of Ailsworth and Stewart Drive. See **Attachment B**. From the intersection, a 27-inch storm sewer drains westerly through the side yard easement between 8642 and 8652 Ailsworth Dr., where it then makes its way to the detention facilities/ponds within the Village of Woodridge. The subdivision was built under DuPage County in 1977 and subsequently was annexed into the City of Darien.

Several alternatives were reviewed and are summarized within **Attachment A**. Upon field review, Staff and CBBEL determined that the optimal solution was Alternative 3. Alternative 3, would include the following scope of work:

Install a second 24 inch diameter storm sewer next to the existing 27 inch storm sewer from the street through the easement area  
 Purchase and installation of curb inlets and manholes  
 Removal and replacement of curb and gutter and sidewalk  
 Retaining Wall-Extent of work to be determined upon final grade

The proposed work would be completed by the Municipal Services Department and City Council FY22-23 awarded vendors. Several specialty items and services will be required and competitive quotes will be secured. Those items include custom concrete structures, concrete structure setting, and retaining wall material and installation services. All pricing for the project has been estimated through the attached cost summary. See **Attachment C**.

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

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 22/23 BUDGET	PROPOSED EXPENDITURE	BALANCE
25-35-4376	CAPITAL STORM WATER PROJECTS	\$ 150,000	\$ 148,000	\$ 2,000

**COMMITTEE RECOMMENDATION**

The municipal Services Committee recommends approval of a resolution authorizing Public Works Project FYE23-PW6 for the storm water improvements for the Ailsworth Drive Project in an amount not to exceed \$148,000.

**ALTERNATE CONSIDERATION**

As directed by the City Council.

**DECISION MODE**

This item will be placed on the April 18, 2022, City Council agenda for formal approval.



**CHRISTOPHER B. BURKE ENGINEERING, LTD.**

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

November 8, 2021

City of Darien  
1702 Plainfield Road  
Darien, IL 60561

Attention: Dan Gombac

Subject: Ailsworth Drive Drainage  
(CBBEL Project No. 950323.H236)

Dear Dan:

As requested, we have evaluated the street ponding which occurs during heavy rain at the intersection of Ailsworth Drive and Stewert Drive. As you know, this area is located in the Farmingdale Village Unit 4 subdivision which was recorded in 1977. The storm sewer system drains land from most of Unit 4 as well as land from Unit 2. The storm sewers and overland flow routes lead to the intersection of Ailsworth and Stewert Drives, and during severe downpours, the intersection will flood to unacceptable depths. From the intersection, a 27 inch storm sewer drain westerly through the side yard between 8642 and 8652 Ailsworth, where it then makes its way to ponds in Woodridge. We have evaluated multiple options to help alleviate the flooding conditions.

First, we have considered grading an overland flow swale in the side yards between 8642 and 8652 Ailsworth. In this location, there is an existing 10 foot wide Public Utility and Drainage Easement, which the storm sewer is also in. Currently, the ground elevation in the side yard is approximately 2.5 to 3 feet higher than the flow line of the gutters in the street. During severe high intensity rainfall, water inundates the intersection until it can drain down through the storm sewer system. By lowering the overflow route within the easement to no higher than the top of curb within the right of way, the depth of ponding in the street could be reduced. Although the frequency of inundation would not change, the depth of flooding would be reduced to approximately one foot or less. Because there is only a 10 foot wide easement, it will be necessary to install retaining walls along both sides of the swale. It is anticipated that the maximum wall height would be no more than three feet. Our preliminary opinion of probable cost for final engineering design and construction of this alternative is \$30,000 to \$35,000.

Second, we have considered an option to install a second storm sewer from the street to the rear yard stormwater area. This is a length of approximately 180 feet and located within the same 10 wide Public Utility and Drainage Easement as referenced above. We have calculated

that a 24 inch diameter storm sewer would carry the necessary flow to eliminate street inundation up to a 100 year rainfall intensity. The existing storm sewer in the easement is 27 inch diameter, and it is anticipated that the additional storm sewer can be installed along side the existing sewer within the easement. Additional curb inlets and manholes would be necessary as well. Our preliminary opinion of probable cost for final engineering and construction of this alternative is \$100,000 to \$110,000. It is important to note that the outlot to which this sewer will extend to is outside the City of Darien and it will be necessary to coordinate with the Village of Woodridge, and possible the private property owner, to complete this project.

The third alternative would be a combination of the first two. With an overland flow route, a smaller storm sewer may be considered for a more economical alternative. The lowered overflow route would reduce the depth of flooding, and the additional storm sewer would reduce the frequency of inundation, and also increase the drain-down time when there is flooding. Under this scenario, an 18 inch storm sewer would be installed along side of the 27 inch storm sewer, and the overflow route as described in the first option would also be installed. Our preliminary opinion of probable cost for final engineering and construction is \$110,000 to \$120,000. As with the second option, it will be necessary to coordinate with Woodridge for work on the outlot.

