

**MINUTES
CITY OF DARIEN
PLANNING/DEVELOPMENT COMMITTEE MEETING
May 27, 2009**

PRESENT: Alderman Sylvia McIvor, Alderman John Poteraske, Alderman Joseph Marchese, Dan Gombac-Director, Michael Griffith – Senior Planner, Elizabeth Lahey-Secretary

ABSENT: None

Chairperson McIvor called the Planning/Development Committee Meeting to order at 6:31 p.m. at City Hall – City Council Chambers, Darien, Illinois and declared a quorum present. She noted a change on the agenda and the date for the minutes was April 30th.

MEETING:

- A. PZC 2009-02: 1521 Carrol Court: Petitioner requests a variation to reduce the required rear yard setback for a patio from 20 feet to 11 feet. (Committee discussion followed by public comment.)**

Mr. Michael Griffith, Senior Planner presented the staff report. He stated that the petitioner is seeking a variation to construct a patio closer to the rear yard than permitted by the Zoning Ordinance. He reported that the PZC held a public hearing on May 6, 2009 and recommended approval. Mr. Griffith reported that there were no residents present at the public hearing. He stated that the petitioner was present.

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

Alderman Marchese made a motion and it was seconded by Alderman Poteraske that based upon the submitted petition and the information presented, the request associated with PZC 2009-02 is in conformance with the standards of the Darien City Code and move that the Planning/Development Committee recommend to the City Council approval of the petition as presented.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

Chairperson McIvor announced that this would be forwarded to the City Council on June 15, 2009 at 7:30 p.m.

B. PZC 2009-03: Tara Hill Subdivision, Unit 1, Replat of Lots 10, 16-19: Petitioner requests approval of a final plat of resubdivision of Lots 10, 16-19 of Tara Hill Subdivision, Unit 1. (Committee discussion followed by public comment.)

Mr. Michael Griffith, Senior Planner presented the staff report. He stated that this request came before the Committee a few months ago and that the City has no objection to giving up the property. Mr. Griffith stated that the plats will be drawn to create new lots and that the utility and drainage easements will remain in place. He reported that the City Engineer reviewed the request and that the petitioner addressed all comments. Mr. Griffith reported that other than the petitioner, there was no one in the audience with any objection.

Mr. Dan Gombac, Director stated that the residents have been doing fine job keeping the property manicured for the last couple of years. He stated that it is difficult for the City to get back to the property and that the City will maintain the area closer to the wetlands.

Mr. Griffith reported that there will be a new lot 5 on the plat.

Alderman Poteraske questioned if there were any drainage issues.

Mr. Gombac reported that there is a creek behind the property and some overgrown trees. He stated that Dupage County is still looking at the area.

Mr. Dennis Kapustka, 2220 Donegal Drive, petitioner, stated that over the years there has been a water problem since Brookeridge was built. He stated that he has been in contact with Dupage County and that they reported that there would not be additional water. Mr. Kapustka stated that over the years that the water has caused erosion causing the berm to move and making is wider and wider. He stated that often debris needs to be removed and that it is becoming much more burdensome.

Mr. Gombac stated that he would be meeting with Dupage County on other issues and that he would bring this issue up to them. He stated that he would keep Mr. Kapustka informed.

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

Alderman Poteraske made a motion and it was seconded by Alderman Marchese that based upon the submitted petition and the information presented, the request associated with PZC 2009-03 is in conformance with the standards of the Darien City Code and move that the Planning/Development Committee recommend to the City Council approval of the petition as presented.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

Chairperson McIvor announced that this would be forwarded to the City Council on June 15, 2009 at 7:30 p.m.

C. Petition for Annexation: 18W061 73rd Place: Requests annexation into the City of Darien. (Committee discussion followed by public comment.)

Mr. Dan Gombac, Director reported that the petitioners would like to seek annexation into the City of Darien. He reported that Joseph and Barbara de LaVan, own the property and that their daughter, Deborah Allen is requesting the annexation.

Mr. Gombac reported that there is an encroachment issue of a 12-foot wide platted public walkway located between the subject property and the lot east, 1213 73rd Place. He reported that the sidewalk encroaches onto 18W061 73rd Place instead of remaining within the platted walkway. Mr. Gombac stated that with the agreement of the property owners for both properties, staff proposes to replat the lots and the public walkway to reflect the existing conditions.

Mr. Gombac stated that the plat will be amended in Item D of the Meeting Agenda.

Ms. Barbara de LaVan questioned if an address would be assigned to the property.

Mr. Michael Griffith, Senior Planner stated that once it is annexed there will be an address assigned.

