

CITY OF DARIEN
PLANNING AND ZONING COMMISSION
AGENDA

Wednesday, May 6, 2015
7:00 PM

City Hall
Council Chambers

1. Call to Order
2. Establish Quorum
3. Regular Meeting:
 - A. **PZC 2015-03: Darien Immediate Care, 8190 Cass Avenue:** Petitioner seeks approval of a variation from the Sign Code to permit a wall sign on the side of the building which is not the front façade within the O Office zoning district.
 - B. **Public hearing**
PZC 2015-05: 113 68th Street: Petitioner seeks approval of the following variations from the Zoning Ordinance in order to construct a new single-family home on an existing foundation: 1. To reduce the required front yard setback from 35 feet to 34.8 feet, 2. To reduce the required east interior side yard from 10 feet to 8 feet, and 3. To reduce the required west interior side yard from 10 feet to 9.2 feet, within the R-2 Single-Family Residence zoning district.
4. Correspondence
5. Old Business/Planner's Report
6. Minutes: April 15, 2015
6. Next Meeting: **May 20, 2015, 7:00 PM**
7. Adjournment

AGENDA MEMO
PLANNING AND ZONING COMMISSION
MEETING DATE: May 6, 2015

Issue Statement

PZC 2015-03: Darien Immediate Care, 8190 Cass Avenue: Petitioner seeks approval of a variation from the Sign Code to permit a wall sign on the side of the building which is not the front façade within the O Office zoning district.

Applicable Regulations: Sign Code, Section 4-3-10(C): Permitted Signs In Zoning Districts, O Office and the Office, Research and Industrial Districts (O and OR&I).

General Information

Petitioner/Owner: Darien Immediate Care
Dr. Kohli
8190 Cass Avenue
Darien, IL 60561

Property Location: 8190 Cass Avenue

PIN: 09-33-213-022

Existing Zoning: O Office

Existing Land Use: Medical clinic

Comprehensive Plan Update: Office

Surrounding Zoning and Land Use:

North: O Office: offices

East: B-1 Neighborhood Convenience Shopping District: offices, bank

South: R-3 Multi-Family Residence: attached single-family homes (townhomes)

West: O Office: offices

Size of Property: 31,379 square feet

Floodplain: None.

Natural Features: None.

Transportation: Property has access onto Cass Avenue.

History: In 2013, the City Council granted a special use for a medical clinic within the O Office zoning district.

The subject property is part of a 6 building office complex approved in 1997.

Documents Submitted

This report is based on the following information submitted to the Community Development Department by the Petitioner:

1. Plat of Survey, 1 sheet, prepared by NEKOLA, dated March 5, 2005.
2. Sign drawing, 1 sheet, prepared by Fastsigns, dated April 1, 2015.
3. Approval letter from Glen Oaks Office Park Owners Association, 1 sheet, dated November 24, 2014.

Planning Overview/Discussion

The subject property is located on the west side of Cass Avenue across the street from offices and a bank.

The petitioner proposes to place a wall sign on the east wall of the building, facing Cass Avenue., not the façade which is the entrance to the building. The property is zoned O Office. Within the O Office zoning district, wall signage is permitted on the building front. In this case, the building front is the north wall of the building facing the parking lot where the entrance is located.

The sign area complies based on the wall length (1 square foot of sign area per linear foot of wall length). The sign is 17.5 square feet, illuminated.

Per Section 4-3-18 of the Sign Code, the following shall be considered:

1. The available locations for adequate signage on the property.
2. The effect of the proposed sign on pedestrian and motor traffic.
3. The cost to the applicant in complying with the Sign Code as opposed to the detriment, if any, to the public from granting of the variation.
4. If undue hardships and practical difficulties result in complying with the Sign Code and if these hardships are a result of previous actions of the applicant.
5. The general intent of the Sign Code.

Section 4-3-2 of the Sign Code provides the general intent of the Sign Code:

This sign code is adopted for the following purposes:

- A. To promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents of the City.
- B. To enhance the physical appearance of the City by preserving the scenic and natural beauty of the area.
- C. To promote the safety and recreational value of public travel.

- D. To protect the public investment in streets and highways by reducing sign or advertising distractions that may increase traffic accidents.
- E. To ensure compatibility of signs with surrounding land uses.
- F. To enhance the economy of the City by promoting the reasonable, orderly and effective display of outdoor advertising.
- G. To protect the pedestrians and motorists within the City from damage or injury caused by distractions, obstructions and hazards created by a proliferation of off-site advertising signs.
- H. To prevent the proliferation of off-site advertising signs which distract from the development of the City in an aesthetically pleasing manner.
- I. To preserve the character of the City which is a single-family residential community by assuring the compatibility of signs with the surrounding land uses.