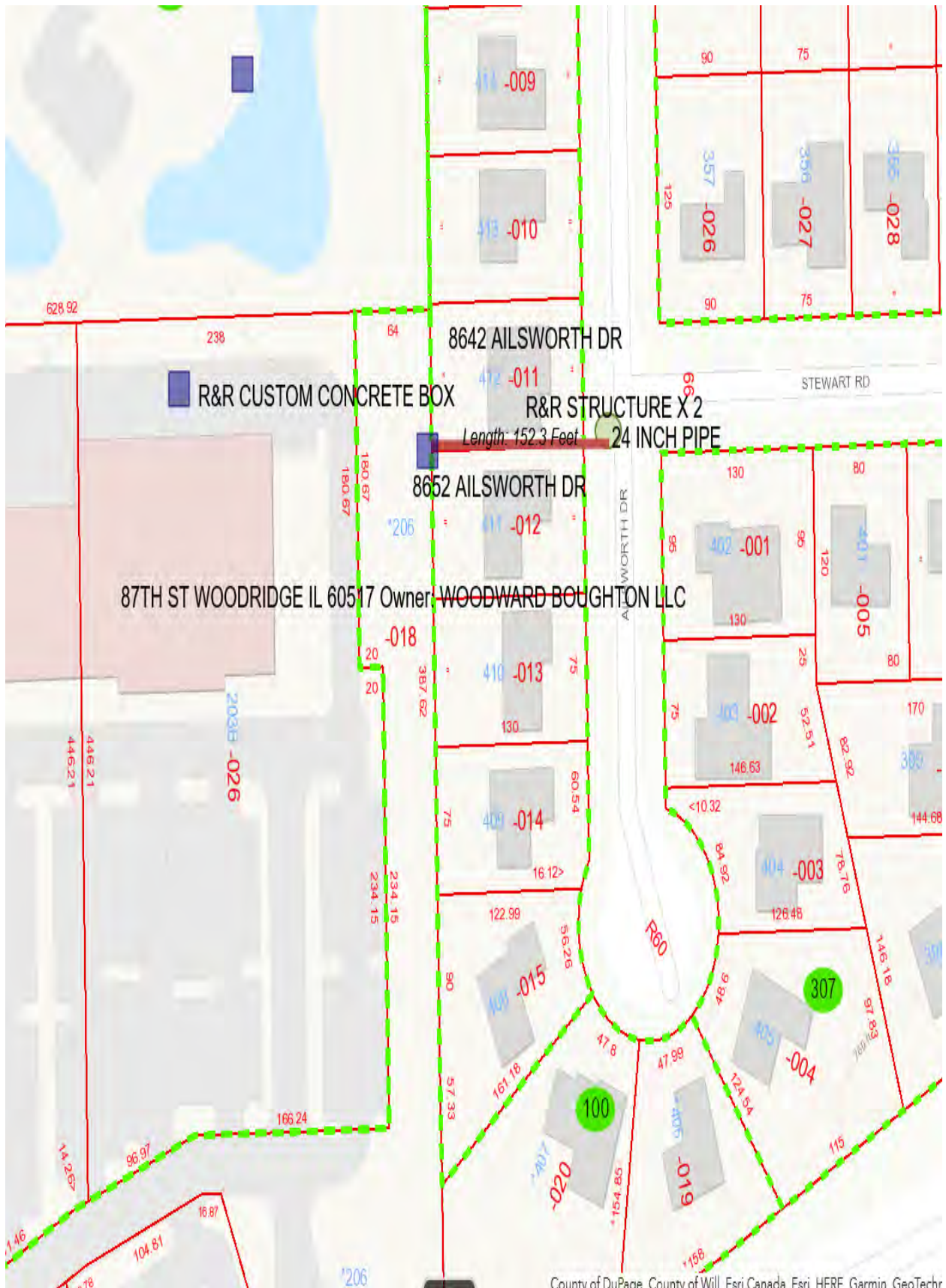
If you have any questions, please feel free to contact me.

