

**CITY OF DARIEN**  
**PLANNING AND ZONING COMMISSION**  
**AGENDA**

**Wednesday, November 4, 2015**  
**7:00 PM**

**City Hall**  
**Council Chambers**

1. Call to Order
2. Establish Quorum
3. Regular Meeting:
  - A. **Public Hearing**  
**PZC 2015-14: 6901 Clarendon Hills Road:** Petitioner seeks approval of a variation to reduce the required corner side yard setback from 15 feet to 11 feet for a shed.
  - B. **PZC 2015-15: Marion Hills Bible Church, 142 Plainfield Road:** Petitioner seeks approval of a sign variation to permit an electronic message board sign.
4. Correspondence
5. Old Business/Planner's Report
6. Minutes: October 7, 2015; October 21, 2015
6. Next Meeting: **November 18, 2015, 7:00 PM**
7. Adjournment

**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**MEETING DATE: November 4, 2015**

**Issue Statement**

**PZC 2015-14: 6901 Clarendon Hills Road:** Petitioner seeks approval of a variation to reduce the required corner side yard setback from 15 feet to 11 feet for a shed.

**General Information**

Petitioner/Owner: Matthew Goodwin  
6901 Clarendon Hills Road  
Darien, IL 60561

Property Location: 6901 Clarendon Hills Road

PIN: 09-23-311-001

Existing Zoning: R-2 Single-Family Residence

Existing Land Use: Single-family detached home

Comprehensive Plan Update: Low Density Residential

**Surrounding Zoning and Land Use:**

North: R-2 Single-Family Residence: single-family detached homes  
East: R-2 Single-Family Residence: single-family detached homes  
South: R-2 Single-Family Residence: single-family detached homes  
West: R-2 Single-Family Residence: single-family detached homes

Size of Property: 19,181 square feet

Floodplain: Eastern portion of property is located within a floodplain.  
Proposed location of shed is partially located within the floodplain.

Transportation: Property fronts Clarendon Hills Road and 69<sup>th</sup> 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/Site Plan, 1 sheet, survey prepared by Joseph M. DeCraene, dated March 19, 2013, site plan prepared by petitioner.
2. Aerial Map of property.
3. Shed Drawing, 1 sheet, prepared by Arrow.

### **Planning Overview/Discussion**

The subject property is located at the southeast corner of Clarendon Hills Road and 69<sup>th</sup> Street. The petitioner proposed constructing a 12' x 17' shed on the north side of existing detached garage, next to the garage.

The property is zoned R-2. Detached accessory structures are required to be located at least 15 feet from the corner side lot line (69<sup>th</sup> Street right-of-way line), Section 5A-5-9-2(A)(b)(2) of the Zoning Ordinance. The shed will encroach 4 feet into the required 15-foot corner side yard setback.

The proposed shed location is located within a floodplain. The City Engineer will have to review the site plan to determine compliance with applicable floodplain regulations.

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 proposed variation. The proposed variation does not adversely alter the general character of the property, nor does it adversely alter the essential character of the neighborhood, nor does it impair the adequate supply of light and air in adjacent properties.

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

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-14 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, subject to:**