Staff Findings/Recommendations

Staff does not object to the proposed sign. Cass Avenue is a mix of retail and office uses, it would be expected to have signage face such a street. The proposed variation will not effect pedestrian and motor traffic and meets the general intent of the Sign Code by enhancing the economy of the City by promoting reasonable, orderly and effective display of signage.

Therefore, staff recommends the Planning and Zoning Commission make the following recommendation to approve the variation:

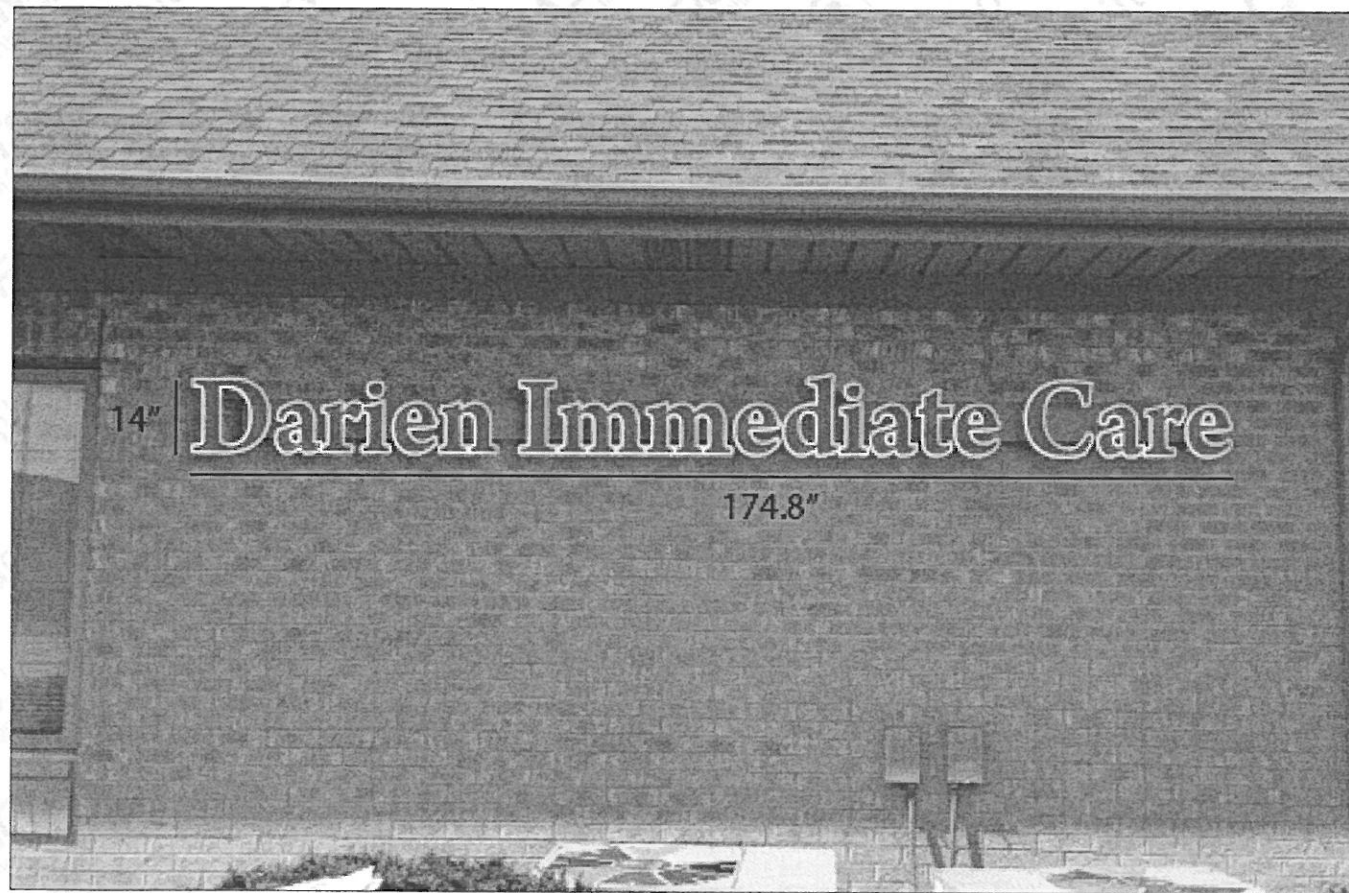
Based upon the submitted petition and the information presented, the request associated with PZC 2015-03 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented.