Sincerely,



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

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JOB LOCATION	8642-8652 AILSWORTH DRIVE							
	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST	ACTUAL UNITS	FINAL COST	AWARDED VENDOR
12-INCH PIPE SDR26			LINEAL FT	\$ 32.15	\$ -	-	\$ -	
16-INCH PIPE SDR26	0		LINEAL FT	\$ 61.20	\$ -	-	\$ -	
CMP								
12-INCH CULVERT METAL PIPE	0		LINEAL FT	\$ 19.90	\$ -	-	\$ -	
15-INCH CULVERT METAL PIPE	0		LINEAL FT	\$ 26.20	\$ -	-	\$ -	
18-INCH CULVERT METAL PIPE	0		LINEAL FT	\$ 33.25	\$ -	-	\$ -	
24-INCH CULVERT METAL PIPE	180		LINEAL FT	\$ 43.20	\$ 7,776.00	-	\$ -	
42-INCH CULVERT METAL PIPE	0		LINEAL FT	\$ 95.85	\$ -	-	\$ -	
12-INCH BAND CMP	0		EACH	\$ 42.00	\$ -	-	\$ -	
15-INCH BAND CMP	0		EACH	\$ 48.00	\$ -	-	\$ -	
18-INCH BAND CMP	0		EACH	\$ 59.00	\$ -	-	\$ -	
24-INCH BAND CMP	0		EACH	\$ 75.00	\$ -	-	\$ -	
42-INCH BAND CMP	0		EACH	\$ 168.00	\$ -	-	\$ -	
12-INCH FES	0		EACH	\$ 103.00	\$ -	-	\$ -	
15-INCH FES	0		EACH	\$ 142.00	\$ -	-	\$ -	
18-INCH FES	0		EACH	\$ 192.00	\$ -	-	\$ -	
HDPE								
4-INCH HDPE PIPE WITH SOCK N12	0		LINEAL FT	\$ 2.01	\$ -	-	\$ -	
6-INCH HDPE PIPE WITH SOCK N12	250		LINEAL FT	\$ 5.08	\$ 1,270.00	-	\$ -	
12-INCH HDPE PIPE WITH SOCK N12	0		LINEAL FT	\$ 9.49	\$ -	-	\$ -	
12-INCH HDPE	0		LINEAL FT	\$ 8.65	\$ -	-	\$ -	
15-INCH HDPE	0		LINEAL FT	\$ 12.03	\$ -	-	\$ -	
18-INCH HDPE	0		LINEAL FT	\$ 16.54	\$ -	-	\$ -	
24-INCH HDPE	0		LINEAL FT	\$ 28.61	\$ -	-	\$ -	
24-INCH HDPE	0		LINEAL FT	\$ 50.81	\$ -	-	\$ -	
12-INCH BAND HDPE	0		EACH	\$ 15.00	\$ -	-	\$ -	
15-INCH BAND HDPE	0		EACH	\$ 25.00	\$ -	-	\$ -	
24-INCH BAND HDPE	0		EACH	\$ 60.00	\$ -	-	\$ -	
12-INCH HDPE FES	0		EACH	\$ 237.00	\$ -	-	\$ -	
15-INCH HDPE FES	0		EACH	\$ 237.00	\$ -	-	\$ -	
GARDEN INLETS								
12x12 GARDEN INLETS 2 HOLES			EACH	\$ 32.00	\$ -	-	\$ -	
12x12 GARDEN INLETS 2 HOLES	0		EACH	\$ 50.00	\$ -	-	\$ -	
CONNECTORS 4-INCH	0		EACH	\$ 3.50	\$ -	-	\$ -	
CONNECTORS 6-INCH	0		EACH	\$ 7.50	\$ -	-	\$ -	
GARDEN INLET AVERAGE COST	0			\$ 93.00	\$ -	-	\$ -	
IRON STRUCTURES								
BEEHIVE GRATE EAST JORDAN 6527	1		EACH	\$ 183.37	\$ 183.37	-	\$ -	
EJ 7000 WITH M112 CURB FRAME ROLL TYPE NAPERVILLE STYLE	2		EACH	\$ 429.00	\$ 858.00	-	\$ -	
MANHOLE STRUCTURES CUSTOM	1		EACH	\$ 10,000.00	\$ 10,000.00	-	\$ -	
CONCRETE STRUCTURES								
2 X 18 INLET	0		EACH	\$ 105.00	\$ -	-	\$ -	
2 X 24 INLET	0		EACH	\$ 105.00	\$ -	-	\$ -	
2 X 30 INLET	2		EACH	\$ 125.00	\$ 250.00	-	\$ -	
2 X 36 INLET	0		EACH	\$ 150.00	\$ -	-	\$ -	
RINGS	5		EACH	\$ 23.00	\$ 115.00	-	\$ -	
CONCRETE FLATWORK								
CURB AND GUTTER	100		LINEAL FT	\$ 23.00	\$ 2,300.00	-	\$ -	
SIDEWALK	150		SQ FT	\$ 6.60	\$ 990.00	-	\$ -	
APRONS					\$ -			
APRONS	0		SQ FT	\$ 6.90	\$ -	-	\$ -	
TOTAL LENGTH (FT):	0						\$ -	
