CITY OF DARIEN PLANNING AND ZONING COMMISSION

Wednesday, July 6, 2022 7:00 PM City Hall Council Chambers 1702 Plainfield Road

AGENDA

- 1) Call to Order
- 2) Roll Call
- 3) Regular Meeting New Business (See Page 6)
 - 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.
- 4) Regular Meeting Old Business
 - a. None.
- 5) Staff Updates & Correspondence

6) Approval of Minutes June 15, 2022

7) Next Meeting July 20, 2022

8) Public Comments [On Any Topic Related to Planning and Zoning]

9) Adjournment

MINUTES CITY OF DARIEN PLANNING & ZONING COMMISSION MEETING June 15, 2022

PRESENT: Lou Mallers – Chairperson, Robert Erickson, Shari Gillespie, Hilda

Gonzalez, Chris Jackson, Brian Liedtke, Ralph Stompanato

ABSENT: Bryan Gay, Julie Kasprowicz

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/OLD BUSINESS:

- a. Public Hearing PZC2022-02 201375TH Street Variations Petitioner (First American Bank) seeks approval for Variation requests from Sections 4-3-7(A)(11), 4-3-7(C)(4), and 4-3-10(B) of the City's Sign Code. The petition specifically requests to allow for the construction/installation of an electronic message board (i.e., sign). Property is located within the B-2 Community Shopping Center Business District and the Variation requests are from the following standards in the City of Darien Sign Code:
 - 1) Sections 4-3-7(A)(11), 4-3-7(C)(4), and 4-3-10(B): Variation requests to allow for the construction/installation of an electronic message board sign and to permit illuminated signage with changing light intensity, brightness, and color.

Mr. Jordan Yanke, City Planner reported that the petitioner (First American Bank c/o Parvin-Clauss Sign Company) seeks approval for variation request from the City's Sign Code. He reported that the petition specifically requests to allow for the construction/installation of an electronic message board.

Mr. Yanke reported that the property is located within the B-2 Community Shopping Center Business District and on the south side of 75th Street west of Fairview Avenue. He further reported that the bank currently shares a ground monument sign with the parcel to its west, which was originally a Steak 'n Shake. Mr. Yanke reported that the property owners have agreed to remove the shared ground sign and construct their own with electronic messaging. He reported that the proposed sign face totals 58.6 square feet per side, while the electronic message portion totals 28 square feet per side and the proposed height is 12 feet above grade. He further reported that the sign will comply with all other ordinance standards outside of the electronic messaging provision.

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Mr. Dan Olson, Parvin-Clauss Sign Company stated that he was representing First American Bank. He stated that the bank questioned the 11 pm – 7 am hours and that they have not had a problem. Mr. Olson stated that they will miss a lot of traffic during those hours.

Mr. Yanke reported that some of the other approvals were within the 100 feet of a residential area. He stated that this is open for discussion.

There was some discussion on the hold time of the message.

Mr. Yanke reported that one of the recommended conditions is a hold for 60 seconds which is similar to the last couple of requests.

Commissioner Brian Liedtke stated that the 60 second hold is critical since it's not moving and suggested limiting the condition to static text only with a time.

Commissioner Hilda Gonzalez stated that the 60 second hold was reasonable since the messages won't be changed often.

Mr. Chris Jackson questioned the square footage of the current sign.

Mr. Yanke reported that there will be a reduction in the square footage of the new sign and that the sign will modernize the area.

Commissioner Bob Erickson questioned if there will be a stop bar at the sidewalk and if this will impede the driver.

Mr. Yanke reported that the sign will be further on the grass and will be away from the driveway and that the sign will have to be 4 feet from the property line.

Mr. Olson stated that they need to identify the property line and identify the utilities, etc.

Chairperson Mallers questioned the timing of the work.

Mr. Olson stated that it will take at least 2 months to get the sign done and another month with the permit.

At 7:28 p.m. Chairperson Mallers closed the public hearing.

Mr. Yanke reported that the petitioner will be required to provide landscaping around the base. He further reported that the illumination will be reviewed during the permit process.

Commissioner Gonzalez made a motion, and it was seconded by Commissioner Liedtke to approve PZC2022-02 201375TH Street – Variations Petitioner (First American Bank) seeks approval for Variation requests from Sections 4-3-7(A)(11), 4-3-7(C)(4), and 4-3-10(B) of the City's Sign Code. The petition specifically requests to allow for the construction/installation of

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1) Sections 4-3-7(A)(11), 4-3-7(C)(4), and 4-3-10(B): Variation requests to allow for the construction/installation of an electronic message board sign and to permit illuminated signage with changing light intensity, brightness, and color.