1. **Floodplain review by the City Engineer.**

### **Decision Mode**

Planning and Zoning Commission: November 4, 2015

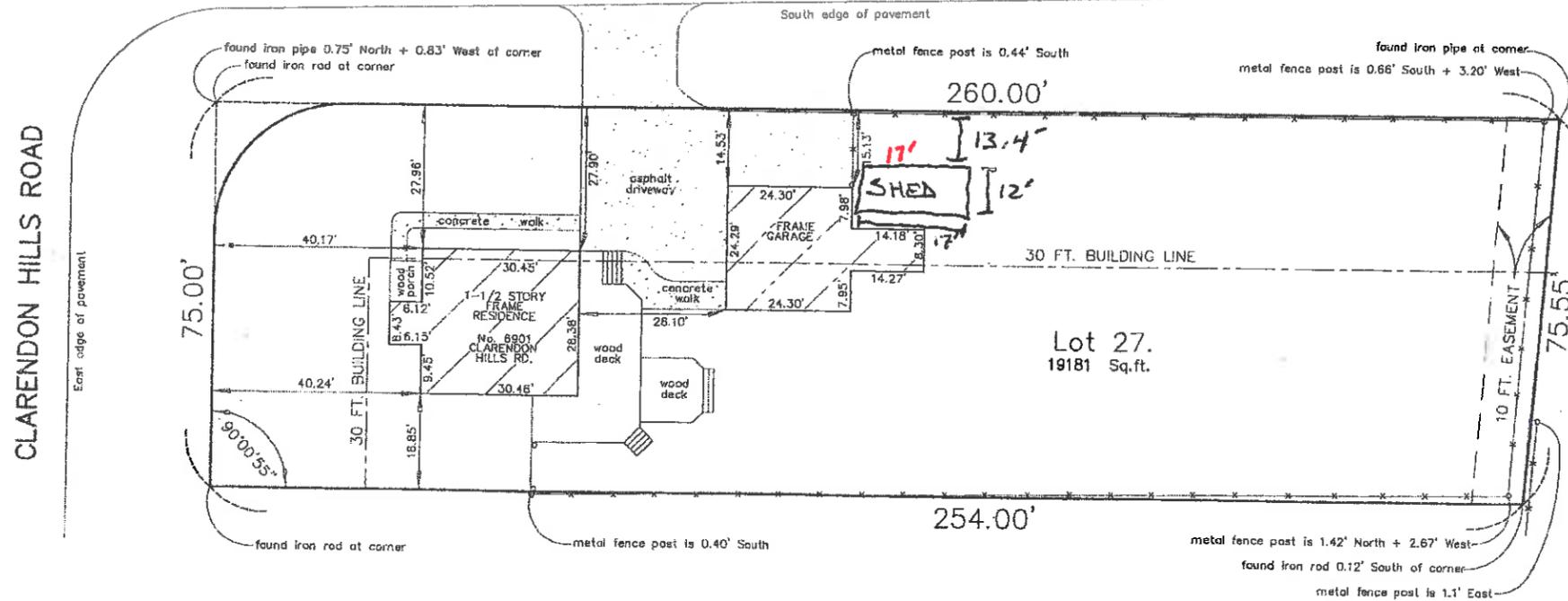
JOSEPH M. DE CRAENE  
 ILLINOIS LAND SURVEYOR  
 8710 SKYLINE DRIVE  
 HINSDALE, IL 60527  
 PHN 630-789-0898  
 FAX 630-789-0697

# ALTERED Plat of Survey



LOT 27 IN BLOCK 42 IN TRI STATE VILLAGE UNIT 5, BEING A SUBDIVISION OF PART OF THE  
 SOUTHWEST 1/4 OF SECTION 23 AND PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF  
 SECTION 26, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN,  
 ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1944 AS DOCUMENT 465114,  
 IN DUPAGE COUNTY, ILLINOIS.

69th STREET



- NOTES:
- CHECK FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS, IF ANY, NOT SHOWN HEREON. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, RESTRICTIONS, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
  - CHECK PROPERTY DESCRIPTION HEREON AGAINST DEED.
  - SCALE HEREON MAY BE APPROXIMATE IN CERTAIN AREAS FOR CLARITY OR FROM REPRODUCTION IRREGULARITIES. DO NOT SCALE FROM PLAT.
  - CONSULT WITH SURVEYOR PRIOR TO USING THIS PLAT FOR ANY CONSTRUCTION PURPOSES. COMPARE ALL INFORMATION SHOWN BEFORE USE.
  - DO NOT ASSUME THAT PROPERTY MONUMENTS ARE AT PROPERTY CORNERS.
  - DO NOT ASSUME THAT PROPERTY CORNERS INDICATED REMAIN IN PLACE.
  - SURVEY PLAT NOT VALID UNLESS EMBOSSED IMPRESSION OF SURVEYOR'S SEAL IS AFFIXED HEREON.

— x — x — x — METAL CHAIN—LINK FENCE

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATE: MARCH 19, A.D. 2013

*Joseph M. De Craene*  
 ILLINOIS LAND SURVEYOR NO. 2476

LIC. EXP. 11-30-2014

ORDERED BY: RICHARD F. SARNA, ATTY.

ORDER NO. 130210

© COPYRIGHT 2013 JOSEPH M. DE CRAENE



N

Clarendon Hills Rd

69th St

99

75

0923311001  
PROPERTY ADDRESS:  
6901 CLARENDON HILLS  
DARIEN IL 60561

260

254

0923311002  
PROPERTY ADDRESS:  
6905 CLARENDON HILLS  
DARIEN IL 60561

75.55

82.71

75.24

68



**AGENDA MEMO**  
**PLANNING AND ZONING COMMISSION**  
**MEETING DATE: November 4, 2015**

**Issue Statement**

**PZC 2015-15: Marion Hills Bible Church, 142 Plainfield Road:** Petitioner seeks approval of a sign variation to permit an electronic message board sign.

