

MINUTES CITY OF DARIEN

PLANNING, ZONING, AND ECONOMIC DEVELOPMENT COMMISSION

Wednesday, May 6, 2026

PRESENT: Lou Mallers – Chairperson, Jonathan Christ, Shari Gillespie, Chris Green, Chris Jackson, Mark Kazich

ABSENT: Jonathan Johnson

OTHERS: Ryan Murphy - City Planner

Chairperson Lou Mallers called the meeting to order at 7:01 p.m. at the Darien City Hall, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present, explained the procedure, and swore in any audience member wishing to present public testimony.

Regular Meeting – New Business

- a. PZC-26-7 (Special Use Permit) – Petition from the Society of Mount Carmel for approval of a special use permit to utilize the single family home located at 8825 Robert Road, Darien IL 60561 (PIN 10-05-207-015) as a rectory/residential use for approximately three to four priests, brothers, or other religious occupants. The Property is located within the R-2 Single Family Residence District.**

Mr. Ryan Murphy, City Planner, reported that home had been purchased in February of 2026, and was located in the R-2 zoning district, with the same zoning surrounding it. He reported that the petition would be to use the home as a rectory or religious residence with no commercial activity or institutional operations proposed. He further displayed the plat of survey and reported that the code would require a special use for religious institutions. Mr. Murphy reported that staff had found there would be no expected impacts to the property, that it would maintain its previous use as a residence. He reported that the Religious Land Use and Institutionalized Persons Act would federally require the city to evaluate the petition objectively. He further reported that the petitioner had provided a justification letter based on the special use criteria, and that he had received five written comments and several phone calls regarding the petition, all of which were given to the Commission.

Mr. John O’Leary, a representative of the Society of Mt. Carmel, stated that the petitioner owns another property in town that is part of a neighborhood, and that the proposed would be a continued residential use for three to five priests or brothers. He further stated that the petition would not be for commercial use, would not be a public facility, would not be an

institutional campus, and would not be a staff-operated program. Mr. O'Leary stated that the proposed would be a residential occupancy of an existing home, and the property would continue to function as it always has, with no exterior changes, signage, public programming, or staff proposed. He stated that he understands the concerns and appreciates the neighbors, but they describe a different use than the one proposed. He further stated that the proposal would be a low intensity use, that a house this size would attract a family of a similar size, and that there would be no services, it would be strictly a place to live. Mr. O'Leary stated that there would not be a land use impact different than a typical household, and that based on the special use criteria, the evidence would strongly support approval.

Commissioner Chris Jackson questioned if they were being separated from the church because of retirement.

Mr. O'Leary stated that they have another residence, but it is out of room.

Commissioner Jackson questioned if the other residence was also off campus.

Mr. Brian Gawel, Director of Finance for the Society of Mt. Carmel, stated that the residence was located at 1501 Winterberry, and that they also have the white house on the Carmelite campus, the residents of which will be moving out of and into the newly purchased home. He stated that one priest needed a first-floor bedroom. He further stated that some of the men work at the church, but others are fully retired. Mr. Gawel stated that the white house needed major repairs, which were too costly, and the newly purchased home is now an asset to them, which they can turnover, but if they were to build on the campus it would be costlier and a stale asset.

There was some discussion regarding previously proposed renovations to the white house.

Commissioner Jackson questioned if any of the men are priests that do services.

Mr. Gawel confirmed that some of them do conduct mass. He stated that the home on Winterberry does not receive visitors, there is no signage or identifiers that religious occupants live there, and the public is not invited. He further stated that the campus is used for visiting with the public, and their homes are closed, private residences.

Chairperson Mallers questioned if there were facilities for retired priests or brothers on campus.

Mr. Gawel confirmed that there are, but they are all full. He stated that 16 live on campus, but three are moving.

Commissioner Jackson questioned what prompted this application.

Mr. Murphy stated that it was due to the use and number of unrelated individuals, not building permits.

Mr. O'Leary stated that they were very transparent with the city regarding the use and any work being done.

Mr. Murphy stated that the coordination with staff began in the fall of 2025.

Chairperson Mallers stated that the concern with the residents was that the special use would take away from the set up of the single-family residential subdivision.

Mr. O'Leary stated that it would just be four elderly individuals living in a house.

Chairperson Mallers pointed out that they were unrelated.

Mr. Gawel stated that they would be very quiet wouldn't be seen doing much.

Mr. Murphy stated that the impacts are categorized based on intensity, and that there may be a few cars in the driveway.

