

**MINUTES CITY OF DARIEN**  
**PLANNING & ZONING COMMISSION MEETING**

**Wednesday, February 7, 2024**

**PRESENT:** Bryan Gay, Shari Gillespie, Hilda Gonzalez, Chris Green, Chris Jackson, Jonathan Johnson, Julie Kasprowicz

**ABSENT:** Robert Erickson, Lou Mallers - Chairperson

**OTHER:** Jordan Yanke – City Planner

Mr. Jordan Yanke, City Planner called the meeting to order at 7:00 p.m. at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. Mr. Yanke declared a quorum present and called on Commissioner Bryan Gay to step in as Acting Chairperson in Chairperson Lou Maller’s absence.

**Commissioner Gillespie made a motion, seconded by Commissioner Gonzalez, to appoint Commissioner Gay as Acting Chairperson. Upon voice vote, THE MOTION CARRIED unanimously, and Commissioner Gay stepped in as Acting Chairperson.**

Mr. Yanke reported that a Commissioner would be recusing himself from Commission discussion and voting on the public hearing petition on the agenda. Commissioner Chris Jackson stood up and formally recused himself and sat down in the public seating area of the Council Chambers.

**Regular Meeting – New Business**

- a. **Public Hearing – PZC2024-01 – 7409 Cass Avenue – Indvestia Darien LLC – Petition from Indvestia Darien LLC for a special use request pursuant to Section 5A-8-3-4 of the zoning ordinance, plat of resubdivision, and variations as deemed necessary. The petition specifically requests to allow for the construction of a quick service drive-through eating establishment offering retail food or drink items for consumption. The Property is located within the B-2 Community Shopping Center Business District.**

Mr. Jordan Yanke, City Planner reported that the subject property is a special use request, more commonly known as the location of Jewel-Osco, Chuck E Cheese and Concentra, specifically located behind Taco Bell and Buona Beef. He noted that there are a number of parcels in this case, and that the petitioner is the owner of the Southern half of the overall center where the subject property is located. Mr. Yanke reported that the subject property is located off the Northeastern corner of 75<sup>th</sup> Street and Cass Avenue, and further reported that the petitioner took ownership control of the area last year.

Mr. Yanke reported that the proposal is for a 1,000 square foot new construct building with a special use request for a drive-through in the B-2 district. He reported that the applicant does not have an end user at this time but intends to use the space as a quick-service food establishment with a drive-through. Mr. Yanke further reported that the subject property will require a resubdivision with new lot lines to subdivide the existing parcels.

Mr. Yanke reported that there are variances with the application request and noted that there is a stacking space requirement with the code, that being a 15 stacking space requirement, while the proposal has 7 stacking spaces. He further noted that there will be minimum parking variance as well and setback variations for the proposed new lot line.

Acting Chairperson Bryan Gay swore in the audience members wishing to present public testimony.

The petitioner and petitioner representative, Vick Mehta and Chris Jackson, respectively, were present.

Mr. Vick Mehta introduced himself as the owner of Investia Capital, a local real estate investment firm primarily focused on retail shopping centers. Mr. Mehta reported that his firm purchased the subject property in May of 2023.

Mr. Chris Jackson introduced himself as the owner of CJ Architects, a Darien-based architecture firm that has worked with the petitioner for several years.

Commissioner Sharie Gillespie questioned if the storefront will be facing 75<sup>th</sup> Street.

Mr. Jackson stated that the intention is to have the drive-through stacking spaces on the back side of the building and the storefront facing 75<sup>th</sup> Street.

Commissioner Jonathan Johnson questioned where the drive-through would be if pulling into the lot from 75<sup>th</sup> Street.

Mr. Jackson stated there are 3 ingress/egress points along 75<sup>th</sup> Street, 2 of which would take one to the East side of the drive-through entrance. He stated one would travel West and would have the option of exiting onto 75<sup>th</sup> Street or Cass Avenue.

Acting Chairperson Bryan Gay questioned if the item in figure 2 was a call-box from the middle of the aisle facing South.

Mr. Jackson confirmed that the item is an order box.

Acting Chairperson Gay questioned if the expectation is to have customers enter the site from the West entrance and follow through around the drive-through.

Mr. Jackson stated one can enter the lot from Cass Avenue and make a right into the drive-through entrance or can enter the lot from 75<sup>th</sup> Street and make a left into the drive-through

entrance. He stated that there are enough stacking spaces to have an order be taken and cars can move through systematically.