**General Information**

Petitioner/Owner: Marion Hills Bible Church  
142 Plainfield Road  
Darien, IL 60561

Property Location: 142 Plainfield Road

PIN: 09-26-101-001; -002

Existing Zoning: R-2 Single-Family Residence

Existing Land Use: Religious institution

Comprehensive Plan Update: Low Density Residential

**Surrounding Zoning and Land Use:**

North: R-2 Single-Family Residence: single-family, detached residence

East: R-2 Single-Family Residence: single-family, detached residence

South: R-2 Single-Family Residence: single-family, detached residence

West: R-2 Single-Family Residence: single-family, detached residence

Floodplain: None.

Natural Features: None.

Transportation: Property has frontage on Plainfield Road and High Road.

**Documents Submitted**

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

**Planning Overview/Discussion**

The subject property is located at the northeast corner of Plainfield Road and High Road.

The petitioner recently replaced their free-standing sign with a new sign. Upon the sign's installation, staff noticed the sign was an electronic message board. The Sign Code prohibits electronic message board signs. The petitioner is requesting a variation from the Sign Code to bring the matter into compliance.

The City Council has granted variations to permit electronic message board signs for several institutions in Darien, including: First American Bank on 75<sup>th</sup> Street, Republic Bank on 75<sup>th</sup> Street, Chuck's Southern Comforts Café on Cass Avenue and most recently Our Lady of Peace Church on Plainfield Road. In each case, approvals have included conditions, in part, the time messages are required to be held and prohibiting flashing, blinking, scrolling messages.

To be consistent, staff offers the following conditions:

1. Messages will be held for 60 seconds.
2. Messages will change all at once.
3. Messages may display multiple colors.
4. Illumination will maintain a constant light intensity or brightness.
5. Illumination brightness will comply with the Sign Code, to be verified at time of permit issuance.

With the above conditions, messages are not allowed to scroll, but will have to maintain constant illumination.

Per Section 4-3-18 of the Sign Code, the following shall be considered when granting a variation from the Sign Code:

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:

1. To promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents of the City.
2. To enhance the physical appearance of the City by preserving the scenic and natural beauty of the area.
3. To promote the safety and recreational value of public travel.
4. To protect the public investment in streets and highways by reducing sign or advertising distractions that may increase traffic accidents.
5. To ensure compatibility of signs with surrounding land uses.
6. To enhance the economy of the City by promoting the reasonable, orderly and effective display of outdoor advertising.
7. 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.

8. To prevent the proliferation of off-site advertising signs which distract from the development of the City in an aesthetically pleasing manner.
9. 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 finds the proposed sign an improvement over the previous sign. The proposed variation will not affect 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.

Staff recommends the Commission make the following recommendation to approve the variation petition subject to conditions:

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-15 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 subject to the following conditions:**

1. Messages will be held for 60 seconds.
2. Messages will change all at once.
3. Messages may display multiple colors.
4. Illumination will maintain a constant light intensity or brightness.
5. Illumination brightness will comply with the Sign Code, to be verified at time of permit issuance.