WIDTH (FT):	0						\$ -	
AREA (SY):	0						\$ -	
SEALER	0		SQ FT	\$ 4.50	\$ 450.00	-	\$ -	
ASPHALT								
BITUMINOUS APRON/STREET CROSSING-SURFACE	222		SQ YD	\$ 47.00	\$ 10,434.00	-	\$ -	
TOTAL LENGTH (FT):	100						\$ -	
WIDTH (FT):	20						\$ -	
AREA (SY):	222						\$ -	
TOP SOIL-MATERIAL	47		CUBIC YARD	\$ 16.00	\$ 752.00	-	\$ -	
TOTAL LENGTH (FT):	160						\$ -	
WIDTH (FT):	25						\$ -	
AREA (CY):	47						\$ -	
TOP SOIL-INSTALLED	47		CUBIC YARD	\$ 35.00	\$ 1,645.00	-	\$ -	
TOTAL LENGTH (FT):	160						\$ -	
WIDTH (FT):	25						\$ -	
AREA (CY):	47						\$ -	
SOD-INSTALLED	444		SQUARE YARD	\$ 9.50	\$ 4,218.00	-	\$ -	
TOTAL LENGTH (FT):	160						\$ -	
WIDTH (FT):	25						\$ -	
AREA (SF):	4000						\$ -	
STONE GRADE 8-CA-6	37.26		TON	\$ 15.50	\$ 577.53	-	\$ -	
TOTAL LENGTH (FT):	160						\$ -	
WIDTH (FT):	2						\$ -	
AREA (SY):	36						\$ -	
STONE GRADE CA-7	51.175		TON	\$ 20.65	\$ 1,056.76	-	\$ -	
TOTAL LENGTH (FT):	160						\$ -	
WIDTH (FT):	5						\$ -	
AREA (SY):	89						\$ -	
ANALYTICAL TESTING	1		LUMP SUM	\$ 20.00	\$ 20.00	-	\$ -	
DUMP FEES	47		PER SITE	\$ 82.00	\$ 3,854.00	-	\$ -	
TOTAL LENGTH (FT):	170						\$ -	
WIDTH (FT):	25						\$ -	
AREA (CY):	472						\$ -	
DUMP FEES-SOD CONTAMINATED SPOILS	0		PER LOAD	\$ 200.00	\$ -	-	\$ -	
TOTAL LENGTH (FT):	0						\$ -	
WIDTH (FT):	0						\$ -	
AREA (CY):	0						\$ -	
TRUCKING	47		PER LOAD	\$ 100.00	\$ 4,700.00	-	\$ -	
TREE REMOVAL	-		LUMP SUM	\$ 7,500.00	\$ -	-	\$ -	
TRAFFIC CONTROL	0		LUMP SUM	\$ 20,000.00	\$ -	-	\$ -	
SUB-TOTAL COST					\$ 51,449.66	-	\$ -	
MISC-BRICK/ ADJ RINGS,MORTAR,MASTIC, WATER QUALITY STORM SEWER EPA REG	\$ 2,572.48		EACH	10% of Subtotal	\$ 2,572.48	-	\$ -	
SUB-TOTAL COST					\$ 54,022.14	-	\$ -	
EXCAVATION-GRADING	24.00		PER HR	\$ 500.00	\$ 12,000.00	-	\$ -	
REMOVAL								
4-INCH EXCAVATION PER FOOT-REMOVAL OF PIPE	-		LINEAL FOOT	\$ 20.00	\$ -	-	\$ -	
6-INCH EXCAVATION PER FOOT-REMOVAL OF PIPE	-		LINEAL FOOT	\$ 20.00	\$ -	-	\$ -	
12-INCH EXCAVATION PER FOOT-REMOVAL OF PIPE	-		LINEAL FOOT	\$ 20.00	\$ -	-	\$ -	
STRUCTURE REMOVAL	2.00		EACH	\$ 100.00	\$ 200.00	-	\$ -	
4-INCH CORRUGATED PIPE-INSTALLATION	-		LINEAL FOOT	\$ 10.00	\$ -	-	\$ -	
6-INCH CORRUGATED PIPE-INSTALLATION	-		LINEAL FOOT	\$ 10.00	\$ -	-	\$ -	
12-INCH PIPE-INSTALLATION	170.00		LINEAL FOOT	\$ 65.00	\$ 11,050.00	-	\$ -	
24-INCH								
CONTRACT STRUCTURE INSTALL	-		EACH	\$ 400.00	\$ -	-	\$ -	
INSTALL 12X12 INLET BOXES	-		EACH	\$ 100.00	\$ -	-	\$ -	
FLARED END SECTIONS	-		EACH	\$ 500.00	\$ -	-	\$ -	
LAYOUT	8.00		HOURLY	\$ 500.00	\$ 4,000.00	-	\$ -	
RETAINING WALL	1.00		LUMP SUM	\$ 60,000.00	\$ 60,000.00	-	\$ -	
OUTSOURCE COST					\$ 87,250.00	-	\$ -	
SUB TOTAL COST					\$ 141,272.14	-	\$ -	
CONTINGENCY	5%		LUMP SUM	5.00%	\$ 7,063.61	-	\$ -	
TOTAL COST					\$ 148,335.75	-	\$ -	