With the following conditions:

- 1. Messages will be held for at least 60 seconds.
- 2. Messages will change all at once.
- 3. Illumination will maintain a constant light intensity or brightness.
- 4. Illumination brightness will comply with the Sign Code.
- 5. Illumined signage may only be utilized during operating hours and 30 minutes prior to opening and 30 minutes after closing.
- 6. Prior to issuance of a sign permit, applicant shall submit drawings to show compliance with the placement standards and landscaping requirements per code. The existing LED displays (QTY: 2) within the bank's front windows shall also be removed.

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

Mr. Yanke announced that this would be forwarded to the Municipal Services Committee on Monday, June 27, 2022, at 6:00 p.m. and if approved, the City Council on July 5, 2022 at 7:00 p.m.

STAFF UPDATES & CORRESPONDENCE

Mr. Jordan Yanke, City Planner reported that Fry the Coop is closer to moving in. He reported that they will need a special use for outdoor dining.

Mr. Yanke reported that the public hearing for the Key Development Areas will be discussed in July along with a text amendment for mixed use for a basement remodel. He reported staff is reviewing the plans for the Sokol property and securing the Letter of Credit.

APPROVAL OF MINUTES

Commissioner Erickson made a motion, and it was seconded by Commissioner Gillespie to approve the May 18, 2022, Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED 7-0.

NEXT MEETING

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Mr. Jordan Yanke announced that the next meeting is scheduled for Wednesday, July 6, 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 Liedtke made a motion, and it was seconded by Commissioner Complanate. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 7:45 p.m.

RESPECTFULLY SUBMITTED:	APPROVED:	
Elizabeth Lahey	Lou Mallers	
Secretary	Chairperson	

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AGENDA MEMO PLANNING AND ZONING COMMISSION JULY 6, 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 & 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 PLAN
- 5) BUILDING ELEVATION

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

- 6) LOCATION MAP & AERIAL IMAGE
- 7) 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:

Type of Unit	Number of Units	
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 studio/efficiency units are 400 square feet in floor area.

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

AGENDA MEMO PZC2022-03

- 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.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on July 6, 2022.

MEETING SCHEDULE

Planning and Zoning Commission

Municipal Services Committee

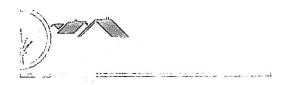
City Council

July 6, 2022

July 25, 2022

August 1, 2022

ATTACHMENT 1: APPLICATION



ZONING APPLICATION

CITY OF DARIEN

1702 Plainfield Road, Darien, IL 60561 630-852-5000

	1		
CONTACT INFORMATION			
ARTHUR A. CANO	ARTHUR A. CANO		
Applicant's Name	Owner's Name		
8431 WILMETTE, AVE, DARIEN, IL Address City State Zip Code Gosal	SAME		
Address, City, State, Zip Code 60501	Address, City, State, Zip Code		
630-747-6070	SAME A		
Telephone	Telephone		
ARTCANOR AMERITECHONET	SAME COMP 23		
Email	Email Chilly		
	0,000000		
PROPERTY INFORMATION	Email City of Doveloon on the port of the		
8431 WILMETTE AVE	09-34-301-022		
Property address	PIN Number(s)		
	RESIDENTIAL (MULTI-FAMILY) Current Land Use(s)		
R-3	Current Land Use(s)		
Zoning District	, and the second		
(Attach additional information per the Submittal Checklist.)	ation top		
REQUEST Brief description of the zoning approval requested. (Contact t	he City Planner for guidance)		
Bilei description of the zoning approval requested. (Contact t	ne city Fianner for galactice.		
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.			
	rtify For office use only		
As Notary Public, in and for DuPage County in Illinois, I do hereby certhat $ARTHUR$ A $CHNO$ is personally known.			
by me to be the same person whose name is subscribed above and h	DF C2022 02		
appeared before me this day in person and acknowledged that they			
signed this document as their own free and voluntary act, for the	Hearing Date: 07/06/2022		
purposes therein set forth.	1 2 2		
purposes therein set forth. Given under my hand and seal, this 20 day of MAY 20 Rapini Ranchadani Notan Public	··		
Kafrie Kanlehardan	~~~~~		
Notary Public	"OFFICIAL SEAL" } Rajini Ramchandani		
}	Notary Public, State of Illinois		
&	My Commission Expires April 26, 2026		