Decision Mode

Planning and Zoning Commission:

May 6, 2015

LED CHANNEL LETTERS



LED CHANNEL LETTERS

(1) set of 14"H, U/L case, White LED-illuminated, raceway-mounted channel letters with White returns and trim cap; Red acrylic faces with 1/2" white outline; raceway painted to match building facade; includes photo cell for dusk-to-dawn illumination.

Quantity :: 1

DRAWING IS NOT TO SCALE BUT IS PROPORTIONATE

Darrien Immediate Care
8190 Cass Avenue
Darrien, IL 60561
Revised :: 04/01/2015

LANDLORD
OR AGENT
SIGNATURE
HERE

Please sign & return drawing/s to FASTSIGNS
Signature below indicates approval of BOTH designs & placement of sign/s

X Signature of Approval

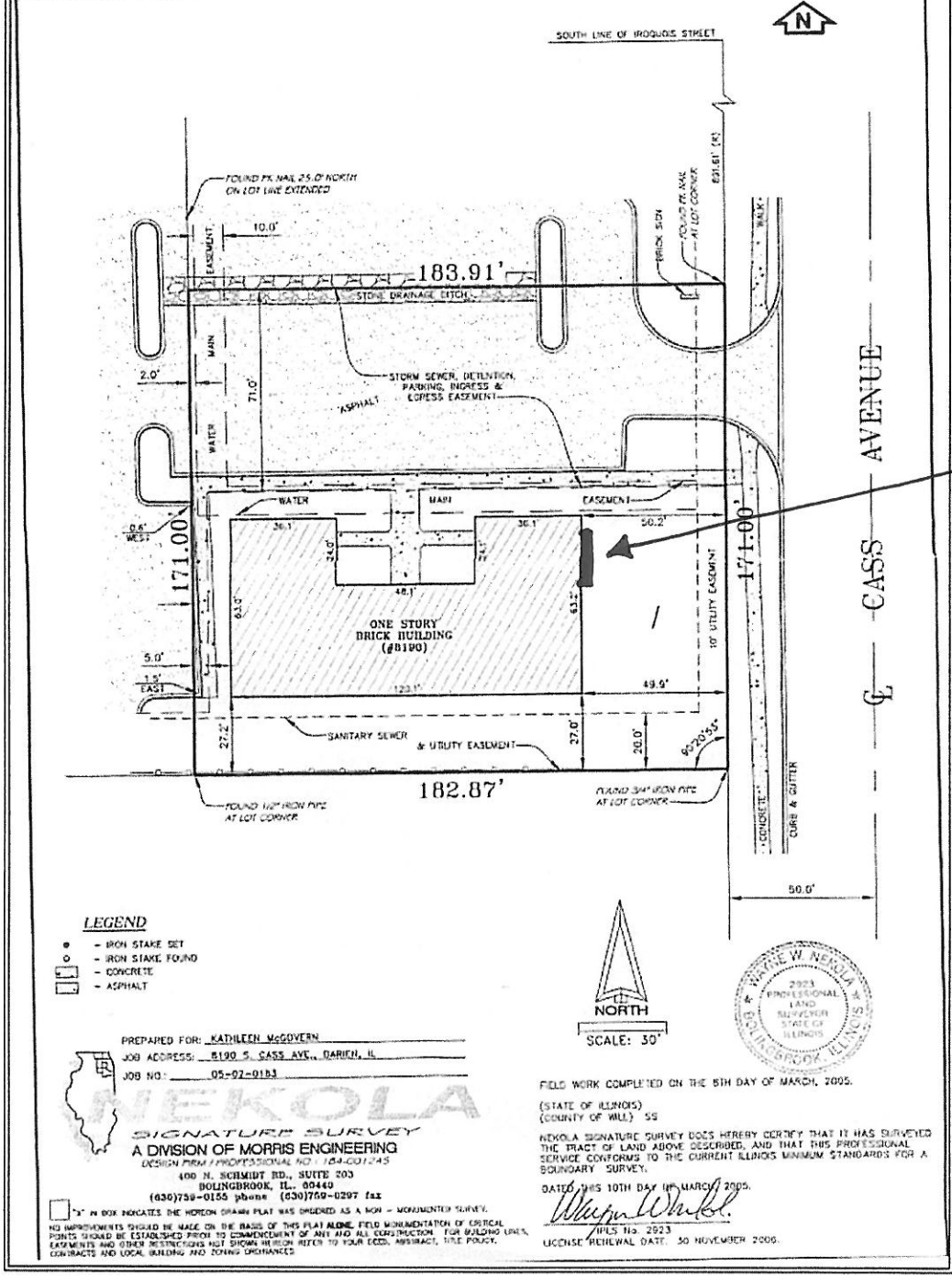
Date

DISCLAIMER: It is the customer's responsibility to ensure that the proof is correct in all areas. Please be sure to double-check spelling, grammar, layout and design before approving artwork. **If a proof containing errors is approved by the customer, the customer is responsible for payment of all original costs of printing, including corrections and reprints.** The customer is 100% responsible for approvals of Copyright, Trademark and Licensing Agreements of artwork. **Customer's approval on artwork is contractually binding for payment of all services rendered.** All artwork must be approved by the customer before a job will be entered into production.