RESOLUTION NO. R-40-22

**A RESOLUTION AUTHORIZING PUBLIC WORKS PROJECT FYE23-PW6 FOR THE STORM WATER IMPROVEMENTS FOR THE AILSWORTH DRIVE PROJECT IN AN AMOUNT NOT TO EXCEED \$148,000**

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

**SECTION 1:** The City Council of the City of Darien hereby authorizes the Mayor and City Clerk to approve the Public Works Project FYE23-PW6 for the storm water improvements for the Ailsworth Drive project in an amount not to exceed \$148,000.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 18<sup>th</sup> day of April, 2022.**

AYES: 6 - Belczak, Chlystek Gustafson, Kenny, Schauer, Sullivan

NAYS: 0 - NONE

ABSENT: 1 - Vaughan

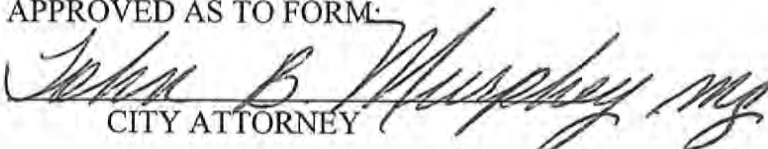
**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 18<sup>th</sup> day of April, 2022.**

ATTEST:

  
JOANNE E. RAGONA, CITY CLERK

  
JOSEPH MARCHESE, MAYOR

APPROVED AS TO FORM:

  
CITY ATTORNEY



JOB LOCATION		8642-8652 AILSWORTH DRIVE				ACTUAL UNITS
DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST		
12-INCH PIPE SDR26		LINEAL FT	\$ 32.15	\$ -	-	
16-INCH PIPE SDR26	0	LINEAL FT	\$ 61.20	\$ -	-	
CMP						
12-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 19.90	\$ -	-	
15-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 26.20	\$ -	-	
18-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 33.25	\$ -	-	
24-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 43.20	\$ -	-	
42-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 95.85	\$ -	-	
12-INCH BAND CMP	0	EACH	\$ 42.00	\$ -	-	
15-INCH BAND CMP	0	EACH	\$ 48.00	\$ -	-	
18-INCH BAND CMP	0	EACH	\$ 59.00	\$ -	-	
24-INCH BAND CMP	0	EACH	\$ 75.00	\$ -	-	
42-INCH BAND CMP	0	EACH	\$ 168.00	\$ -	-	
12-INCH FES	0	EACH	\$ 103.00	\$ -	-	
15-INCH FES	0	EACH	\$ 142.00	\$ -	-	
18-INCH FES	0	EACH	\$ 192.00	\$ -	-	
HDPE						
4-INCH HDPE PIPE WITH SOCK N12	0	LINEAL FT	\$ 2.01	\$ -	-	
6-INCH HDPE PIPE WITH SOCK N12	250	LINEAL FT	\$ 5.08	\$ 1,270.00	-	
12-INCH HDPE PIPE WITH SOCK N12	0	LINEAL FT	\$ 9.49	\$ -	-	
12-INCH HDPE	0	LINEAL FT	\$ 8.65	\$ -	-	
15-INCH HDPE	0	LINEAL FT	\$ 12.03	\$ -	-	
18-INCH HDPE	0	LINEAL FT	\$ 16.54	\$ -	-	
24-INCH HDPE	0	LINEAL FT	\$ 28.61	\$ -	-	
24-INCH HDPE	0	LINEAL FT	\$ 50.81	\$ -	-	
12-INCH BAND HDPE	0	EACH	\$ 15.00	\$ -	-	
15-INCH BAND HDPE	0	EACH	\$ 25.00	\$ -	-	
24-INCH BAND HDPE	0	EACH	\$ 60.00	\$ -	-	
12-INCH HDPE FES	0	EACH	\$ 237.00	\$ -	-	
15-INCH HDPE FES	0	EACH	\$ 237.00	\$ -	-	
GARDEN INLETS						
12x12 GARDEN INLETS 2 HOLES		EACH	\$ 32.00	\$ -	-	
12x12 GARDEN INLETS 2 HOLES	0	EACH	\$ 50.00	\$ -	-	
CONNECTORS 4-INCH	0	EACH	\$ 3.50	\$ -	-	
CONNECTORS 6-INCH	0	EACH	\$ 7.50	\$ -	-	
GARDEN INLET AVERAGE COST	0		\$ 93.00	\$ -	-	
IRON STRUCTURES						
BEEHIVE GRATE EAST JORDAN 6527	1	EACH	\$ 183.37	\$ 183.37	-	
EJ 7000 WITH M112 CURB FRAME ROLL TYPE NAPERVILLE STYLE	2	EACH	\$ 429.00	\$ 858.00	-	
MANHOLE STRUCTURES CUSTOM	2	EACH	\$ 2,500.00	\$ 5,000.00	-	
CONCRETE STRUCTURES						
2 X 18 INLET	0	EACH	\$ 105.00	\$ -	-	
2 X 24 INLET	0	EACH	\$ 105.00	\$ -	-	
2 X 30 INLET	2	EACH	\$ 125.00	\$ 250.00	-	
2 X 36 INLET	0	EACH	\$ 150.00	\$ -	-	
RINGS	5	EACH	\$ 23.00	\$ 115.00	-	
CONCRETE FLATWORK						
CURB AND GUTTER	100	LINEAL FT	\$ 23.00	\$ 2,300.00	-	
SIDEWALK	150	SQ FT	\$ 6.60	\$ 990.00	-	
APRONS				\$ -	-	
APRONS	0	SQ FT	\$ 6.90	\$ -	-	
TOTAL LENGTH (FT)=	0				-	
WIDTH (FT)=	0				-	
AREA (SY)=	0				-	
SEALER	0	SQ FT	\$ 4.50	\$ 450.00	-	
ASPHALT						
BITUMINOUS APRON/STREET CROSSING-SURFACE	222	SQ YD	\$ 47.00	\$ 10,434.00	-	
TOTAL LENGTH (FT)=	100				-	
WIDTH (FT)=	20				-	
AREA (SY)=	222				-	
TOP SOIL-MATERIAL	89	CUBIC YARD	\$ 16.00	\$ 1,424.00	-	
TOTAL LENGTH (FT)=	300				-	
WIDTH (FT)=	25				-	
AREA (CY)=	89				-	
TOP SOIL-INSTALLED	89	CUBIC YARD	\$ 35.00	\$ 3,115.00	-	
TOTAL LENGTH (FT)=	300				-	
WIDTH (FT)=	25				-	
AREA (CY)=	89				-	
SOD-INSTALLED	833	SQUARE YARD	\$ 9.50	\$ 7,913.50	-	
TOTAL LENGTH (FT)=	300		\$ -		-	
WIDTH (FT)=	25				-	
AREA (SF)=	7500				-	
STONE GRADE 8-CA-6	37.26	TON	\$ 15.50	\$ 577.53	-	
TOTAL LENGTH (FT)=	160				-	
WIDTH (FT)=	2				-	
AREA (SY)=	36				-	
STONE GRADE CA-7	51.175	TON	\$ 20.65	\$ 1,056.76	-	
TOTAL LENGTH (FT)=	160				-	
WIDTH (FT)=	5				-	
AREA (SY)=	89				-	
ANALYTICAL TESTING	1	LUMP SUM	\$ 20.00	\$ 20.00	-	
DUMP FEES	56	PER SITE	\$ 82.00	\$ 4,592.00	-	
TOTAL LENGTH (FT)=	200		\$ -		-	
WIDTH (FT)=	25				-	
AREA (CY)=	556				-	
DUMP FEES-SOD CONTAMINATED SPOILS	0	PER LOAD	\$ 200.00	\$ -	-	
TOTAL LENGTH (FT)=	0		\$ -		-	
WIDTH (FT)=	0				-	
AREA (CY)=	0				-	
TRUCKING	56	PER LOAD	\$ 112.00	\$ 6,272.00	-	
TREE REMOVAL	-	LUMP SUM	\$ 7,500.00	\$ -	-	
TRAFFIC CONTROL	0	LUMP SUM	\$ 20,000.00	\$ -	-	
SUB-TOTAL COST				\$ 46,821.16	-	
MISC-BRICK/ ADJ RINGS,MORTAR,MASTIC, WATER QUALITY STORM SEWER EPA REG	\$ 2,341.06	EACH	10% of Subtotal	\$ 2,341.06	-	
SUB-TOTAL COST				\$ 49,162.22	-	
EXCAVATION-GRADING	24.00	PER HR	\$ 500.00	\$ 12,000.00	-	
REMOVAL						
4-INCH EXCAVATION PER FOOT-REMOVAL OF PIPE	-	LINEAL FOOT	\$ 20.00	\$ -	-	
6-INCH EXCAVATION PER FOOT-REMOVAL OF PIPE	-	LINEAL FOOT	\$ 20.00	\$ -	-	
12-INCH EXCAVATION PER FOOT-REMOVAL OF PIPE	-	LINEAL FOOT	\$ 20.00	\$ -	-	
STRUCTURE REMOVAL	2.00	EACH	\$ 100.00	\$ 200.00	-	
4-INCH CORRUGATED PIPE-INSTALLATION	-	LINEAL FOOT	\$ 10.00	\$ -	-	
6-INCH CORRUGATED PIPE-INSTALLATION	-	LINEAL FOOT	\$ 10.00	\$ -	-	
12-INCH PIPE-INSTALLATION	-	LINEAL FOOT	\$ 65.00	\$ -	-	
24-INCH						
CONTRACT STRUCTURE INSTALL	-	EACH	\$ 400.00	\$ -	-	
INSTALL 12X12 INLET BOXES	-	EACH	\$ 100.00	\$ -	-	
FLARED END SECTIONS	-	EACH	\$ 500.00	\$ -	-	
LAYOUT	8.00	HOURLY	\$ 500.00	\$ 4,000.00	-	
RETAINING WALL	1.00	LUMP SUM	\$ 35,486.00	\$ 35,486.00	-	
OUTSOURCE COST				\$ 51,686.00	-	
SUB TOTAL COST				\$ 100,848.22	-	
CONTINGENCY	5%	LUMP SUM	5.00%	\$ 5,042.41	-	
TOTAL COST				\$ 105,890.63	-	