ATTACHMENT 2: JUSTIFICATION NARRATIVE

JUSTIFICATION NARRATIVE

Subject: Apartment Building

5/23/2022

8431 Wilmette Ave

The main scope of my petition is to convert the lower level basement space of the subject building to three 400 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 <u>NO</u> 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^{st} floor and 3 apartments on the 2^{nd} floor). In total: 1- 2 bedroom apartment and 4-1 bedroom apartments.

The conversion of the basement level to three 400 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 Libratory. 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.

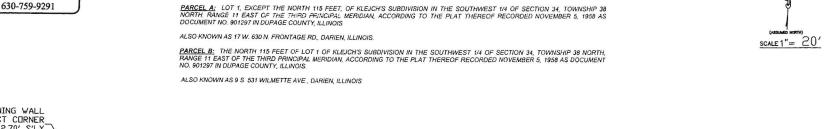
Your approval will be appreciated.

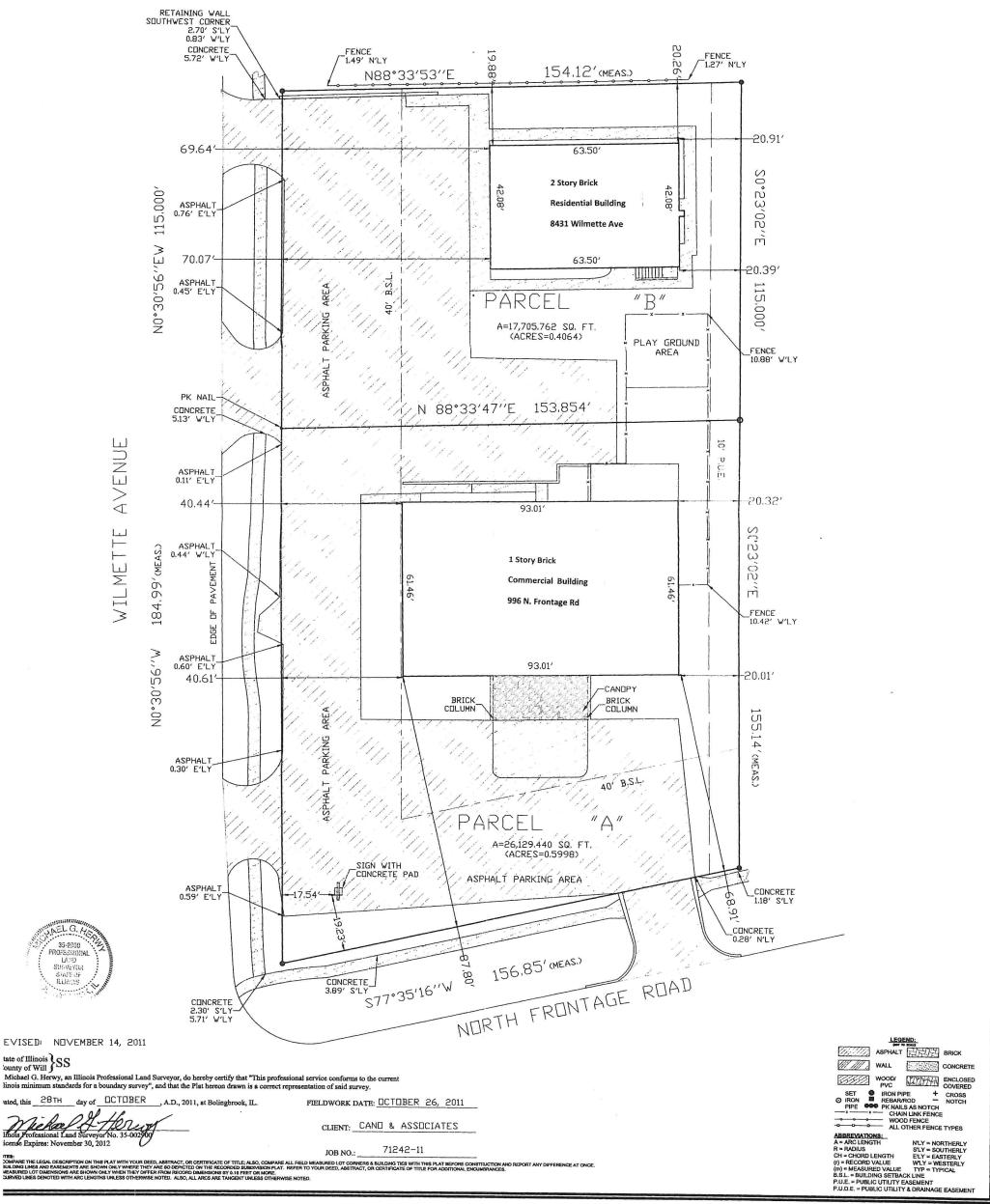
Arthur A. Cano, petitioner

Associated Surveying Group, LLC Illinois Prof. Design Firm No. 184-004973

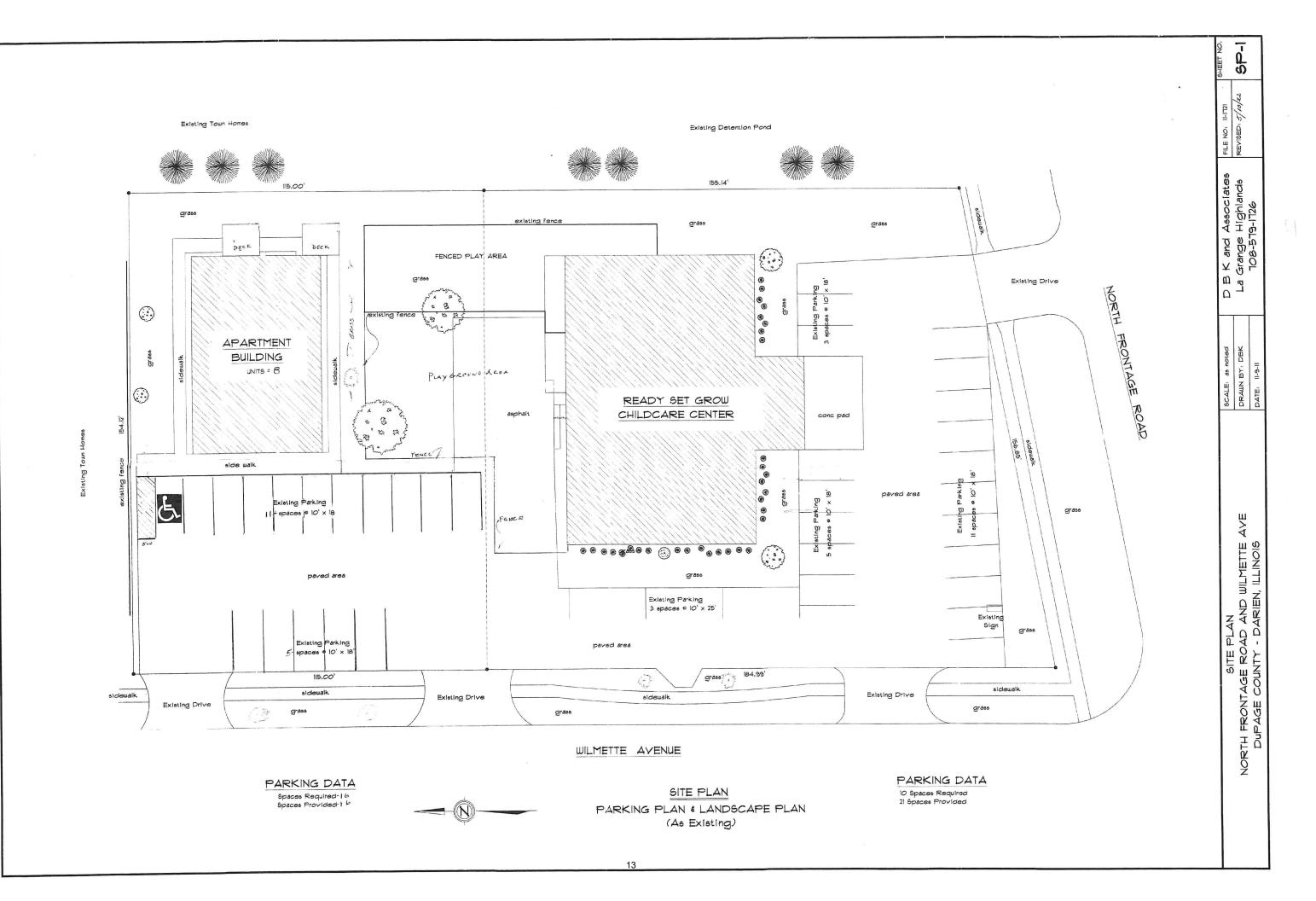
P.O. Box 810 Bolingbrook, IL 60440 FAX: 630-759-9291 PH: 630-759-0205