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

Alderman Marchese made a motion and it was seconded by Alderman Poteraske that based upon the submitted petition and the information presented, that the Planning/Development Committee recommend to the City Council approval of the petition for annexation as presented.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

Chairperson McIvor announced that this would be forwarded to the City Council on June 15, 2009 at 7:30 p.m.

D. Plat of Abrogation and Assessment Plat: 18W061 73rd Place and 1213 73rd Place: Approval of a plat of abrogation and an assessment plat. (Committee discussion followed by public comment.)

Mr. Dan Gombac, Director reported that this item is related to the annexation of 18W061 73rd Place, the property to the east (1213 73rd Place) and a dedicated walkway running between the properties. Mr. Gombac stated that the City will be responsible for the sidewalk and fence and amend it from 12 feet to 9 feet. He stated that he provided the residents with a colored copy of the area for better understanding.

Mr. Gombac stated that no new lots are being created and that the City Attorney advised staff that the PZC consideration was not required.

Alderman Poteraske questioned if both parties were affected.

Mr. Gombac stated that they were affected.

Alderman Poteraske stated that it seemed like there was always a wonder regarding this property.

Mr. Gombac stated that the school handled the snow removal in the winter .

Alderman Poteraske questioned the change from 12 feet to 9 feet.

Mr. Gombac stated that this adjustment assisted in compromising with the residents.

Mrs. Evenin Sunyon, 1213 73rd Place asked if there would be 1 foot added on each side. She stated that they agreed that the fence would be extended to the east and to the west and questioned if it was measured.

Alderman Poteraske stated that “approximately” is used in the language.

Mr. Gombac stated that although approximately is in the language that it is still within the 9 feet encroachment.

Ms. Sunyon asked who will maintain the fence.

Mr. Gombac stated that the City will work with the residents and the City Council on what works best when the time comes.

Chairperson McIvor stated that the City is responsible for the fence.

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

Alderman Marchese made a motion and it was seconded by Alderman Poteraske that based upon the submitted petition and the information presented that the Planning/Development Committee recommend to the City Council approval of the proposed plat of abrogation and assessment plat.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

Chairperson McIvor announced that this would be forwarded to the City Council on June 15, 2009 at 7:30 p.m.

E. PZC 2009-01: Wight & Co. PUD, Phase II, Final: Petitioner seeks final approval of Phase II of the Wight & Co. PUD, for the development of Lot 2 of the two lot PUD. (Committee discussion followed by public comment.)

Mr. Michael Griffith, Senior Planner presented the staff report. He stated that the petitioner seeks final PUD approval for Lot 2 of the Wight & Co. PUD, Phase II. He further stated that the PUD consists of two lots, with one office building to be built on each lot.

Mr. Griffith reported that Phase II will be a 23,000 two-story office building for the American Academy of Sleep Medicine. He stated that the proposed plan complies with the PUD and that the City Engineer reviewed the plan and that the petitioner addressed all the comments.

Alderman Poteraske questioned the lot coverage.

Mr. Griffith reported that 40% of the lot is impervious. He stated that 70% is permitted.

Alderman Poteraske questioned if the 40% included the bike trail. He stated that in this case it is pervious.

Mr. Griffith stated that the proposal is well within the guidelines.

Alderman Poteraske questioned the sign and why 20 feet to 4 feet from the driveway entrance is acceptable.

Mr. Griffith stated that there is no where else to put the sign. He stated that the sign is far enough away from the public road and far enough back not to cause a problem.

Alderman Poteraske questioned why there was curb and gutter just in the front.

Mr. Griffith stated that the curb and gutter was one of the waivers in the PUD and that it is consistent to what was approved.

Alderman Poteraske stated that he preferred that the approval language include the wording from the approval in 2003.

Alderman Poteraske stated that the bike path is in an easement and on private property. He stated that the bike path on Frontage Road is proposed to be on the side. He asked if the American Academy of Sleep Medicine would be putting in a bike path.

Alderman McIvor stated that she liked the idea of a temporary bike path until the path is completed. She stated that the petitioner should make sure that it is consistent with the Darien bike paths.

Alderman Marchese questioned if the second building mimicked the first building.

Mr. Jason Dwyer, petitioner stated that the building will have the same angles and same landscaping throughout and that there will be two green roofs with the lower terrace end all green room. He stated that they are adding this because it demonstrates their line of business.

Chairperson McIvor questioned if the petitioner is LEED certified.

Mr. Dwyer stated that they have not planned on it and that the client is not pursuing certification.

Chairperson McIvor questioned the distance from the nearest resident.

Mr. Dwyer stated that there are residents to the east and to the north and that the parking lot is located toward the street.

Mr. Gombac provided some history regarding the residents and stormwater when Phase I was built. He reported that during Phase I staff had discussions with Mr. Roger Ulman regarding stormwater and since then he has passed away. He stated that Mr. Ron Ulman has also sited some concerns.