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ACCEPTING A PROPOSAL FROM ILLINOIS LANDSCAPE SUPPLY, LLC., FOR THE PURCHASE AND DELIVERY OF UNILOCK PISA RETAINING WALL BLOCK AND COPING FOR THE AILSWORTH AND STEWART OVER LAND FLOW DRAINAGE PROJECT IN AN AMOUNT NOT TO EXCEED \$11,186.60**

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

**SECTION 1:** The City Council of the City of Darien does hereby accept a proposal from Illinois Landscape Supply, LLC., for the purchase and delivery of Unilock PISA retaining wall block and coping for the Ailsworth and Stewart Over Land Flow Drainage Project in an amount not to exceed \$11,186,60 attached hereto as "[Exhibit A](#)" and is by this reference expressly incorporated herein.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3<sup>rd</sup> day of October 2022.**

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3<sup>rd</sup> day of October 2022.**

\_\_\_\_\_  
JOSEPH MARCHESE, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



60 Wolf Road  
 Oswego, IL 60543  
 815-267-3311  
 F: 815-267-3399

# PROPOSAL

Date	Proposal #
9/20/2022	22-11402

<b>Name / Address</b>
City of Darien Dan Gombac 1702 Plainfield Rd. Darien, IL 60561

<b>Job Name / Address</b>
Ailsworth & Betar <i>Stent</i> Darien

Phone #	Terms	Ship Date	Ship Via	Rep	Project
	Net ~ 30	10/15/2022		MDW	
Qty	Description	Unit Price	Total		
1,024	C/ Direct Load UNILOCK PISA XL - Granite - per single unit (32 pal)	7.70	7,884.80		
168	C/ Direct Load UNILOCK Pisa II Coping 12"- Granite per double unit (4 pal)	7.35	1,234.80		
36	UNILOCK STANDARD Unilock Pallets	22.00	792.00		
3	Delivery Charge--Direct Load ILS Truck-Semi w/ machine	425.00	1,275.00		

<p>This quotation is based on information provided by contractor.</p> <p>This quotation is a service provided by Illinois Landscape Supply, LLC.</p> <p>This is a "Unit Price Quote" only.</p> <p>Illinois Landscape Supply will not be held liable for any discrepancies in actual purchase quantities to quantities quoted herein.</p> <p>\$ 22.00 Pallet Deposit on Unilock "Standard" Pallets.                  \$ 28.00 Pallet Deposit on Unilock "Premium" Pallets.                  \$ 32.00 Pallet Deposit on Unilock "LTD" Pallets.                  \$ 1.00 Usage fee on all "Unilock" Pallets returned                  \$ 36.00 Non-refundable deposit on all Bluestone Pallets                  \$ 5.00 Non-refundable deposit on all Northfield Pallets</p>	<p><b>THIS QUOTATION IS GOOD FOR 24 HOURS.</b></p>
	<p><b>Subtotal</b> \$11,186.60</p>
	<p><b>Sales Tax (7.0%)</b> \$0.00</p>
	<p><b>Total</b> \$11,186.60</p>



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ACCEPTING A PROPOSAL FROM JC LANDSCAPING AND TREE SERVICES FOR THE PREPARATION AND INSTALLATION OF A RETAINING WALL FOR THE AILSWORTH AND STEWART OVER LAND FLOW DRAINAGE PROJECT IN AN AMOUNT NOT TO EXCEED \$24,300**

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

**SECTION 1:** The City Council of the City of Darien does hereby accept a proposal from JC Landscaping and Tree Services for the preparation and installation of a retaining wall for the Ailsworth and Stewart over Land Flow Drainage Project in an amount not to exceed \$24,300, attached hereto as “[Exhibit A](#)” and is by this reference expressly incorporated herein.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 3<sup>rd</sup> day of October 2022.

\_\_\_\_\_  
JOSEPH MARCHESE, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## ESTIMATE



<b>Estimate #</b>	85
<b>Date</b>	Sep 14, 2022
<b>Total</b>	\$24,300.00 USD

**JC Landscaping & Tree Service inc.**

1210 Plainfield Rd  
Oswego IL 60543  
United States  
Phone: 630 464 0736  
mejiaj0424@gmail.com

**Estimate To:****City of Darien**

1041 S. Frontage Road  
Darien IL 60561

**AILWORTH AND STEWERT RETAINING WALL PROPOSAL**

#	Products	Quantity	Unit Price	Amount
1.	Installation of 270 linear ft of retaining wall (5) brick high with (1) closing cap	1	\$24,300.00	\$24,300.00
2.	Grading and removal of soil to make the swale between the two brick wall CONTRACT PRICE	1	\$0.00	\$0.00
3.	Landscaping restoration CONTRACT PRICE	1	\$0.00	\$0.00

<b>Sub Total</b>	<b>\$24,300.00 USD</b>
<b>Total</b>	<b>\$24,300.00 USD</b>

**MINUTES  
CITY OF DARIEN  
MUNICIPAL SERVICES COMMITTEE MEETING  
September 6, 2022**

**PRESENT:** Alderman Thomas Belczak -Chairman, Alderman Joseph Kenny, Dan Gombac – Director

**ABSENT:** Alderman Eric Gustafson

**ESTABLISH QUORUM**

Chairperson Thomas Belczak called the meeting to order at 6:30 p.m. at the City of Darien City Hall, 1702 Plainfield Road, Darien, Illinois. Chairperson Belczak declared a quorum present.