Commissioner Jackson clarified that there was already an ordinance addressing that.

Mr. O'Leary stated that the residence would be equivalent to a quiet couple in the neighborhood.

Mr. Gawel added that it would be no different than the situation at Winterberry.

Commissioner Jackson questioned what the plan for the pool would be.

Mr. Gawel stated that they did not know what the condition of the pool was, but he would prefer to fill it. He further stated that they had estimated \$200,000 in repairs on the home.

Commissioner Mark Kazich stated that there had been questions on the financial impact on schools, parks, fire, etc. He questioned if these other government agencies have been contacted.

Mr. Murphy stated that they had not, but staff conducted research on permits and general information on property taxes and exemptions. He stated that the property is not currently tax exempt and that tax status is not decided by the city, but regulated by the county and state/federal law. He further stated that taxing districts levy and will receive funding, decided by the county. Mr. Murphy stated that it would be difficult to address these concerns due to the review process being separate from the city.

Mr. O'Leary stated that any property tax exemptions would be a separate legal and administrative process and not part of this hearing.

Mr. Rich Hauser, resident on Dunmore Dr., questioned if a new owner would get the right to the variance if it is granted. He questioned how they would enforce what the variance covers. He stated they should make the language clearer if granting the variance, and that it is not near

the church so it would not meet the criteria. He further stated that he would want to understand this more, and that the property was bought without consulting the community.

Mr. Murphy stated that the special use would go with the property, but any new owner would be subject to a separate review process. He stated that the campus is in the neighborhood, and that any new user would be reviewed under the same framework.

Mr. Hauser questioned if the special use would include what they cannot do.

Mr. Murphy stated that the ordinance would specify limits and would have to match the request from the agenda memo.

Mr. Hauser stated that before it goes to council, they would want to see what it would look like.

Mr. O'Leary stated that if the special use were to change, it would have to go through the application process again.

Mr. Hauser stated that it may be someone new who wasn't expecting the other use. He questioned if once the variance is granted, would it remain forever.

Mr. Murphy clarified that it would be a special use, but it was the same idea as a variance.

Mr. Hauser stated that the concern wouldn't necessarily be the proposed use, but what it could be in the future.

Mr. Brian Nigohosian, a resident of Tara Hill subdivision, stated that he is opposed to the special use as it is not consistent with the area. He stated that it would be a retirement home that is not allowed under the use, and that what is proposed is not the same, suggesting the zoning would be changing from R-2 to multi-family. He further stated that his issue is with the use, not with the owners, and that the requirements of the PUD are defined for a family, which the proposed does not meet the definition of. Mr. Nigohosian stated that there is no definition in the ordinance of a religious occupant, that it was created by staff uses. He stated that the property is not adjacent to the church and that there is no need or demand for it. He further stated that the proposed would be detrimental to single-family use, and that there would be a financial impact that the Commission cannot address. Mr. Nigohosian stated that the institution would apply for a tax exemption on a property sold for \$1.8million and with \$200,000 in repairs, which would bring in \$23,000 in taxes. He reiterated that he was firmly against the proposal, and stated that it would be inconsistent with the zoning.

Mr. O'Leary stated that the proposed would not be a retirement home, there would be no staff, care or meals, and would be strictly residential and no different than any other home.

Mr. Nigohosian stated that it would be a multi-family property and inconsistent with the neighborhood.

Ms. Laurie Jopeak stated that she had sent in a letter with her objections, that Tara Hill is a small and close-knit subdivision, and that she strongly opposes the request. She stated that the proposal would be a rezoning and that if they set the precedent now anyone can change the site. She further stated that a realtor stated that they would worry about selling the home based upon the change. Ms. Jopeak stated that they should extend the request so the neighbors in Tara Hill north can discuss it.

Mr. O'Leary stated that the Carmelites had been good neighbors for years, and that as a real estate attorney he did not believe it would change the nature of the neighborhood. He stated that the request would not open the door for anything, that it is limited, and he would not anticipate the neighborhood becoming multi-family.

Ms. Jopeak stated that it would set precedence and wouldn't be able to be reversed. She reiterated that they would need time to discuss the issue.

Mr. O'Leary stated that they would comply with requirements and guidelines in the code.

Chairperson Lou Mallers swore in another audience member wishing to present public testimony.

Ms. Susan Ciolkosz questioned if the home at 1501 Winterberry had a special use.

Mr. Murphy stated that he would have to look into it, and that she could submit a FOIA request.

Chairperson Mallers closed the discussion to public comment.