Mr. Gombac stated that staff is aware that there are residents questioning the stormwater and that at the public hearing Mr. Griffith announced that if there are concerns that staff would work with Wight & Co. to address them.

Mr. Dwyer stated that the stormwater calculations were done based on the surface during Phase I. He stated that they have gone through the same process for Phase II and that the release rate will not increase. Mr. Dwyer stated that they are maintaining 100 year stormwater.

Alderman Marchese stated that the perception is that something is wrong and that someone will have to deal with it.

Mr. Dwyer stated that the Ordinance does not acknowledge sustainable strategies that Wight & Co. has done. He stated that they are taking the water down from the soil and that in a heavy rain there is not significant sitting water.

Chairperson McIvor asked if there are other options from drainage through the parking.

Mr. Dwyer stated that there are other ways but that it is very expensive.

Alderman Marchese asked if there are going to be studies conducted at the Academy.

Mr. Dwyer stated that there will be no medical operation or studies done at the site and that it is a building for meeting space for training.

Mr. Gombac asked if Wight & Co. will work with the City if there is a drainage issue. He asked that during maintenance if there is a problem if Wight & Co. will put in a 6" pipe across the field into the adjacent lake.

Mr. Dwyer stated he cannot comment on financing but that Wight & Co. will work with the City if there is an issue.

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

Alderman Marchese made a motion and it was seconded by Alderman Poteraske that based upon the submitted petition and the information presented, the request associated with PZC 2009-01 is in conformance with the standards of Ordinance #15-2003 and move

that the Planning/Development Committee recommend to the City Council approval of the petition as presented subject to the following conditions:

1. Amend plan to show curbs at driveway entrance.
2. Show dumpster detail on plans, with materials to coordinate with the exterior building materials, with screening gate.
3. Address engineering comments noted in the letter dated April 24, 2009, from Dan Lynch, PE, Christopher B. Burke Engineering, Ltd.
4. Provide a plat showing the amended stormwater management easement and cross-access easement.
5. Show fire hydrant locations per Fire District approval.
6. Grant waiver to reduce the required setback from a driveway for a sign from 20 feet to 4 feet.
7. Up to 1 year after the building that Wight & Co. work together with the City of Darien if there is a concern.

Upon voice vote, **THE MOTION CARRIED unanimously 3-0.**

Chairperson McIvor announced that this would be forwarded to the City Council on June 15, 2009 at 7:30 p.m.

F. Annexation Policy: Discussion regarding procedures, fees. (Committee discussion followed by public comment.)

Alderman Poteraske stated that it has been awhile sine the Committee looked at the annexation process. He questioned if the Committee should review the fees and make changes.

Mr. Dan Gombac, Director stated that if the process was done with a block that staff could entertain relief to the residents.

Alderman Marchese agreed. He stated that it is an incentive to bring a group in at once.

Chairperson McIvor stated that she preferred to keep the policy the same and treat each request individually.

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

The Committee unanimously agreed that the Annexation Policy remain the same.

PUBLIC COMMENT:

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

MINUTES:

Alderman Marchese made a motion and it was seconded by Alderman Poteraske to approve the March 30, 2009 Meeting Minutes.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

CORRESPONDENCE:

Alderman Poteraske stated that Glendale Heights changed their ordinance recently to address apartments changing to condo to require sprinklers. He asked if this is something that the City may be interested in doing.

Chairperson McIvor stated that she would be concerned with costs.

Alderman Poteraske suggested that staff seek additional background.

OLD BUSINESS:

There was some discussion regarding R/V complaints.

DIRECTOR'S REPORT:

Mr. Dan Gombac, Director reported on the following:

Darien Woods Subdivision: Two lots remain.

Violets Farm: City Council to accept public improvements.

James Peter Ct.: Last lot seeded.

Mayada Brook: Sold lots through auction. Requesting Letter of Credit.

Darien Path Townhomes: Two lots remain.

Celestine Spa: Item removed.

Burr Ridge Animal Clinic: Minor items remain.

Speedway: Moved project to 2010. Reevaluate construction schedule and asked City to look at a liquor license.

Meyers: Wetland issue.

Crossroads: On maintenance. Expires in October.

Joanne Fabrics: Moving into Stein Mart location.

Chairperson McIvor asked staff to look into the bike path at Bellar. She stated that it needed attention.

NEXT MEETING:

Chairperson McIvor announced that the next regularly scheduled meeting is scheduled for Monday, June 22, 2009 at 6:30 p.m.

ADJOURNMENT:

With no further business before the Committee, Alderman Marchese made a motion and it was seconded by Alderman Poteraske to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:20 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Sylvia McIvor
Chairperson

John Poteraske
Alderman

Joseph Marchese
Alderman