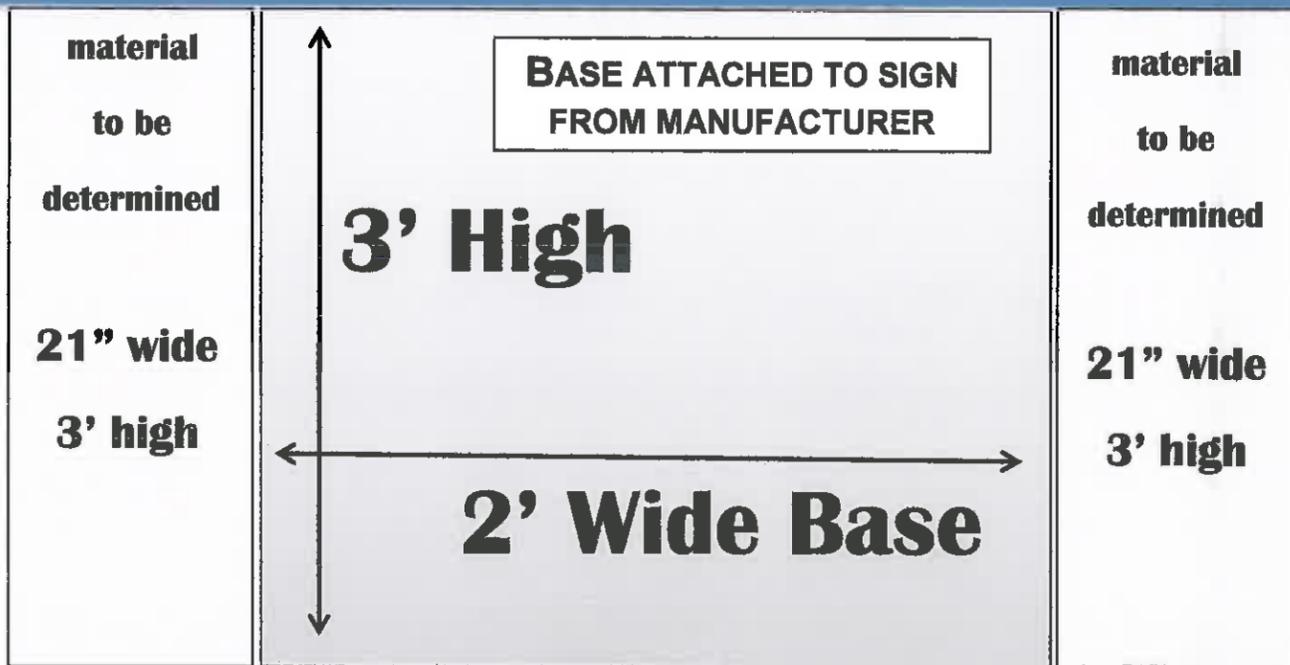
### **Decision Mode**

Planning and Zoning Commission: November 4, 2015

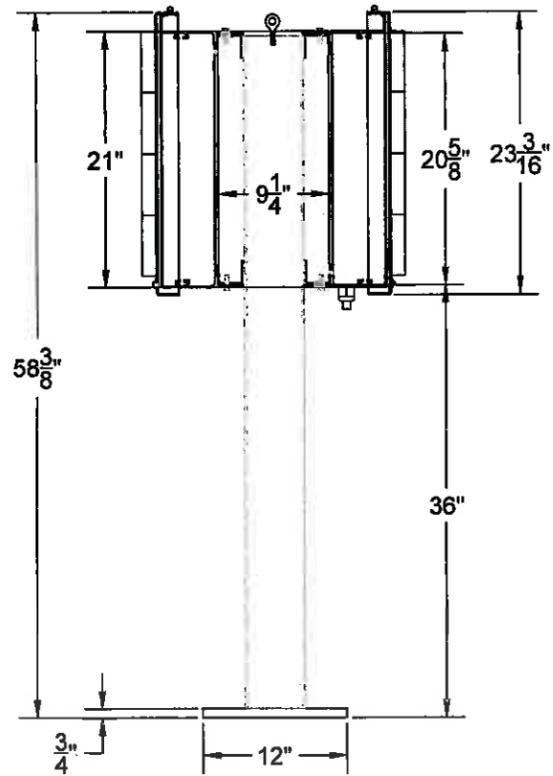
IF YOU HAVE QUESTIONS PLEASE CONTACT: 630-986-0108 -OR- EMAIL: HIDDENWITHCHRIST@ATT.NET  
*142 Plainfield Rd*  
*Darien IL* MARION HILLS BIBLE CHURCH