PLAT OF SURVEY

PLAT OF SURVEY

OF
 GLEN OAKS OFFICE PARK UNIT 1, BEING A SUBDIVISION OF PART OF LOTS 4, 5, 6 AND 7 IN SMART ACRES, A SUBDIVISION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



LEGEND

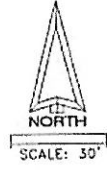
- - IRON STAKE SET
- - IRON STAKE FOUND
- ▭ - CONCRETE
- ▭ - ASPHALT

PREPARED FOR: KATHLEEN MCGOVERN
 JOB ADDRESS: 8190 S. CASS AVE., DARIEN, IL
 JOB NO: 05-07-0183



NEKOLA
 SIGNATURE SURVEY
 A DIVISION OF MORRIS ENGINEERING
 DESIGN PERM # PROFESSIONAL NO. 184-001245
 400 N. SCHMIDT RD., SUITE 203
 BOLLINGBROOK, IL, 60440
 (830)739-0155 phone (830)769-0297 fax

"A" IN BOX INDICATES THE HORIZON ORIGIN PLAT WAS ORDERED AS A NON-MONUMENTED SURVEY.
 NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EXAMINATIONS AND OTHER RESTRICTIONS NOT SHOWN HEREIN REFER TO YOUR LOCAL AGENCIES, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.



FIELD WORK COMPLETED ON THE 8TH DAY OF MARCH, 2005.
 (STATE OF ILLINOIS)
 (COUNTY OF WILL) 55
 NEKOLA SIGNATURE SURVEY DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
 DATED THIS 10TH DAY OF MARCH 2005.
Wayne W. Nekola
 WWS No. 2923
 LICENSE RENEWAL DATE: 30 NOVEMBER 2006.

GLEN OAKS OFFICE PARK OWNERS ASSOCIATION

City of Darien
Received
APR 02 2015
Community Development

November 24, 2014

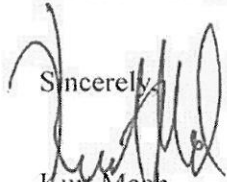
Darien Immediate Care
8190 S Cass Ave
Darien, IL 60561

To Whom It May Concern:

This letter is to confirm that the Glen Oaks Owners Association has approved the LED illuminated, raceway mounted channel letter, 14" high X 174" long sign for Darien Immediate Care. The sign is to be mounted on the NE corner of the 8190 Cass building facing east towards Cass Ave.

Thank you for your help in this matter and if you should have any questions, please do not hesitate to contact us by the address or phone below or at kmach55@aol.com.

Sincerely,



Kurt Mach
Property Manager

AGENDA MEMO
PLANNING AND ZONING COMMISSION
MEETING DATE: May 6, 2015

Issue Statement

PZC 2015-05: 113 68th Street: Petitioner seeks approval of the following variations from the Zoning Ordinance in order to construct a new single-family home on an existing foundation:

1. To reduce the required front yard setback from 35 feet to 30.8 feet.
2. To reduce the required east interior side yard from 10 feet to 8 feet.
3. To reduce the required west interior side yard from 10 feet to 9.2 feet.

Applicable regulations:

Zoning Ordinance Section 5A-4-3-2: Restoration of Damaged Nonconforming Buildings or Structures.

Zoning Ordinance Section 5A-7-2-6: Yard Requirements, R-2 Single-Family Residence.

General Information

Petitioner: Andrius Butkevicius
 113 68th Street
 Darien, IL 60561

Property Owner: Nijole Butkevicius
 7200 Birchwood Court, Unit C
 Willowbrook, IL 60527

Property Location: 113 68th Street

PIN: 09-23-306-016

Existing Zoning: R-2 Single-Family Residence

Existing Land Use: Single-family home, detached

Comprehensive Plan Update: Low Density Residential

Surrounding Zoning and Land Use:

North: R-2 Single-Family Residence: single-family residential

East: R-2 Single-Family Residence: single-family residential

South: R-2 Single-Family Residence: single-family residential

West: R-2 Single-Family Residence: single-family residential

Size of Property: 13,800 square feet

Floodplain: None.