Commissioner Johnson questioned how far off 75<sup>th</sup> Street the building will be.

Mr. Jackson stated the building will be about 47.5' with the ask being a 2.5' encroachment and 50' is the setback.

Commissioner Hilda Gonzalez questioned if the restaurant will be placed behind Buona Beef.

Mr. Jackson stated it will be between Taco Bell and Concentra, more prominent on 75<sup>th</sup> Street.

There was some conversation regarding the specific placement of the proposed building.

Commissioner Gonzalez questioned if the drive-through would have an enter/exit on the same side one would enter Buona Beef.

Mr. Jackson stated that there is an ingress/egress off Cass Avenue.

There was some conversation regarding entering and exiting the Buona Beef area.

Acting Chairperson Gay questioned if the petitioner had control over the islands in Zone 8 per traffic study and suggested there be proper signage for clear direction to the drive-through.

There was some conversation clarifying the location of Zone 8 and the use of signage in that area.

Commissioner Julie Kasprovicz questioned if there was intention to receive a liquor license.

Mr. Vick Mehta stated there is no intention to have indoor seating in the building, it will strictly be a drive-through and a walk-up window for summertime.

Acting Chairperson Gay opened the meeting to anyone wishing to present public comment.

Mr. Charlie Tucker questioned whether studies had been conducted as pertaining to anticipated traffic levels daily.

Mr. Yanke stated there was a traffic memo submitted and reported that the trip generation on a weekday morning would be 36 and, in the evening, would be 15. He noted an overall internal capture ranged from 11-27% for weekday peak hours, only adding 4 trips and 1 trip during weekday a.m. and p.m. peak hours, respectively.

Mr. Jackson clarified that the net traffic added to already existing traffic in that location would be 5.

Mr. Anthony Ramos stated that he lived in the Hinsbrook area. He stated it is exciting to see some economic development in the area and to see more people contributing to the local economy and bringing more people to Darien. He further stated that he has lived in the area for about 10 years and is excited to see a development fulfill that part of the lot.

There was no one else wishing to present public comment.

Acting Chairperson Gay turned it back to the Commission for comment.

Commissioner Kasprowicz questioned if there should be concern as to what will occupy the proposed building.

Mr. Yanke stated that the subject property is only proposed as an eating establishment with drive-through and that the Commission could condition the case to only allow that type of use, meaning it could not change to other underlying uses unless petitioned for through public hearing.

Acting Chairperson Gay questioned whether there would be outdoor seating at the proposed establishment.

Mr. Mehta stated there is intention to set up picnic tables during summertime.

There was some conversation surrounding the use of the outdoor space and parking spaces.

There was further conversation pertaining to conditions of the proposed petition.

**Commissioner Gonzalez made a motion, and it was seconded by Commissioner Johnson to approve – PZC2024-01 – 7409 Cass Avenue – Indvestia Darien LLC – Petition from Indvestia Darien LLC for a special use request pursuant to Section 5A-8-3-4 of the zoning ordinance, plat of resubdivision, and variations as deemed necessary. The petition specifically requests to allow for the construction of a quick service drive-through eating establishment offering retail food or drink items for consumption. The Property is located within the B-2 Community Shopping Center Business District with the following conditions:**

- 1. Proper signage is placed for customers to enter and exit the establishment.**
- 2. The building shall only be used as an eating establishment in conjunction with drive-through facility.**

**Upon roll call vote the MOTION CARRIED 7-0.**

Mr. Yanke reported that the petition would be forwarded to the Municipal Services Committee on February 26, 2024 at 6:00 p.m.

### **Staff Updates & Correspondence**

Mr. Yanke reported that the autobody shop to fulfill the vacant CVS lot has withdrawn their plans.

### **Approval of Minutes**

**Commissioner Kasprowicz made a motion, and it was seconded by Commissioner Jackson to approve the November 15, 2023 and the December 6, 2023 Regular Meeting Minutes.**

**Upon roll call vote, THE MOTION CARRIED 7-0.**

**Next Meeting**

Mr. Yanke that the next meeting is to be announced at a future date.

**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, and it was seconded by Commissioner Kasprovicz. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 7:40 p.m.**

**Respectfully Submitted:**

**Approved:**

X

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Jessica Plzak  
Secretary

X

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Lou Mallers  
Chairperson