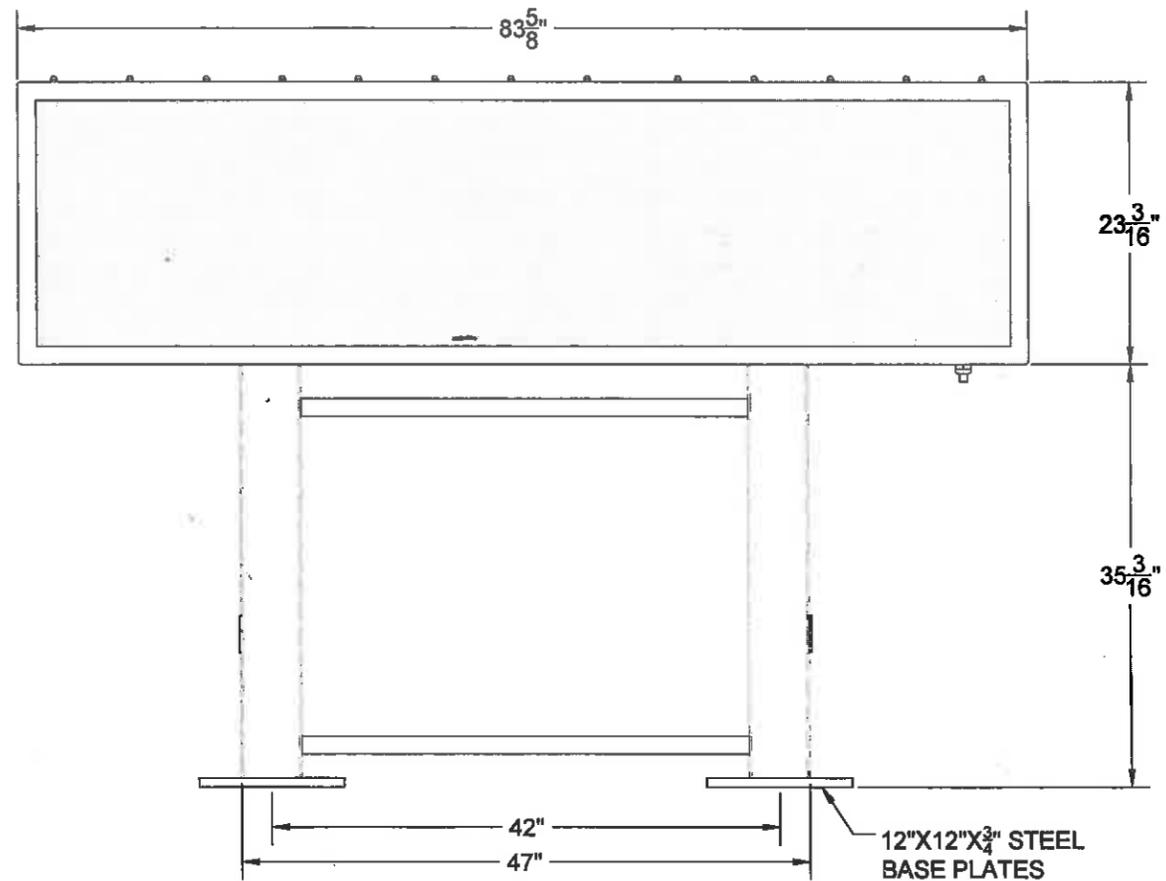
**IT IS AN INTERNALLY LIT LED SIGN  
MULTI-COLORED, 2-SIDED**



**4' of Landscaping around sign**



**SIDE VIEW**



**FRONT VIEW**

DRAWING DESIGNED TO BE PRINTED ON 8 1/2"X14" PAPER



Date: 07-17-15	
Drawn by: JRM	
REVISION	DESCRIPTION
1	REVISED LEG MOUNT
2	REVISED LEG SIZE
3	REVISED LEG WIDTH
3	REVISED FOOTER

J.M.S. TEMPLATE MUST BE USED TO SET THREADED RODS INTO CONCRETE		Sign Model: DAYSTAR EXP 16mm 32X128	Page 2 OF 5
Drawing #: DEXP-16mm-C-32x128	Sketch #: 859322-5D-S	Customer #: 1119044	Customer Name: MARION HILLS BIBLE CHURCH
		Customer Address: 142 PLAINFIELD ROAD DARIEN, IL 60561-3909	



**MINUTES**  
**CITY OF DARIEN**  
**PLANNING & ZONING COMMISSION MEETING**  
**October 7, 2015**

**PRESENT:** Beverly Meyer – Chairperson, Andrew Kelly, John Lind, Ray Mielkus, Pauline Oberland, Michael Griffith – Senior Planner

**ABSENT:** Ron Kiefer, John Laratta, Lou Mallers, Ken Ritzert

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 2015-10: TCF Bank ATM, 7335 Cass Avenue: Petitioner requests special use approval to allow the establishment of an ATM drive-thru facility and a variation to reduce the required vehicle stacking for the ATM from 20 to 3.**

Mr. Michael Griffith, Senior Planner reported that this is a special use approval for an ATM drive-thru facility and variation for stacking. He reported that the drive-thru requires a special use and that the zoning ordinance requires a vehicle stacking of at least 20.

Mr. Griffith reported that staff's experience has been that 20 vehicle stacking is no longer necessary. He reported that Citizen's Financial has a similar drive-thru and no issues. He further reported that the drive-thru will be on the far west end of the Jewel/Osco parking lot and that the petitioner will alter the striping to direct traffic. Mr. Griffith reported that 17 parking stalls will be eliminated and that staff has no issues.

