

**MINUTES
CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE
SPECIAL MEETING
November 27, 2017**

PRESENT: Alderman Joseph Marchese – Chairman, Alderman Thomas Belczak,
Dan Gombac – Director, Steven Manning - City Planner

ABSENT: Alderman Thomas Chlystek

ESTABLISH QUORUM

Chairman Joseph Marchese called the meeting to order at 6:34 p.m. at City Hall Council Chambers, Darien, Illinois and declared a quorum present.

NEW BUSINESS

- a. Ordinance - Approval of an ordinance to amend zoning text to allow a pharmacy use in the Office Districts, with the initial location at 8190 Cass Avenue.**

Mr. Steve Manning, City Planner reported that the petitioner, Mr. Brent Edelcup would like to open for business as early as spring 2018 for a tele-pharmacy, which provides a one-on-one consultation with customers via skype as well as in person. He reported that he sees his proposed business as compatible with office uses and may even attract more doctors to move in nearby. Mr. Manning reported that the petitioner could not attend the meeting due to a medical emergency. He reported that the PZC held a public hearing on November 15, 2017 and recommended approval.

Mr. Dan Gombac, Director reported that the petitioner will only be selling pharmaceutical items and that this is getting more popular in other states.

Mr. Manning reported that the petitioner will also be selling retail non-prescription medicine as well.

Alderman Belczak questioned if staff is satisfied with the definition of medical and non-medical.

Mr. Gombac reported that staff is comfortable with the definitions and that the tax law ordinance will be followed and reviewed by the City Attorney.

Mr. Manning reported that the petitioner will need a business license and evidence as a regular pharmacy and will meet the criteria.

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

Alderman Belczak made a motion and it was seconded by Alderman Marchese approval of an ordinance to amend zoning text to allow a pharmacy use in the Office Districts, with the initial location at 8190 Cass Avenue.

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 2-0.

b. Ordinance - Approval of an ordinance amending a previously approved planned unit development of Carriage Greens resubdivision of Evergreen Lane.

Mr. Steve Manning, City Planner reported that the petitioner, Mr. Brian Broderick, Carriage Greens Country Club, seeks approval to subdivide a 2R acre parcel of the golf course into three lots, two of which would become single family home lots that would front Evergreen Lane. He reported that the third lot would remain used for golf course. He further reported that this subdivision would increase the density of the Planned Unit Development that was approved for this property and therefore is designated by the zoning code as a major PUD amendment.

Mr. Manning reported that there will be compensatory storage as part of the storm water management plan and that this has been approved by the County. He reported that there was extensive discussion at the PZC meeting regarding a grading plan. Mr. Manning reported that the grading plan was approved by the City Engineer Dan Lynch as well as DuPage County.

Mr. Manning reported that at the public hearing, the petitioner and his attorney voluntarily stated that they would make an effort to comply with the covenants. He reported that the PZC recommended approval at the October 18, 2017 meeting as presented.

Mr. Dan Gombac, Director reported that staff received several emails from residents regarding flooding. He reported that Mr. Kufner at 1521 Evergreen has had issues regarding constant wetness and that staff has identified the issue and will be including this as a separate budgeted project. Mr. Gombac reported that staff identified that the structures are antiquated but confirmed that the water flows with no blockage.

Chairperson Marchese stated that the idea of flooding was a big issue at the PZC and that it needs to be clear that there will be no water run-off from the new properties.

Mr. Gombac reported that with exception of the surface water from the driveways, the water will runoff to Evergreen. He stated that there is a crown on the road and water will not flow to the other side unless there is a 100 year storm.

Alderman Belczak questioned if there would be more water to the course.

Mr. Juang Lin, Project Engineer stated that there are certain areas currently in the flood plain. He stated that they will be filling in the low grade with compensatory storage. He stated that the course will be somewhat wetter.

Mr. Gombac stated that the majority is under the flood plain. He stated that this is a simple flood plain and that the City and DuPage County work together and that the County is the parent and the City is the permitting agency.

Mr. Patrick Clancey, attorney for the petitioner addressed Ms. Kathy Abate's statement at the public hearing regarding the size and style of the homes. He stated that he reviewed the covenants and spoke to a potential buyer who stated that the homes will be 3,000 square foot ranch style homes with at least a two-car garage.

Mr. Clancey also stated that there were additional concerns after the meeting regarding boat parking for no more than three days. He reported that builder denied even having a boat but stated that they will keep within the character of the neighborhood.

Mr. Gombac reported that the covenants were written within the existing subdivision and that the City does not have jurisdiction of the covenants. He stated that the motion could include a condition.

Chairperson Marchese stated that the covenants will have to be developed into the two lots. He stated that those covenants were critical to the residents.

Mr. Clancey stated that he will speak to the developer. He stated that there is a significant investment of \$250,000 for the property plus the home.

Mr. Manning suggested instead of requesting a new covenant to put a condition into the PUD. He stated that the covenant gives the City no jurisdiction to enforce.

Mr. Gombac stated that he preferred the City stay out of this process.

Mr. Clancey stated that they are fine with keeping within the character of the homes and as the property covenants exist.

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

Mr. Richard Marchese stated that the covenant was filed with the County. Mr. Gombac suggested that Mr. Marchese be the spokesperson for the subdivision and the covenants.

Mr. Marchese stated that at the PZC he presented a document and photos of standing water for record and that it did not appear to be in the submitted packet. He stated that he did not understand why the lots have not been built for over 30 years. Mr. Marchese distributed a photo to the Committee of the contour of the street. He stated that at the PZC Mr. Lin was asked if there was a guarantee that his plan would not cause any additional flooding and that Mr. Lin could not answer the question. He also stated that the drawings are very complex and hard to read.

Mr. Gombac reported that the County and the City Engineer have to follow criteria and that they looked at the flood zone in 2017 and there is documentation from KPM that a hundred year rain event would not have any impact based on the same elevation. He stated that there have been extensive conversations with the City Engineer.

Mr. Marchese questioned who reviewed the drawings.

Mr. Gombac reported that the drawings are reviewed by City Staff.

Mr. Marchese questioned if the petitioner's engineer and the City Engineer have the same qualifications.

Mr. Gombac reported that the City Engineer is Christopher Burke Engineering and that they do not see a problem at all.

Mr. Manning reported that since the PZC meeting the City Engineer provided a letter that the storm water conforms to Code.

Mr. Marchese stated that the location has a weird contour. He questioned who is responsible for moving the catch basins and if the storm water plan does not work.

Mr. Gombac reported that the developer will be moving the catch basins. He stated that the City of Darien is responsible.

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

Alderman Belczak made a motion and it was seconded by Alderman Marchese approval amending the ordinance to include the covenants.

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 2-0.

c. Minutes - November 6, 2017 Municipal Services Committee Meeting

Alderman Belczak made a motion and it was seconded by Alderman Marchese approval of the minutes of the November 6, 2017 Municipal Services Committee Meeting.

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 2-0.

DIRECTOR'S REPORT

Mr. Gombac reported on potential new business to Darien.

NEXT SCHEDULED MEETING

Chairperson Marchese announced that the next meeting is scheduled for December 26th. He stated that this is a day after Christmas and will most likely be cancelled.

ADJOURNMENT

With no further business before the Committee, Alderman Belczak made a motion and it was seconded by Alderman Marchese to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7: 27 p.m.

RESPECTFULLY SUBMITTED:

Joseph Marchese
Chairman

Thomas Belczak
Alderman

Thomas Chlystek
Alderman