Natural Features: None.

Transportation: Property fronts onto 68th Street

History: None.

Documents Submitted

This report is based on the following information submitted to the Community Development Department by the Petitioner:

1. Plat of Survey, 1 sheet, prepared by Associated Surveying Group, LLC.

Planning Overview/Discussion

The subject property is located on the south side of 68th Street, west of Crest Road.

In the Fall of 2014, the previous single-family home on the property suffered fire damage and was torn down. The petitioner plans to construct a new home on the existing foundation, with a 4-foot covered front porch addition. The foundation is closer to the front and side lot lines than permitted by the Zoning Ordinance.

Section 5A-4-3-2 of the Zoning Ordinance addresses nonconforming uses and structures. Structures which are damaged by fire, collapse, explosion, other casualty or act of God by more than 50% of the fair market value can be restored so long as the structure is brought into compliance. The Zoning Ordinance requires the new home to comply with all building setbacks.

The foundation encroaches slightly into the west interior side yard setback, 5 feet into the required front yard setback (due to the covered front porch) and 2 feet into the required 10-foot east interior side yard setback.

The variation request must address the following criteria for approval:

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.

Staff Findings/Recommendations

Staff does not object to the requested variations. The proposed home will be in the same location

and have essentially the same footprint as the home torn down, the encroachments are not significant. Staff finds the proposed variation will not adversely alter the essential character of the property or neighborhood, will not impair adequate supply of light and air in adjacent properties, will not substantially increase congestion in the public streets.

Therefore, staff recommends the Planning and Zoning Commission make the following recommendation to approve the variation petition as presented:

Based upon the submitted petition and the information presented, the request associated with PZC 2015-05 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission recommend approval of the petition.

Decision Mode

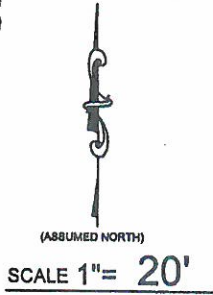
Planning and Zoning Commission: May 6, 2015

