

Darien Planning and Zoning Commission Minutes - April 2, 2104
MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
April 2, 2014

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

ABSENT: Pauline Oberland, Ken Ritzert

Chairperson Meyer called the meeting to order at 7:02 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. Concept Plan Review: 2100 Manning Road: Concept plan review concerning proposed 29-lot subdivision for single-family detached homes. Discussion only.

Mr. Paul Swanson, President/Architect, Paul Swanson Associate, Inc., 401 E. Prospect Avenue Mt. Prospect, IL 60056 stated that the subject property is located south of the Darien Town Centre on 7.6 acres. He stated that this a transitional property and buffer to the community.

Mr. Swanson stated that the proposed concept is for 29 single family lots catering to young professionals and older people who want to downsize but don't want to live in attached housing. He stated that there will be a homeowners association to maintain the detention on the property which will not be wet until it rains. He further stated that there will be several variances needed for R-2 but that there will be a lot of green space.

Mr. Swanson reported that this smaller type of lot is successful in other areas and although the lot is smaller does not mean that they will not be quality homes. He stated that the builder is proposing to build 2,700 to 3,100 square foot cottage style homes made with front brick and stone priced at approximately \$400,000.

Commissioner Mallers questioned if the homeowners association would be responsible for the exterior maintenance.

Mr. Swanson stated that only the detention area would be maintained by the homeowners association and that the streets will be public streets.

Commissioner Kiefer questioned the 10 foot side yard and stated that he was concerned that the homes would be so close and if there would be fire code issues.

Commissioner Hickok stated that there are bay windows proposed in a five foot side yard. He questioned where the HVAC units will be located. Commissioner Hickok stated that he did not think Darien wants homes this close.

Mr. Swanson stated that there is nothing in this project that will be in the side yard. He stated that the HVAC units will be located in the rear of the units.

Chairperson Meyer questioned if the garages will be extended.

Mr. Swanson stated that the garages will not encroach in this development.

Commissioner Mallers questioned the narrowing of Cottage Road.

Mr. Michael Griffith, Senior Planner reported that the subdivision standards dictate 66 ft. wide streets and 30 ft. of pavement. He stated that the developer is proposing 60 ft. wide streets and 27 ft. of pavement and that the City staff does not have an issue with this.

Commissioner Mallers questioned if there would be an issue with cars or emergency vehicles getting through.

Mr. Griffith stated that if this conceptual plan moves forward, that the Fire District will review the plan. He stated that one side parking restrictions can be put into place. He further stated that whatever the developer decides to do that this will trigger review by the Fire District.

Mr. Swanson reported that he has preliminary meetings with many groups including DuPage County soil and wetlands.

Commissioner Mallers questioned how \$400,000 compares to the existing homes and if the builder has done any study regarding the price range.

Commissioner Kiefer stated that there are smaller lots and less property to take care of. He questioned why the developer chose to have more, smaller homes.

Mr. Swanson reported that they believe that this concept is a good idea to maintain the single family versus multi-family. He stated that there is a lot of topography and there is a great demand for detached homes without the maintenance. He further stated that it is a trend to go with smaller lots.

Chairperson Meyer stated that Lisle has zero lot density homes.

Commissioner Hickok stated that there are more homes then what is needed. He stated that it is simply "greed".

Commissioner Kiefer stated that Darien is a nice place to live and that the developer has no real rationale for 29 homes.

Mr. Swanson stated that there is a demand for this type of home that has not been met.

Commissioner Vonder Heide questioned if there has been any analysis done regarding 60 ft. wide vs. 50 ft. wide lots. She also questioned if there is any survey data of the homes and if they would sell backing up to the Walmart.

Mr. Swanson stated that he does not have any data but that the builder probably had data. He stated that the builder could not attend the meeting because he was out of town on spring break.

Commissioner Hickok stated that the petitioner is asking for 9 more lots than what the code specifies. He stated that he is proposing to build something with more impervious space that will ultimately be a great tax burden on the homeowner. He further stated that this has already passed in Downers Grove and that DuPage County is considering.

Mr. Swanson stated that he was unaware of this and that he would discuss it with the builder. He stated that he anticipates that homeowners will want patios and that there are many pervious materials available.

Commissioner Mallers stated that something is going to be done with this parcel. He questioned if the area calls for larger lots and less homes.

Mr. Swanson stated that they wanted to construct smaller lots for the demand that is out there. He stated that they did not look at larger lots.

Commissioner Mallers questioned if there was any history with communities that have smaller lots.

Commissioner Lind stated that density is always an issue and never resolved.

Commissioner Vonder Heide questioned if there was any data supporting the demand.

Mr. Swanson stated that he believed that the builder may have data.

B. Public Hearing - PZC 2014-01: Text Amendment to the Zoning Ordinance, Medical Cannabis: Consideration of a text amendment to Section 5A-9-4-4, I-1 General Industrial District of the Zoning Ordinance, listing medical cannabis cultivation and dispensing centers as special uses.

Mr. Michael Griffith, Senior Planner reported that the State of Illinois passed a law at the beginning of the year making medical marijuana legal and that municipalities need to establish the uses and locations within the community.

Mr. Griffith reported that the State Law prohibits municipalities from banning them but that municipalities can determine the locations. He reported that the proposed Text Amendment allows for two parcels at the Public Works Facility and the property to the east or southeast of I-55 and Cass Avenue.

Mr. Griffith reported on the perimeters of the Text Amendment and where cultivation and dispensing centers can be placed. He reported that per Illinois State Law that cultivation cannot be done but that dispensing centers can.

Mr. Griffith reported that the City has not received any interest to date but that the City feels that it is important to have the regulations in place in the event the City is approached.

Chairperson Meyer questioned if there has been any discussion regarding security and how it will be maintained if it occurs.

Mr. Griffith stated that if a business came forward that security will be addressed.

Mr. Griffith reported that he provided the Commission with an article from the Illinois Municipal League addressing common questions and concerns.

Commissioner Vonder Heide stated that it is a good idea to have some guidance on the books. She stated that saying no opens the City up to legal issues. She questioned if the City can make the boundaries more strict then the State.

Mr. Griffith stated that he would consult with the City Attorney.

Commissioner Lind suggested defining the location.

Mr. Griffith stated that he did not believe that the City can allocate the location.

There was no one in the audience wishing to present public comment and Chairperson Meyer closed the public hearing at 7:50 p.m.

Commissioner Kiefer made a motion and it was seconded by Commissioner Mielkus to approve a Text Amendment to the Zoning Ordinance, Medical Cannabis: Section 5A-9-4-4, I-1 General Industrial District of the Zoning Ordinance, listing medical cannabis cultivation and dispensing centers as special uses.

Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 7-0. Commissioner Oberland and Commissioner Ritzert were not present.

MINUTES

Commissioner Hickok made a motion and it was seconded by Commissioner Kiefer to waive the reading of the January 15, 2014 Meeting Minutes.

Upon voice vote, THE MOTION CARRIED UNANIMOUSLY 7-0. Commissioner Oberland and Commissioner Ritzert were not present.

Commissioner Mallers made a motion and it was seconded by Commissioner Hickok to approve the January 15, 2014 Meeting Minutes.

Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 7-0. Commissioner Oberland and Commissioner Ritzert were not present.

CORRESPONDENCE

Mr. Griffith distributed the updated 2014 Zoning Maps to the PZC.

OLD BUSINESS/PLANNER'S REPORT

None.

NEXT MEETING

Mr. Griffith announced that the next meeting is scheduled for Wednesday, April 16, 2014 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. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7:51 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Beverly Meyer
Chairman