Mr. Ken Kahle, Catalyst Exhibits, Inc. stated that the property will have a pavilion at the furthest point of the Jewel/Osco. He stated that this will be a full service ATM and will be maintained by the TCF and Armored Car. He further stated that there will be two security cameras, one built in and one overhead.

Chairperson Meyer stated that the area is very dark. She questioned what type of lighting was proposed.

Mr. Kahle stated that they will be providing LED lights but not flooding the area with lighting.

Commissioner Lind questioned why the far west location.

Mr. Kahle stated that the executives from Jewel/Osco proposed the location. He stated that banking will remain inside the store and that they are enhancing the interior.

There was no one else wishing to present public comment and Chairperson Meyer closed the public hearing.

**Commissioner Oberland made a motion and it was seconded by Commissioner Kelly that based upon the information presented, the request associated with PZC 2015-10 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 5-0. Commissioner's Kiefer, Laratta, Mallers and Ritzert were not present.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

**B. PZC 2015-13: Horizon Academy, 17w125 S. Frontage Road: Petitioner seeks final plat of subdivision approval for a 1-lot subdivision and site plan approval for a private school.**

The petitioner, Mr. Bassam Osman, President of Horizon Academy stated that he is proposing a school with two phases. He reported that Phase I will be the elementary school and Phase II the middle school.

Chairperson Meyer questioned if this will be a state licensed school and if they will be serving lunch.

The petitioner reported that they will be state licensed school and that there will be a kitchen and they will sell lunches on certain days.

Commissioner Oberland questioned if the school is private or charter.

Mr. Osman stated that they are a private school.

Commissioner Lind questioned if there was any proposed ownership for the southern portion of the property.

Mr. Osman stated that the property is owned by the bank from a foreclosure and that it is on the market for sale.

Commissioner Lind questioned the access and easement for the south parcel.

Mr. Osman stated that there is a creek going through the land and that the south parcel will enter from 87<sup>th</sup> Street.

Mr. Michael Griffith, Senior Planner reported that there is a platted right-of-way that would provide access.

Chairperson Meyer questioned if there will be a fence.

Mr. Osman stated that there is a partial fence along the western portion. He stated that to the south is a flood area and creek and passes through the southern property to the western part of the lot. Mr. Osman stated that they are fenced by the creek.

Chairperson Meyer questioned the depth of the creek and safety issues.

Mr. Griffith stated that the creek is far away. He stated that there is a wooded area as well and that the school is not right up against the school. He further stated that the majority of the property is floodplain and wetlands.

Mr. Osman stated that 3 acres of the property is buildable.

Commissioner Mielkus questioned why the need for another school when there are many in the area.

Mr. Osman stated that there is a desire by parents to build a private school.

Chairperson Meyer questioned if there will be buses parking on site.

Mr. Osman stated that the buses will pick up and drop off and not park at the school.

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

Mr. Griffith reported that staff has noted some conditions in the agenda memo regarding the address assignment, dumpster enclosure, signage and engineering comments. He stated that the petitioner did a great job on the site plan with no variations.

**Commissioner Oberland made a motion and it was seconded by Commissioner Mielkus that based upon the information presented, the request associated with PZC 2015-10 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission approve the petition as presented subject to the following conditions:**

- 1. Address assignment**
- 2. Dumpster enclosure to be screened by masonry enclosure at least 6 feet tall**
- 3. Provide signage details**
- 4. Address City Engineer's comments noted in letter from Dan Lynch, PE, Christopher B. Burke Engineering, dated September 30, 2015.**

**Upon roll call vote, THE MOTION CARRIED 5-0. Commissioner's Kiefer, Laratta, Mallers and Ritzert were not present.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

## **MINUTES**

Commissioner Kelly made a motion and it was seconded by Commissioner Oberland to waive the reading of the September 2, 2015 Meeting Minutes.

Upon voice vote, **THE MOTION CARRIED UNANIMOUSLY 5-0.** Commissioner's Kiefer, Laratta, Mallers and Ritzert were not present.

Commissioner Lind made a motion and it was seconded by Commissioner Mielkus to approve the September 2, 2015 Meeting Minutes.

Upon voice vote, **THE MOTION CARRIED UNANIMOUSLY 5-0.** Commissioner's Kiefer, Laratta, Mallers and Ritzert were not present.

**CORRESPONDENCE**

None.

**OLD BUSINESS/PLANNER'S REPORT**

None.

**NEXT MEETING**

Mr. Griffith announced that the next meeting is scheduled for Wednesday, October 21, 2015 at 7:00 p.m.