**New Business**

- a. **Ordinance – Approval to amend the liquor code to expand the number of Class K liquor licenses from three (3) to four (4) for a sale at retail beer and wine license at Burrito Paradise.**

Mr. Dan Gombac, Director reported that Mayor Marchese received a request from Burrito Paradise restaurant for a sale at retail beer and wine license for on-site consumption. He reported that the license required for the request is a K License and would increase the number of K licenses from three to four. Mr. Gombac reported that the owner will sign the non-video gaming waiver and that Mayor Marchese as Liquor Commissioner has indicated he supports the request.

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

**Alderman Kenny made a motion, and it was seconded by Alderman Belczak approval of an Ordinance amending the liquor code to expand the number of Class K liquor licenses from three (3) to four (4) for a sale at retail beer and wine license at Burrito Paradise.**

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

- b. **Resolution – Authorizing the purchase, installation and wiring of five (5) streetlights for the Farmingdale Drive Streetlight Improvement Project with Rags Electric in an amount not to exceed \$32,500.00.**

Mr. Dan Gombac, Director reported that the existing streetlights within the City's right of way of the 7500 block of Farmingdale Drive do not operate due to faulty cables and/or fixture problems. He reported the City's streetlight system is constructed within right of ways, wired to a Com Ed transformer and assigned an account number.

Mr. Gombac reported that the existing lighting system is wired to the adjacent buildings fronting the five streetlights. He reported that staff has reviewed City records and were unable to locate any agreement regarding the existing arrangement of the private streetlights placed in a right of



way and wired to a residential building. He further reported that the management has further requested of the City to take over the maintenance and responsibility of the streetlights.

Mr. Gombac reported that staff plans to remove the existing lighting infrastructure and replace up to five of the City's standard aluminum pole, LED fixtures and rewire to a central controller to be installed within an adjacent easement and be owned and operated by the City.

Alderman Joe Kenny questioned if staff anticipates a price increase. Mr. Gombac reported that he did not believe there would be a price increase.

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

**Alderman Belczak made a motion, and it was seconded by Alderman Kenny approval of a Resolution authorizing the purchase, installation and wiring of five (5) streetlights for the Farmingdale Drive Streetlight Improvement Project with Rags Electric in an amount not to exceed \$32,500.00.**

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

- c. **Resolution - Approval of a Supplemental Illinois Department of Transportation Resolution, (IDOT BLR 14220) authorizing the expenditure of Motor Fuel Tax (MFT) funds for the FY 2021/22 General Maintenance - maintenance of various streets and rights of way that impact the City streets, in an amount not to exceed \$23,479.43.**

Mr. Dan Gombac, Director reported that the City Council approved an Illinois Department of Transportation Resolution for FY21/22 in the amount of \$616,626.37 for Motor Fuel Tax Fund (MFT) expenditures. He reported that the City is required to provide IDOT an annual expenditure close out report.

Mr. Gombac reported that the main cost increase was due to the emergency tree removal from the June 20, 2021 tornado and the result is an increase of the Motor Fuel Tax expenditure in the amount of \$23,479.43, for a total expenditure of \$640,105.80. He reported that per the IDOT guidelines, that a Supplemental Resolution for the expenditure is required.

Chairperson Belczak questioned if this would affect the budget. Mr. Gombac reported that it would not.

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

**Alderman Belczak made a motion, and it was seconded by Alderman Kenny approval of a Supplemental Illinois Department of Transportation Resolution, (IDOT BLR 14220) authorizing the expenditure of Motor Fuel Tax (MFT) funds for the FY 2021/22 General Maintenance - maintenance of various streets and rights of way that impact the City streets, in an amount not to exceed \$23,479.43.**

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

**d. Minutes – August 1, 2022 Municipal Services Committee**

**Alderman Kenny made a motion, and it was seconded by Alderman Belczak approval of the August 1, 2022, Municipal Services Committee Meeting Minutes.**

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

**DIRECTOR'S REPORT**

Mr. Dan Gombac, Director reported on ordering LED street lights.

**NEXT SCHEDULED MEETING**

Chairperson Belczak announced that the next meeting is scheduled for Monday, October 6, 2022.

**ADJOURNMENT**

**With no further business before the Committee, Alderman Belczak made a motion, and it was seconded by Alderman Kenny to adjourn. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 6:45 p.m.**

**RESPECTFULLY SUBMITTED:**

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**Thomas Belczak  
Chairman**

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**Eric Gustafson  
Alderman**

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**Joseph Kenny  
Alderman**