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

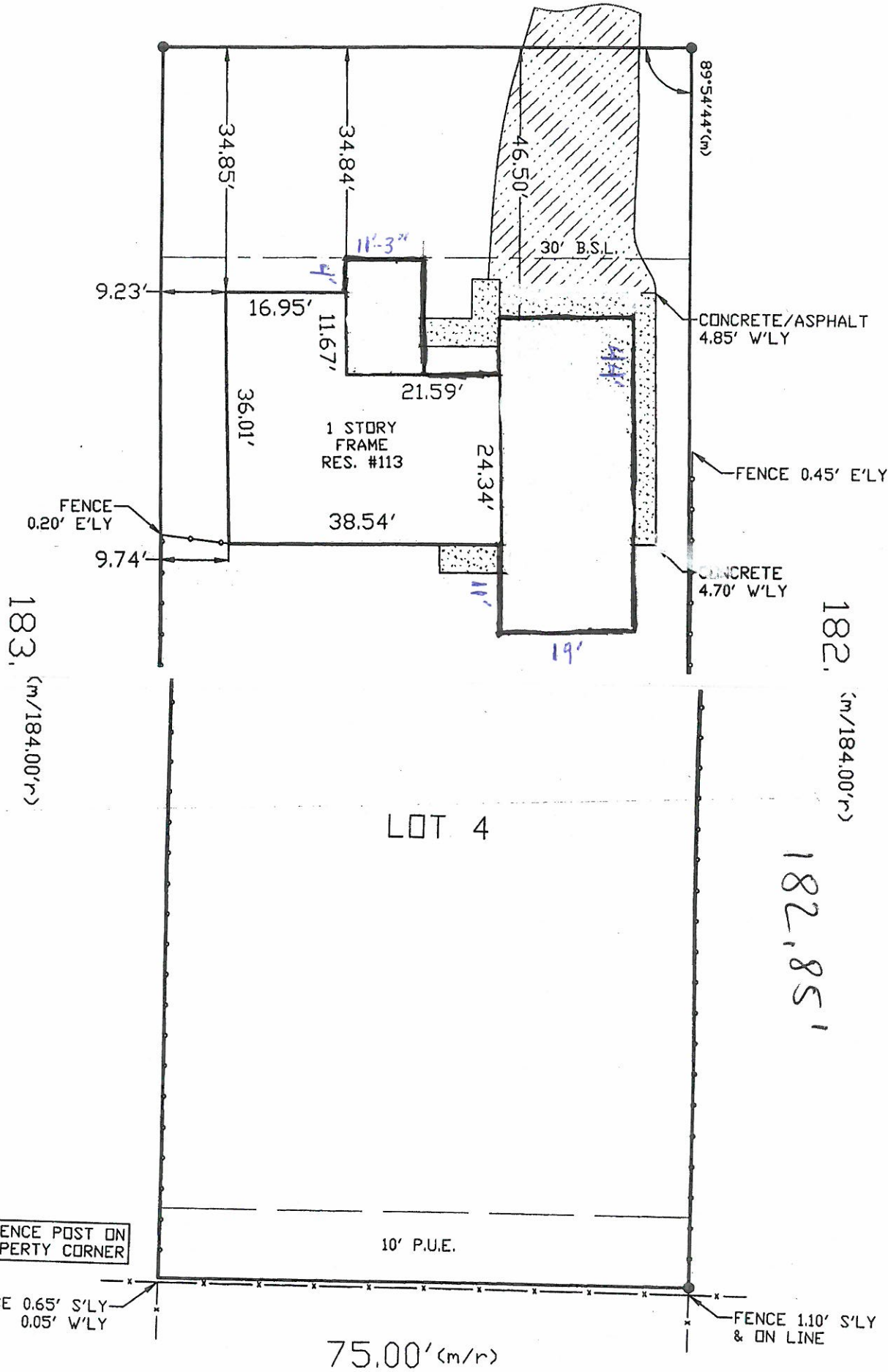
PLAT OF SURVEY

LOT 4 IN BLOCK 40 IN TRI STATE VILLAGE UNIT NO. 5, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 23 (EXCEPT THAT PART THEREOF LYING SOUTHERLY OF THE CENTER LINE OF THE PUBLIC HIGHWAY KNOWN AS PLAINFIELD ROAD) ALSO THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 26, LYING NORTHERLY OF THE CENTER LINE EAST OF SAID PLAINFIELD ROAD, ALL IN TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1994 AS DOCUMENT 465114 IN DUPAGE COUNTY, ILLINOIS.



68TH STREET

74.64' (m/75.00'r)



State of Illinois }
 County of Will } SS

I, Michael G. Herwy, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the parcel of Land hereon described and that the Plat hereon drawn is a correct representation of said survey.

Dated, this 15TH day of DECEMBER, A.D., 2014,

FIELDWORK DATE: DECEMBER 5, 2014

Michael G. Herwy
 Illinois Professional Land Surveyor No. 35-002900
 License Expires: November 30, 2016