**ADJOURNMENT**

With no further business before the Commission, Commissioner Oberland made a motion and it was seconded by Commissioner Lind. Upon voice vote, **THE MOTION CARRIED unanimously and the meeting adjourned at 7:45 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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**Michael Griffith  
Senior Planner**

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**Beverly Meyer  
Chairman**

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
October 21, 2015**

**PRESENT:** Beverly Meyer – Chairperson, Andrew Kelly, Ron Kiefer, John Laratta, Ray Mielkus, Pauline Oberland, Ken Ritzert, Dan Gombac – Director, Elizabeth Lahey - Secretary

**ABSENT:** Lou Mallers

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 2015-11: Smile Care Dental, 7511 Lemont Road, Chestnut Court Shopping Center: Petitioner requests approval of a special use in order to establish a dental clinic within the B-3 General Business zoning district.**

Mr. Dan Gombac, Director reported that the request is for a dental clinic Elite Smiles located in the Chestnut Court shopping center at 7511 Lemont Road. He reported that the area was formerly Blockbuster and that the shopping center requires a special use. Mr. Gombac reported that staff feels there is no negative impact.

The petitioner, Dr. Dilip Patel reported that he grew up in Darien and wants to start a small dental business and open two to three days per week. He stated that there will be two doctors and two to three staff members.

Commissioner Kiefer questioned if the petitioner was taking the entire space.

Dr. Patel stated that he was only using half of the space.

Mr. Gombac reported that there is opportunity there for another renter.

Commissioner Ritzert questioned if this is a new business.

Dr. Patel stated that he has an office in Plainfield since 2002 and that he and his wife are both dentists and that they will alternate between offices.

Chairperson Meyer questioned the size of the waiting room and the hours of business.

Dr. Patel stated that the waiting room will seat 8 comfortably. He stated that they will operate some days 9-5 with some days open until 8:00 p.m.

There was no one else wishing to present public comment and Chairperson Meyer closed the public hearing at 7:06 p.m.

**Commissioner Laratta made a motion and it was seconded by Commissioner Ritzert that based upon the information presented, the request associated with PZC 2015-11 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 7-0. Commissioner Mallers was not present.**

Mr. Gombac announced that this would be forwarded to the Municipal Services Committee.

**B. Public Hearing - PZC 2015-12: 1033 S. Frontage Road: Revocation of special use granted by Ordinance O-20-15, which permitted the establishment of a "garage for the storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding".**

Mr. Dan Gombac, Director reported that this property has been vacant for several years. He stated that previous the property was a drop yard for storing semi-trailers. Mr. Gombac reported that in 2011 the City Council granted a special use to "garage for the storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding".

Mr. Gombac reported that this special use is tied to the Great Dane property and that the City Council desires to start at ground zero. He stated that at the last Municipal Services Committee meeting the Committee voted 2-1 against the Thermal King petition. He reported that the petitioner contacted staff that they are not moving forward.

Commissioner Oberland questioned Great Dane's thoughts. She stated that the property sat for four years. She further stated that the land will limit marketability and questioned the urgency for pulling it off.

Mr. Gombac reported that the City wants to clean it up.

Commissioner Kelly questioned if any others have been pulled in Darien.

Mr. Gombac reported that there were no others.

Commissioner Oberland stated that the PZC and the Municipal Services Committee and staff spent a lot of hours. She stated that the Alderman didn't even care and just pulled it.

Mr. Gombac reported that with a special use the same type of business could still develop the property.

Commissioner Oberland stated that there are two industrial type businesses and public works next door and that this did not make sense.

Commissioner Kiefer stated that it is apparent that the City Council does not want a Thermal King type business there and there is nothing that the PZC can do about it.

Mr. Gombac stated that it is the desire of the City Council to clean up the property. He stated that there is a dilapidated building there that exists.

Commissioner Laratta stated that he feels like “chopped liver” and that the Committee’s recommendation does not matter.

Commissioner Kiefer stated that the Municipal Services Committee has been receptive to the PZC in the past.

Mr. Gombac stated that the petitioner pulled out and that they could have proceeded to the City Council.

Commissioner Oberland stated that if this property loses its marketability it will be a huge loss for the City of Darien.

Mr. Gombac reported that the zoning will stay the same and if a similar type business came in they would have to get approval for outside storage.

Chairperson Meyer opened the meeting to anyone wishing to present public comment.

Mr. Steve Dellagio stated that he attended all of the meetings. He stated that there were hundreds of people against the petition and that although there were many from Timberlake, there were also many from the City of Darien.

