

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
August 21, 2013**

**PRESENT:** Beverly Meyer – Chairperson, Don Hickok, Ron Kiefer, John Lind, Lou Mallers, Ray Mielkus, Pauline Oberland, Ken Ritzert, Susan Vonder Heide, Michael Griffith – Senior Planner, Elizabeth Lahey – Secretary.

**ABSENT:** None.

**OTHERS:** Alderman Joe Kenny

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

**A. Public Hearing - PZC 2013-05: 8691 Woodvale Drive: Petitioner requests a variation to permit the construction of a 6-foot tall fence within a rear yard adjacent to a neighboring front yard on a corner lot.**

Mr. Michael Griffith – Senior Planner presented the staff report. He reported that the subject property is located at the northeast corner of Woodvale Drive and 87<sup>th</sup> Street. He reported that there is a corner lot where the rear yard of the subject property abuts the front yard of a neighboring property fronting onto 87<sup>th</sup> Street.

Mr. Griffith reported that currently the petitioner has a 6-foot tall fence enclosing the rear yard and plans to remove the fence and construct a new fence. He stated that the new fence is required to comply with the current ordinance.

Mr. Griffith provided an aerial photo illustrating how the property looks. He stated that did not receive any objections from the neighbors.

The petitioner, Mr. Tracy Beaman stated that he is building the same fence because the old fence is 25 years old.

Commissioner Hickok questioned why 6 feet.

The petitioner stated that he chose a 6 foot fence because there is a lot of traffic and noise and that 6 feet around would be better. He provided photos to the Commission.

Commissioner Kiefer asked if the petitioner contacted the neighbor.

The petitioner reported that the neighbor was contacted and that he thought it was silly that he had to come in for a variance.

There was no one in the audience wishing to present public comment and Chairperson Meyer closed the public hearing at 7:10 p.m.

**Commissioner Vonder Heide made a motion and it was seconded by Commissioner Kiefer that based upon the information presented, the request associated with PZC 2013-05 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission approve the petition as presented.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 9-0.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee on August 26, 2013 at 6:30 p.m.

**B. Public Hearing – PZC 2013-06: Dotty’s, Brookhaven Plaza, 7516 Cass Avenue: Petitioner requests a special use to permit a drinking and eating establishment within the B-2 Community Shopping Center District.**

Mr. Michael Griffith, Senior Planner presented the staff report. He reported that the petitioner is proposing to open a drinking and eating establishment within the Brookhaven Plaza. He reported that the proposed use includes video gaming which will go through the State. He further reported that the City Council will need to amend the Liquor Code to add the appropriate liquor license for this use.

Commissioner Mallers questioned how the petitioner intends to monitor the four drink maximum.

The petitioner, Mr. Daniel Fischer, Illinois Cafe’ and Service Company, LLC reported that staff will monitor. He stated that the drinks will be monitored and based on a three or four hour time span. He further stated that there will be table service only and that entry will be restricted to 21 and older.

Commissioner Hickok questioned if there would be ample parking available.

The petitioner reported that they will have ample parking. He stated that they anticipate only 3-5 customers at a time.

Commissioner Kiefer stated that he was impressed with the presentation. He stated that it was a good addition to the community.

Chairperson Meyer questioned why they chose Darien.

The petitioner reported that the concept is suburb driven and that Darien came right in the middle.

Commissioner Mallers asked how the size compares to their other locations.

The petitioner stated that they have similar size places in Oregon but that the sizes vary per location.

There was no one in the audience wishing to present public comment. Chairperson Meyer closed the public hearing at 7:27 p.m.

**Commissioner Mallers made a motion and it was seconded by Commissioner Hickok that based upon the submitted petition and the information presented, the request associated with PZC 2013-06 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission approve the petition as presented.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 9-0.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee on August 26, 2013 at 6:30 p.m.

**C. Public Hearing – PZC 2013-04: 1041 S. Frontage Road, Darien Municipal Services: Petitioner requests the following approvals to permit the construction of a 300-foot tall wireless communications tower:**

- 1. A special use for public and private utility facilities within the I-1 General Industrial District.**
- 2. A variation to permit a tower at 300 feet tall where 60 feet is the maximum permitted.**
- 3. A variation to permit a detached accessory structure within a front yard.**
- 4. A variation to reduce the required front yard setback from 50 feet to 30 feet.**

Mr. Michael Griffith, Senior Planner presented the staff report. He stated that the subject property is the City's Municipal Services Facility. Mr. Griffith reported that the City proposes to have a 300-foot tall tower constructed next to the existing tower at the southeast corner of the property. He reported that the engineers determined that it's in a good position.

Mr. Griffith reported that the company approached the City and that the company will build the tower and allow the City to lease space and own it.

Mr. Aaron Valley, representing the company that will build the tower reported that the company is willing to build and fund the tower.

Chairperson Meyer asked who will be responsible for the maintenance.

Mr. Valley reported that the maintenance will be the responsibility of the City. He reported that the renters will pay a capital contribution fee as well.

Commissioner Lind questioned if the FAA is an issue because of Brookeridge.

Mr. Valley reported that they are applying for 300 feet but it could be knocked down to 250 feet.

Commissioner Mallers questioned why such a significant height difference.

Mr. Valley stated that they prefer to have the same size as the present tower.

Mr. Griffith stated that the new cell tower will generate \$384,000 for the City along with a couple other things that the City negotiated.

Commissioner Mallers questioned if this was a financial deal or strictly because of no reception.

Mr. Valley reported that it was both and that the carrier negotiated with Darien because they did not have good reception.

There was no one in the audience wishing to present public comment. Chairperson Meyer closed the public hearing at 7:45 p.m.

**Commissioner Kiefer made a motion and it was seconded by Commissioner Ritzert that based upon the submitted petition and the information presented, the request associated with PZC 2013-04 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission approve the petition as presented.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 9-0.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee on August 26, 2013 at 6:30 p.m.

#### **MINUTES**

**Commissioner Kiefer made a motion and it was seconded by Commissioner Mallers to waive the reading of the April 17, 2013 Meeting Minutes.**

**Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 9-0.**

**Commissioner Ritzert made a motion and it was seconded by Commissioner Meyer to approve the April 17, 2013 Meeting Minutes.**

**Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 9-0.**

#### **CORRESPONDENCE**

None.

#### **OLD BUSINESS/PLANNER'S REPORT**

Mr. Griffith reported that construction has begun for Walmart.

#### **NEXT MEETING**

Mr. Griffith announced that the next meeting is scheduled for Wednesday, September 4, 2013 at 7:00 p.m.

**ADJOURNMENT**

**With no further business before the Commission, Commissioner Kiefer made a motion and it was seconded by Commissioner Vonder Heide to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:00 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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**Elizabeth Lahey  
Secretary**

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**Beverly Meyer  
Chairman**