CLIENT: BUTKEVICIUS

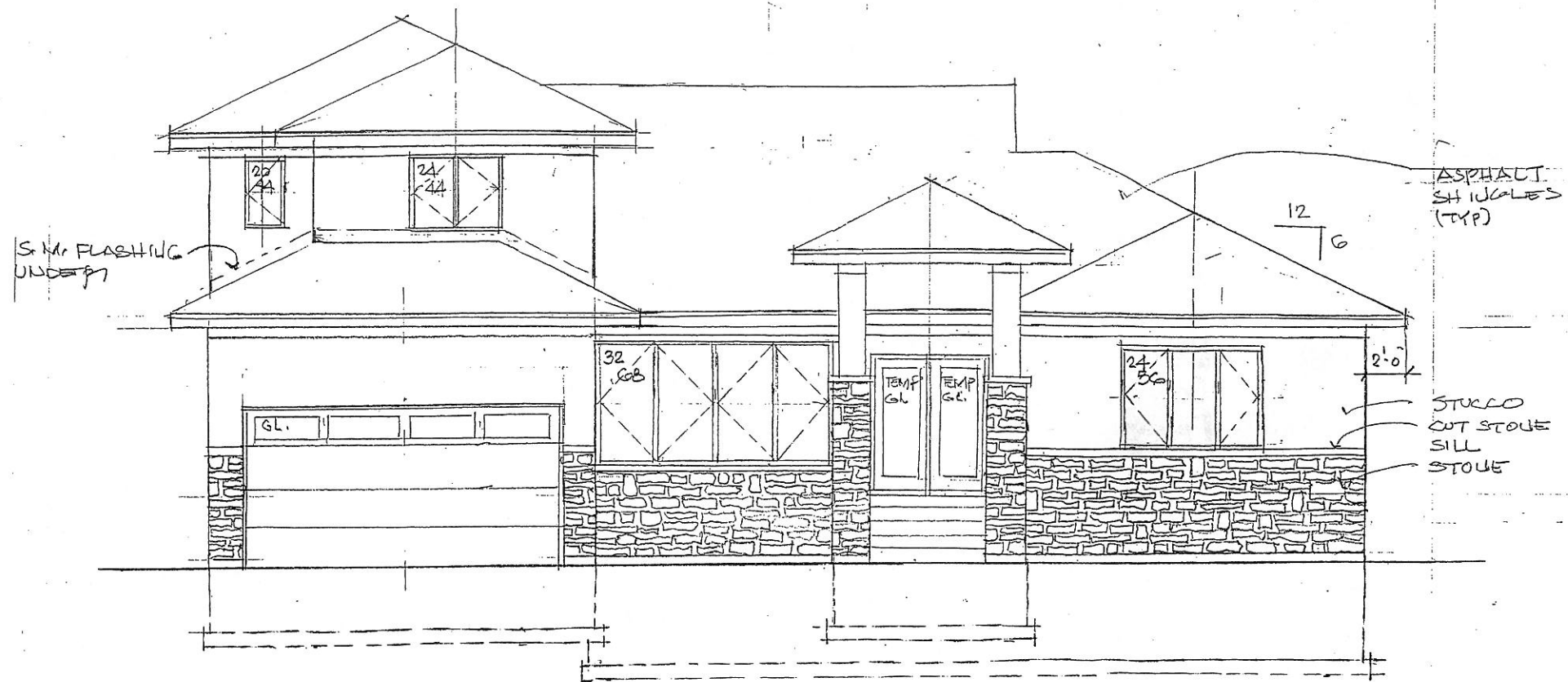
JOB NO.: 74937-14

LEGEND:
(NOT TO SCALE)

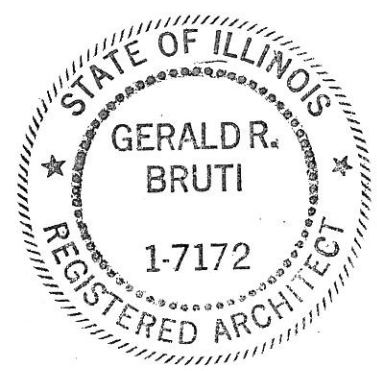
	ASPHALT		BRICK
	WALL		CONCRETE
	WOOD/PVC		ENCLOSED COVERED
○	IRON PIPE	+	CROSS
●	REBAR/ROD	-	NOTCH
○	PK NAILS AS NOTCH	-	NOTCH
-x-	CHAIN LINK FENCE	-	WOOD FENCE
-o-	WOOD FENCE	-	ALL OTHER FENCE TYPES

ABBREVIATIONS:
 A = ARC LENGTH
 R = RADIUS
 CH = CHORD LENGTH
 (r) = RECORD VALUE
 (m) = MEASURED VALUE
 B.S.L. = BUILDING SETBACK LINE
 P.U.E. = PUBLIC UTILITY EASEMENT
 P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
 N'LY = NORTHERLY
 S'LY = SOUTHERLY
 E'LY = EASTERLY
 W'LY = WESTERLY
 TYP = TYPICAL

NOTES:
 1. 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.
 2. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO DEPICTED ON THE RECORDED SUBDIVISION PLAT. REFER TO YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE FOR ADDITIONAL ENCUMBRANCES.
 3. MEASURED LOT DIMENSIONS ARE SHOWN ONLY WHEN THEY DIFFER FROM RECORD DIMENSIONS BY 0.15 FEET OR MORE.
 4. CURVED LINES DENOTED WITH ARC LENGTHS UNLESS OTHERWISE NOTED. ALSO, ALL ARCS ARE TANGENT UNLESS OTHERWISE NOTED.



NORTH ELEVATION
 1/8" = 1'-0"



SOUTH ELEVATION

I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE MEETS ALL LOCAL CODES.

Gerald R. Bruti

NEW RESIDENCE	
113 68TH STREET, DANIEL	
PROJECT NO. 1501	MARCH 15, 2015
JERRY BRUTI, ARCHITECT	1 OF 6

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
April 15, 2015**

PRESENT: Chairperson Beverly Meyer, Ron Kiefer, John Laratta, John Lind, Lou Mallers, Pauline Oberland, Ken Ritzert, Susan Vonder Heide, Dan Gombac – Director, Michael Griffith – Senior Planner, Elizabeth Lahey – Secretary

ABSENT: Ray Mielkus

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

A. PZC 2015-02: Carriage Green Country Club, 8700 Carriage Greens Drive: Petitioner seeks an amendment to the special use approving the Carriage Green Country Club, Ordinance O-31-72, in order to construct a practice facility, including teeing area and practice greens.