Mr. Dellagio stated that the Thermal King business is a very dirty operation. He stated that the residents were against the petition because of safety and the impact to Waterfall Glen. He further stated that the President of the Dupage County Forest Preserve Joe Cantore attended the public hearing and stated that the business would be detrimental to the Forest Preserve.

Mr. Dellagio stated that the property has not been marketed for other uses. He stated that Thermal King withdrew because of the community outcry and traffic issues.

Ms. Heidi Ramirez stated that she attended the meetings as well and that she was in favor of Thermal King. Ms. Ramirez stated that there were misrepresentation of facts. She stated that if the property goes to the Forest Preserve there are more tax dollars removed from Darien and that this is wrong and a concern for the schools and where they will get their funding.

Ms. Ramirez stated that the Municipal Services Committee bowed to Timberlake and false information. She stated that it was an out and out push to Darien. She further stated that the perception is that the City is setting up for some back door deal.

Mr. Gombac stated that Thermal King pulled their petition. He stated that the comments were more negative than positive and that it never got to the City Council because the petitioner pulled out. He further stated that staff provides the facts and can only do so much.

Ms. Ramirez stated that the pressure was not from Darien residents.

Mr. Gombac reported that he received a letter stating that the Forest Preserve is not interested in the property.

Mr. Brian Athern stated that he attended the September Municipal Services Committee meeting and explained to the Committee that there was a lot of misinformation. Mr. Athern stated that he is a ten-year resident of Darien and also an employee of CR England who is Thermal King's largest vendor. Mr. Athern stated that he is present to try and reinvigorate Thermal King. He stated that the property is in disrepair and that there is a valuable suitor to fix it, Illinois Auto who has been a member of their existing community for 48 years.

Mr. Athern agreed that repairing is a bit dirty but that the City Alderman and the residents missed the value in business to Darien. Mr. Athern referenced the money that will be spent by the drivers alone just in food and convenience items. He stated that the average driver may spend up to \$40 per week per person on fluff items and gas and that that does not even include the Thermal King employees.

Mr. Athern stated that the site has been sitting for four years and it is an eyesore. He referenced the noise issues expressed and stated that the Public Works chipper is much louder than the refer units. Mr. Athern stated that the comments made do not hold water and that they are all hogwash. He further stated that the Portage, IN location's neighbor is a Forest Preserve.

Mr. Athern stated that people and business cannot get along without trucking. He stated that Thermal King is seeking the site because of the convenient on and off access. He further stated that the City appraiser quoted the area as an "industrial use".

There was no one else wishing to present public comment and Chairperson Meyer closed the public hearing at 7:59 p.m.

Commissioner Oberland stated that this will make it more difficult for Thermal King and one more hoop to jump through.

Commissioner Kelly questioned if there has been any more discussion with Thermal King.

Mr. Gombac stated that there has been some conversation but no new information.

Commissioner Mielkus stated that if Thermal King wanted to work with the City it would be different.

Mr. Gombac stated that Great Dane has been respectful and that they could have leased it all along.

Commissioner Oberland stated that the truck traffic could be much worse with brokers.

Commissioner Mielkus suggested tabling to see if Thermal King wants to come back.

Mr. Gombac stated that tabling is irrelevant because a variation will be required. The PZC was not interested in discussing the rezoning of the property.

**Commissioner Kiefer made a motion and it was seconded by Commissioner Kelly to approve the request associated with PZC 2015-12: 1033 S. Frontage Road: Revocation of special use granted by Ordinance O-20-15, which permitted the establishment of a "garage**

for the storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding".

Upon roll call vote, **THE MOTION CARRIED 6-1.** Commissioner Mallers was not present.

**AYES: Kelly, Kiefer, Laratta, Mielkus, Ritzert, Meyers**

**NAYS: Oberland**

**MINUTES**

The approval of the October 7, 2015 meeting minutes will be placed on the November 4, 2015 agenda.

**CORRESPONDENCE**

None.

**OLD BUSINESS/PLANNER'S REPORT**

None.

**NEXT MEETING**

Mr. Griffith announced that the next meeting is scheduled for Wednesday, November 4, 2015 at 7:00 p.m.

**ADJOURNMENT**

**With no further business before the Commission, Commissioner Kiefer made a motion and it was seconded by Commissioner Kelly. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:09 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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**Elizabeth Lahey**  
**Secretary**

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**Beverly Meyer**  
**Chairman**