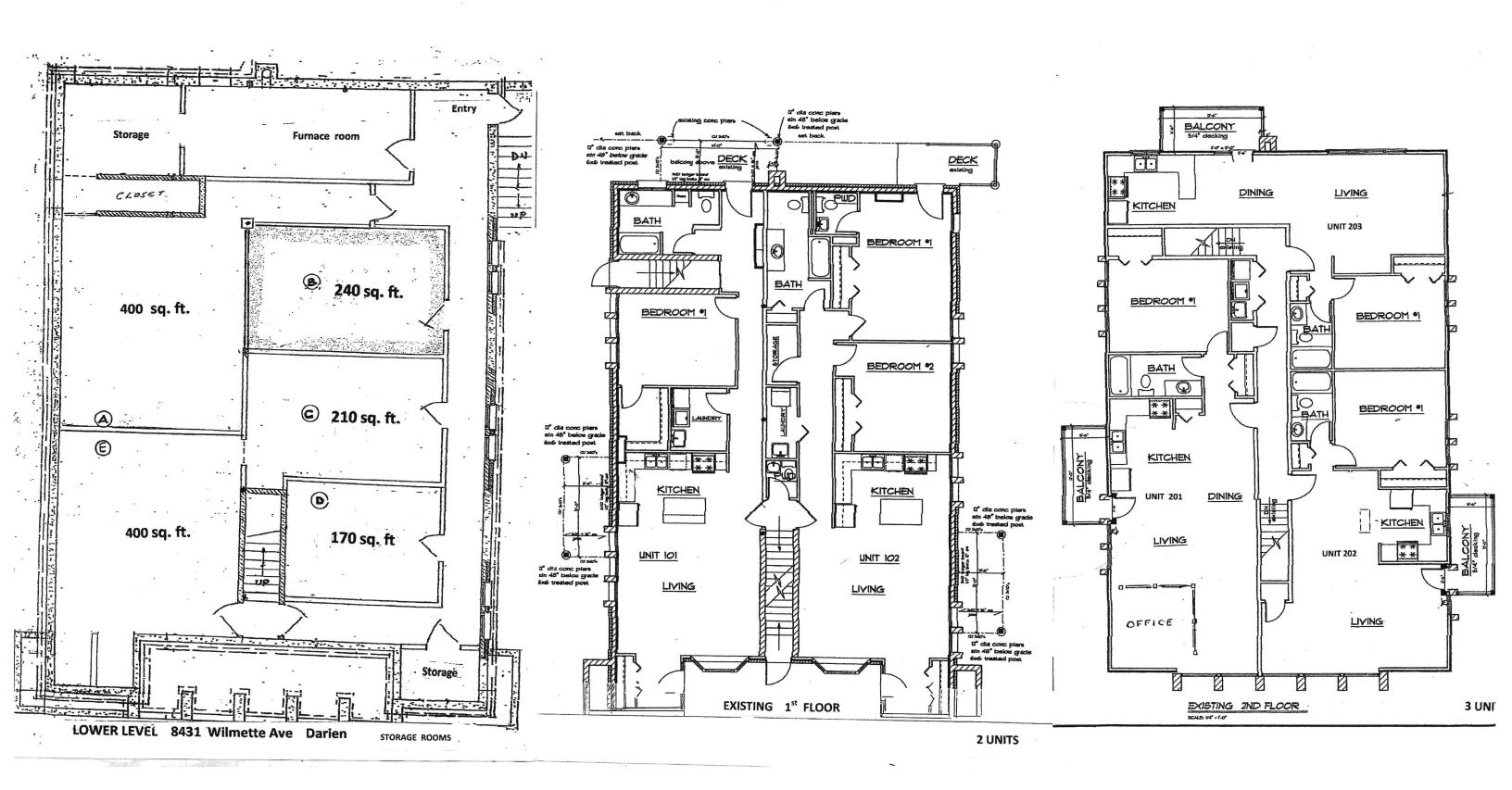




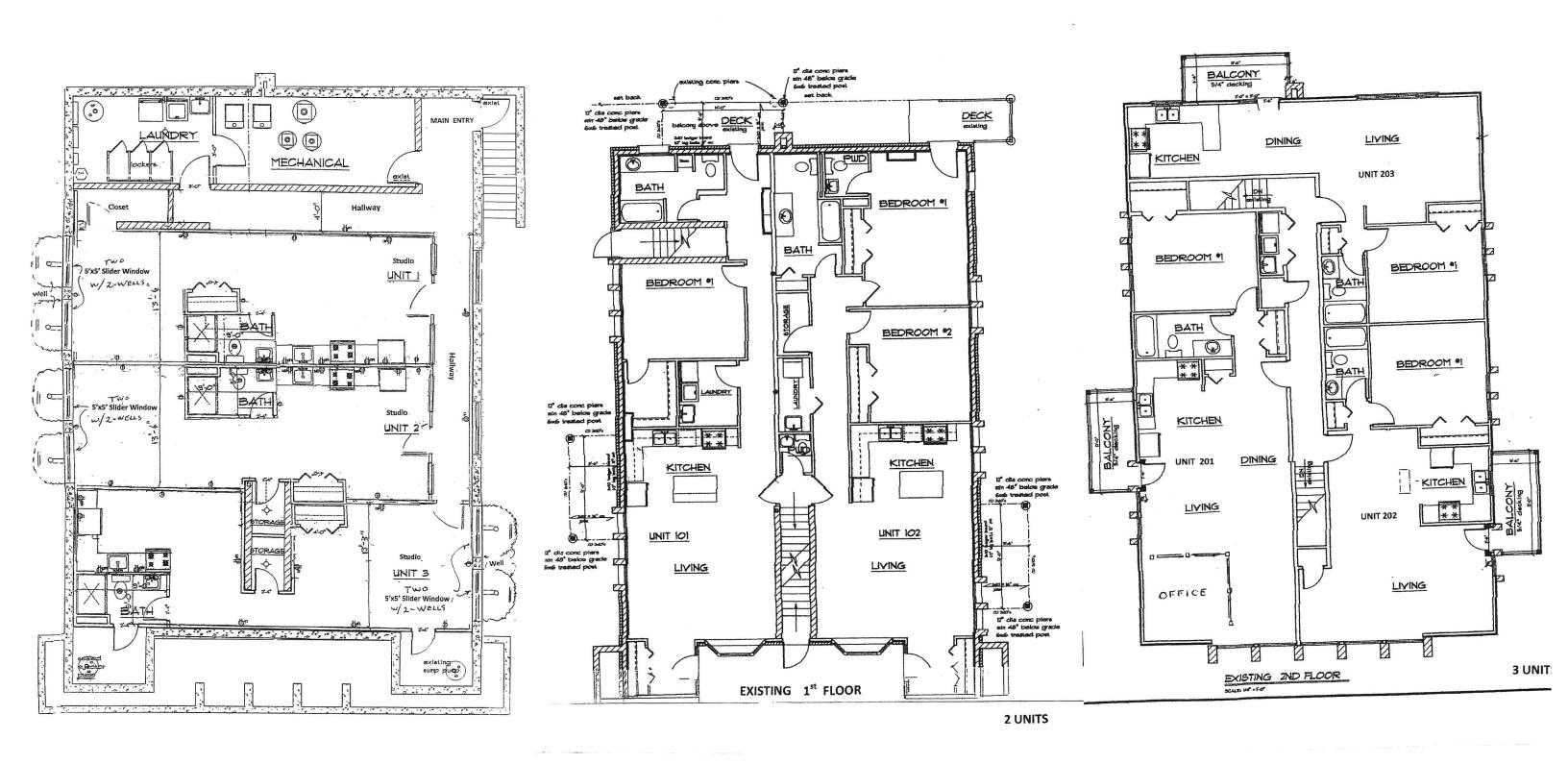
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ATTACHMENT 4: FLOOR PLAN