Mr. Michael Griffith, Senior Planner reported that the petitioner submitted a revised plan with no netting. He reported that the City engineer reviewed the plan concerning stormwater management.

Mr. Dan Gombac, Director reported that DuPage County will have to certify the plans in order to comply with the wetland impacts before a permit can be issued.

The petitioner, Mr. Bob Bergdoll, CEO, Carriage Greens Country Club stated that at the last meeting they listened to the all of the resident comments and concerns and spent a good time putting things together. He reported that it is a win, win for everyone without netting or poles.

Mr. Bergdoll stated that golf is a dangerous game and that anyone can get injured on a golf course. He reported that there will be a full time attendant to coordinate between players and training activities. He further reported that they will use floating balls so that they can be retrieved from the water.

Commissioner Mallers questioned if trees will be planted to help with screening since there will be no netting.

Mr. Gombac reported that he has met with residents and Carriage Greens to discuss balls, property damage and replacing removed trees and that this will be addressed separately.

Mr. Neil Christensen, 8525 Creekside Lane stated that he paid a premium for his property on the 13th fairway. He stated that it is no secret that the golf course has gone downhill and is an outing type of golf course. Mr. Christensen stated that he attended a meeting in February with Mr.

Bergdoll and another meeting on Saturday and he is 100% in favor of the improvements and accepts the risks of living on the golf course with balls damaging the property.

Mr. Tom Convery questioned if there would be lighting.

Mr. Bergdoll stated that there will be no lights, no poles and no nets.

Ms. Gina Madden, attorney representing Frank and Diane Noverini, 8636 Creekside Lane questioned if a safety study has been done and how the City will address safety.

Mr. Ken Abraham, attorney representing Carriage Greens Country Club, stated that the goal is to decrease the number of golf outings and increase the number of serious golfers using the course. He stated that he is not aware of any safety studies for this type of use. Mr. Abraham stated that John Perma, golf professional was available to address safety.

Mr. John Perma, golf pro in Oak Brook, Director of Golf for Carriage Greens Golf Course stated that he teaches golf and played professional golf for six years. He stated that a ball would have to be hit 300 feet and change direction by 90 degrees in order to hit a home on Creekside from the teeing area. He further stated that only person that may be able to do this is a professional like Tiger Woods.

Mr. Dale Schafer, 8621 Creekside stated that he was concerned with a driving rage. He stated that he would like a one year review if approved. Mr. Schafer stated that the plan is much improved without the lighting and netting and that he would like to see some trees planted.

Mr. Gombac stated that the PZC can consider placing a condition on the proposal recommending an evaluation after a year.

Commissioner Kiefer stated that he liked the review but not to just certain properties.

Commissioner Laratta, Lind Oberland and Chairperson Meyer stated that they did not like the idea of a review.

Ms. Heather Ramirez, 1613 Heather Lane stated that she is in favor of the improvements. She stated that Carriage Greens had a golf range there years ago.

Mr. Griffith reported that he received an email from Peter Stukas, Royal Oak Road stating that he was in favor of the improvements.

Commissioner Mallers stated that he was glad to see that the petitioner listened to the concerns and addressed them. He stated that the original plan has come a long way and that there is good communication between the two groups.

Commissioner Lind stated that the improvements are a plus to the community.

There was no one else in the audience wishing to present public comment and Chairperson Meyer closed the Public Hearing at 7:42 p.m.

Commissioner Laratta made a motion and it was seconded by Commissioner Oberland that based upon the submitted petition and the information presented, the request associated with PZC 2015-02 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission recommend approval of the petition subject to the following:

- 1. DuPage County to review and certify plans and in compliance with the Countywide Stormwater and Floodplain Ordinance related to wetlands.**

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

MINUTES

Commissioner Kiefer made a motion and it was seconded by Commissioner Oberland to waive the reading of the March 4, 2015 Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 8-0. Commissioner Mielkus was not present.

Commissioner Ritzert made a motion and it was seconded by Commissioner Vonder Heide to approve the March 4, 2015 Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 8-0. Commissioner Mielkus was not present.

CORRESPONDENCE

None.

OLD BUSINESS/PLANNER'S REPORT

None.

NEXT MEETING

Mr. Griffith announced that the next meeting is scheduled for Wednesday, May 6, 2015 at 7:00 p.m.

ADJOURNMENT

With no further business before the Commission, Commissioner Laratta made a motion and it was seconded by Commissioner Mallers. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7:55 p. m.

RESPECTFULLY SUBMITTED:

APPROVED:

**Elizabeth Lahey
Senior Planner**

**Beverly Meyer
Chairman**