Commissioner Jackson clarified that the current use would be to allow two or more non-related.

Mr. Murphy stated that religious would be defined separately from a single family, and that certain uses would be allowed based on the specific use described in the code.

Commissioner Jackson further clarified that it would not be a variance from the allowed unrelated individuals, it would be a special use to the district. He questioned if it would be a rectory specifically.

Mr. Murphy clarified that it would be interpreted broadly under religious uses.

Commissioner Jackson questioned if the property was sold, would the special use be extended and reheard.

Mr. Murphy stated that unless it was specifically noted, it would defer to the building code. He reiterated that it would have to fall under the specific description, and that the narrow approval may or may not be applicable to a future user. He further stated that the special use would remain with the property without an expiration date.

Commissioner Jackson clarified that the specificity of the request would go with the special use.

Mr. Murphy confirmed and stated that there would be specific occupancy limits and approvals.

Commissioner Jonathan Christ clarified that the property would not be allowed for other uses.

Mr. Murphy confirmed that it would only be allowed residential uses, and that any other specific use would be another approval process.

Commissioner Christ questioned if the proposed would change the zoning.

Mr. Murphy stated that it would only be a special use and remain R-2 zoning.

Commissioner Mark Kazich stated that he had reviewed the zoning map and that all the churches in the area are in residential zoning. He further stated that churches are built by using residential zoning with a special use, so this is not out of the ordinary.

Chairperson Mallers stated that if someone came in later, the special use wouldn't really apply, and that they would need to conform to zoning guidelines.

Mr. Murphy confirmed and stated that there would be a time period in the code to adhere to the specifications of the special use, or they may lose the benefits.

Commissioner Jackson questioned if there would be enforcement on a special use.

Mr. Murphy stated that there would be a revocation process initiated by City Council in the case of violations. He further stated that all other code enforcement processes would still apply to a special use property.

Commissioner Jackson stated that it would be unfortunate if the taxing goes, but it is not a use issue. He stated that it sounds like the Society has the financial backing to make improvements to the property.

Chairperson Mallers questioned how long they had owned the Winterberry property.

Mr. Gawel stated that he believes it dates back to the late 90s.

Commissioner Chris Green stated that the Winterberry home is in his back yard, and that they are not disruptive, no one is ever there except the residents, and he does not believe it changes the character of the neighborhood.

Chairperson Mallers questioned when they would move in to the proposed home.

Mr. Gawel stated that depending on the process, they would like to be in by the end of June.

Chairperson Mallers questioned if there was a plan with the white house.

Mr. Gawel stated that there were no plans, just discussions.

Mr. O'Leary stated that if it is not on the national register, it would not be limited to historical.

Mr. Hauser questioned if they would be approving what was drafted on the cover.

Chairperson Mallers stated that they would vote on the special use.

There was some back and forth between Mr. Hauser and Chairperson Mallers.

Commissioner Jackson questioned if they should add language to make it consistent with the zoning district.

Mr. Murphy stated that it would be implied, that staff's goal would be to not limit specific religious individuals, that it would be broadly interpreted due to federal law.

Commissioner Jackson made a motion, seconded by Commissioner Green to approve PZC-26-7 (Special Use Permit) – Petition from the Society of Mount Carmel for approval of a special use permit to utilize the single family home located at 8825 Robert Road, Darien IL 60561 (PIN 10-05-207-015) as a rectory/residential use for approximately three to four priests, brothers, or other religious occupants. The Property is located within the R-2 Single Family Residence District.

Upon roll call vote, the MOTION TIED 3-3.

AYES: Christ, Green, Jackson

NAYS: Mallers, Gillespie, Kazich

ABSENT: Johnson

Mr. Murphy stated that the petition would move to Municipal Services with no favorable recommendation.

Regular Meeting – Old Business

There was no old business to discuss.

Staff Updates & Correspondence

There were no staff updates or correspondence.

The Commission had a brief discussion regarding the follow up process for the petition.

Approval of Minutes

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

Commissioner Gillespie made a motion, seconded by Commissioner Jackson to approve the April 15, 2026 Regular Meeting Minutes.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 6-0.

Next Meeting

Chairperson Mallers announced that the next meeting would be scheduled for May 20, 2026.

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 Gillespie made a motion, seconded by Commissioner Kazich to adjourn. Upon voice vote, the MOTION CARRIED UNANIMOUSLY, and the meeting adjourned at 8:22 p.m.

Respectfully Submitted:

Approved:

X

Jessica Plzak
Secretary

X

Lou Mallers
Chairperson