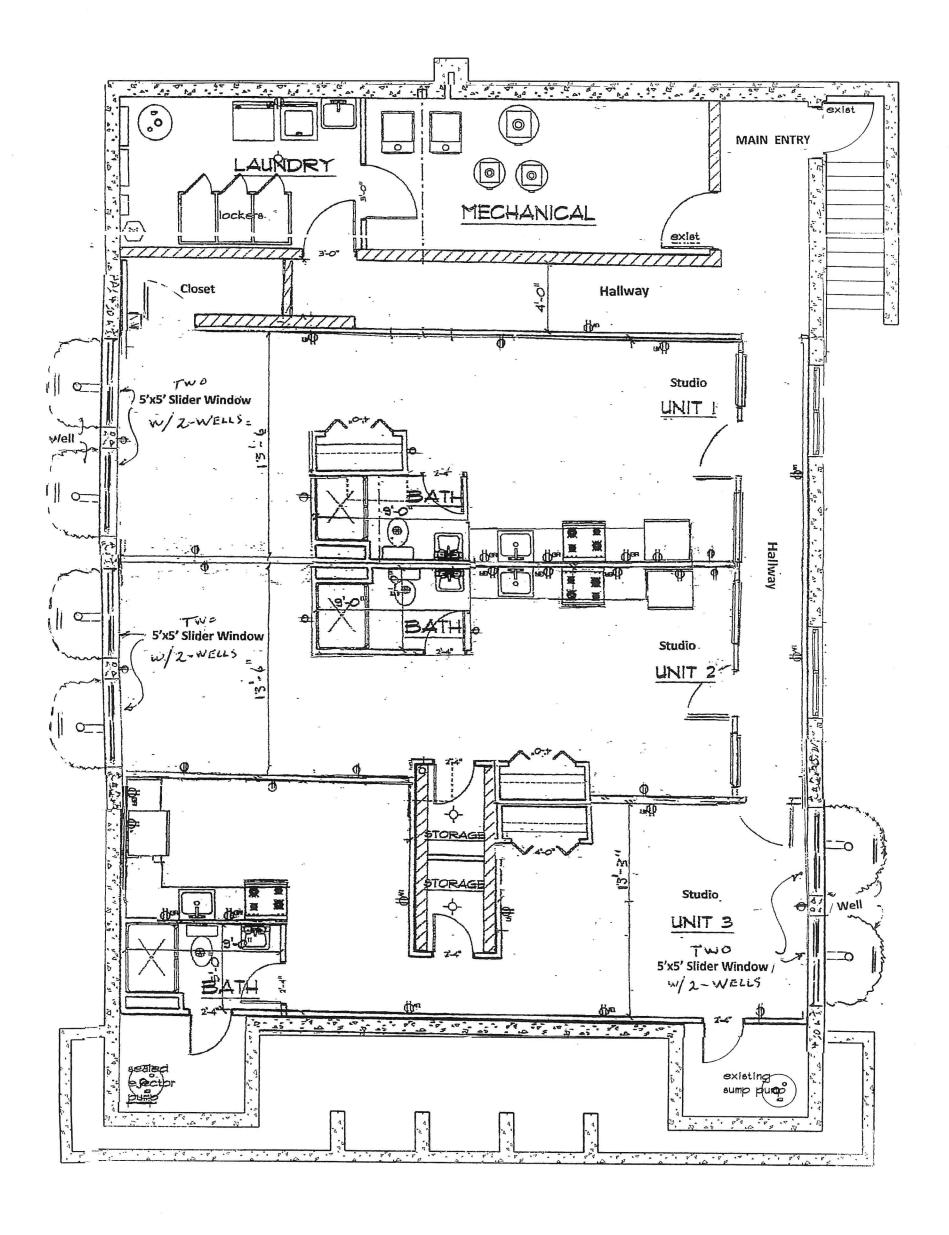


AS EXISTING



PROPOSED 3 STUDIO APARTMENTS - 400 SQ. FT. each

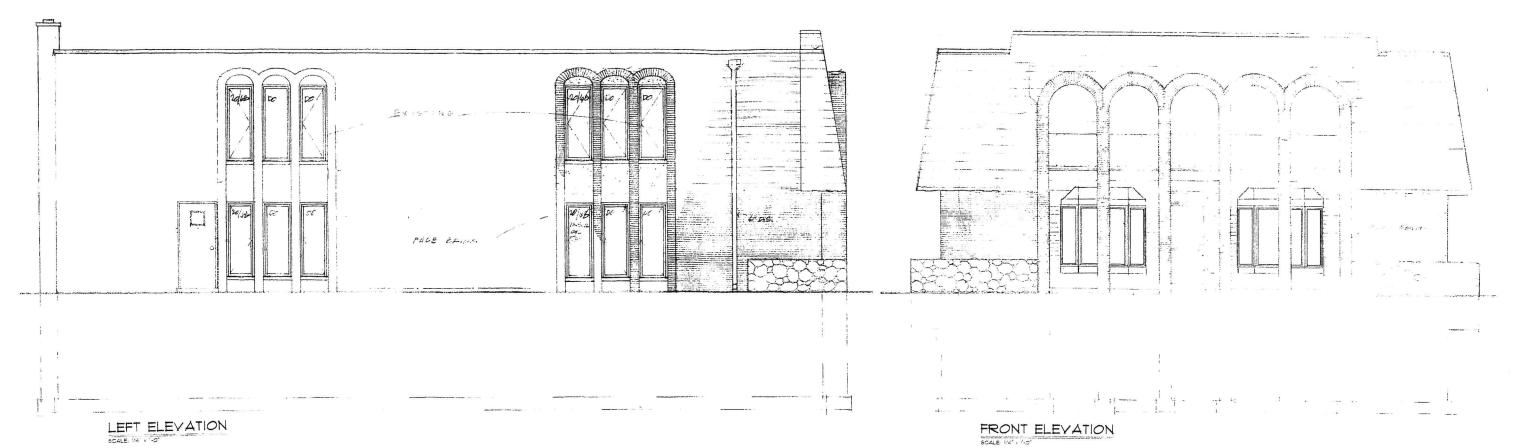
DARIEN, IL

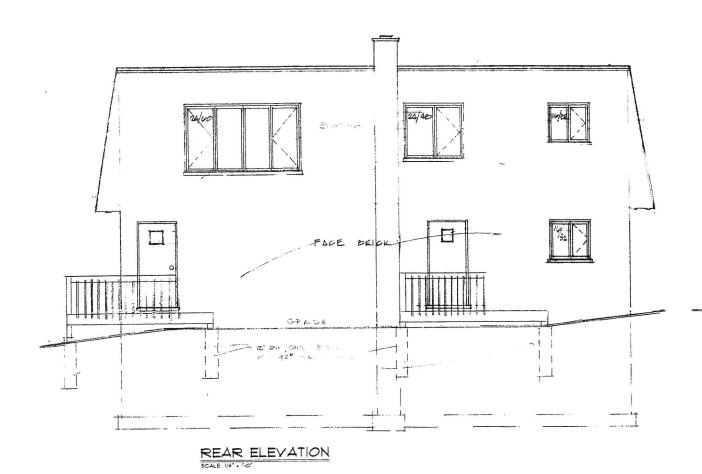


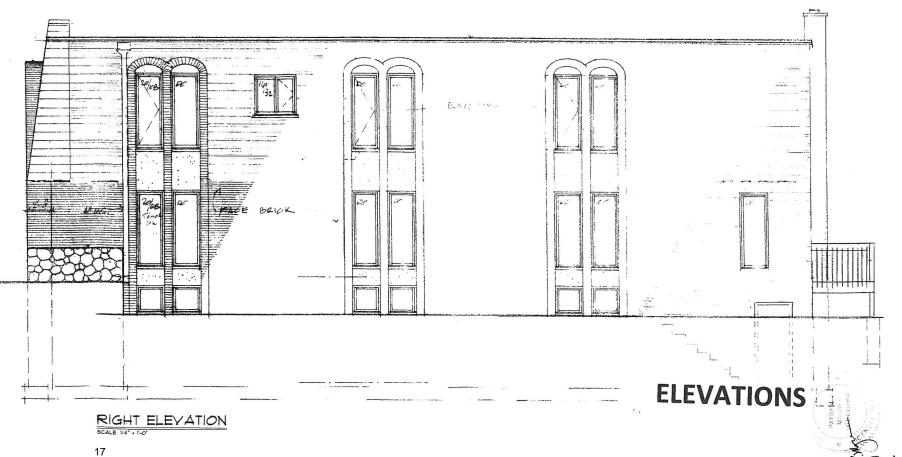
PROPOSED 3 — Studio units 400 sq. ft.

DARIEN, IL

ATTACHMENT 5: BUILDING ELEVATION







ATTACHMENT 6: LOCATION MAP & AERIAL IMAGE





