

**MINUTES
CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE MEETING
April 26, 2021**

PRESENT: Alderman Thomas Belczak -Chairman, Alderman Eric Gustafson,
Alderman Joseph Kenny, Dan Gombac – Director, Jordan Yanke – Senior Planner,
Mayor Joe Marchese, John Murphey – City Attorney, Elizabeth Lahey - Secretary

ABSENT: None

ESTABLISH QUORUM

Chairperson Thomas Belczak called the meeting to order at 7:00 p.m. This was a Zoom call and City Staff was present at the City of Darien City Hall, 1702 Plainfield Road, Darien, Illinois. Chairperson Belczak declared a quorum present.

OLD BUSINESS

There was no old business.

NEW BUSINESS

- a. **Ordinance – Approval of an ordinance amending the liquor code to expand the number of Class D liquor licenses from nine (9) to ten (10) for a sale and serve liquor license at Blueberry Hill Café.**

Mr. Jordan Yanke, Senior Planner reported that Mayor Marchese received a request from Blueberry Hill Cafe for a sale and serving liquor license for on-site consumption only. He reported that the license required for the request would be a D License and would increase the number of D licenses to ten (10).

Mr. Yanke reported that Mayor Marchese as Liquor Commissioner has indicated he does not oppose the request and that there will be no bar.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of an ordinance amending the liquor code to expand the number of Class D liquor licenses from nine (9) to ten (10) for a sale and serve liquor license at Blueberry Hill Café.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- b. **PZC 2021-01 Buona Beef (7409/7417 Cass Avenue) - Petitioner Joey Buonavolanto seeks approval of a Special Use Permit Amendment pursuant to City Code Section 5A-8-3-4 to allow for site modifications to an existing eating establishment, including a patio cover addition and outdoor eating**

area, on property zoned B-2 (Community Shopping Center Business District) located at 7409 and 7417 Cass Avenue in Darien, Illinois.

Mr. Jordan Yanke, Senior Planner reported that Buona Beef is located within the Jewel-Osco shopping center near the northeast corner of Cass Avenue and 75th Street. He reported that the petitioner is seeking approval of a Special Use Permit Amendment to make site modifications in order to implement a two (2) lane drive-through facility and add a patio cover for an outdoor eating experience. He stated that they will be selling Rainbow Ice Cream.

Mr. Yanke reported that the petitioner is also requesting variations to reduce the front yard setback from fifty feet (50') to twenty-eight feet (28') for the patio cover addition and also a variation to increase the allowed wall signage from 122 square feet to 260.5 square feet and permit wall signage on three (3) building sides.

Alderman Kenny questioned setting a precedent for the signage as well as if there will be an increase in traffic.

Mr. Dan Gombac, Director reported that the signage is for Rainbow Ice Cream and that there are others similar at 75th Street and Lemont. He reported that there will not be an increase in traffic.

Alderman Gustafson questioned if the signage will be an obstruction to traffic.

Mr. Yanke reported that the Ordinance is very strict and that the City Engineer, Dan Lynch had no objection to the request.

Mr. Joey Buonavolanto, the petitioner and his architect were present. He stated that the area will be a four-tier structure and will be straight through to complete the corner.

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

Alderman Belczak made a motion, and it was seconded by Alderman Kenny approval of PZC 2021-01 Buona Beef (7409/7417 Cass Avenue) - Petitioner Joey Buonavolanto seeks approval of a Special Use Permit Amendment pursuant to City Code Section 5A-8-3-4 to allow for site modifications to an existing eating establishment, including a patio cover addition and outdoor eating area, on property zoned B-2 (Community Shopping Center Business District) located at 7409 and 7417 Cass Avenue in Darien, Illinois.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- c. **PZC 2021-02 Darien Heights Residences (2305 Sokol Court & 2345 S Frontage Road) - Petitioner Shipper Columbus, LLC c/o Paul Swanson Associates, Inc. seeks approval of a Major Planned Unit Development (PUD) Amendment, Annexation Agreement Amendment, and Plat of Consolidation in order to construct a multifamily apartment complex on property zoned Planned Unit Development (PUD)/Multi-Family Residence District (R-3), located at 2305**

Sokol Court and 2345 S Frontage Road in Darien, Illinois. This petition includes Waiver requests to the following standards in the Planned Unit Development (PUD) District: 1. Section 5A3-3-4: Waiver request to increase allowed residential density, 2. Section 5A-3-3-5: Waiver request to off-street parking requirements, 3. Section 5A-3-3-9(B): Waiver request to minimum setback requirement, 4. Section 5A-3-3-10: Waiver request to increase maximum building height.

Mr. Jordan Yanke, Senior Planner reported that the subject property is located at the southeast corner of the intersection of S Frontage Road and Sokol Court, east of the Extended Stay Hotel. He reported that the petitioner, Paul Swanson Associates, Inc., submitted a new proposal to construct a 68-unit multi-family apartment complex comprised of one (1) building the subject property. He further reported that given the fact the new petition proposes apartments instead of condominiums as specified in the prior approvals, City staff, in conjunction with the City Attorney concluded that a Major Planned Unit Development (PUD) Amendment and Annexation Agreement Amendment would need to be filed.

Mr. Yanke reported that the petition was presented to the PZC and recommended a non-favorable vote of 7-1.

Mr. Dan Gombac, Director reported that Mr. Mark Munizzo and Mr. Bob Napoli, Allied Appraisal Company, were present to provide a market study.

Mr. Mark Munizzo, stated that he was engaged by the City to provide a market study of the area. He reported that he has no skin in the game and that his report is an independent analysis.

Mr. Munizzo reported that he reviewed the plat plan and there is proper land to build ratio and ample parking. He stated that this is not a very large project, and that the developer is being very conservative on the project. He reported that the building is showing that two-thirds will be two-bedroom apartments and that the weighted average supports the market study.

Mr. Munizzo reported on the rent growth and stated that the studies indicate a market for renters and that senior citizens are not owning but renting and owning in warmer climate areas. He compared a development in Downers Grove on Maple with 115 units and reported that the vacancy ratio is 4% with the rent at \$2,368 and no concessions.

Mr. Gombac asked Mr. Munizzo to compare condos vs. apartments.

Mr. Munizzo reported that data across the country is that there are very few owners and that it is easier to get a renter versus a condo.

There was some discussion regarding those in the City wanting to move to the suburbs and recent graduates paying student loans and the difficulty to purchase. There was also some discussion that the development is not in a downtown area and no train.

Mr. Munizzo stated that the area is ideal and close to two airports. He stated that 68 units is easy to absorb and although the area does not have a train, working from home is trending upward and that there will be more developments like this in the future.

Alderman Gustafson questioned the values of the existing townhomes in the area.

Mr. Munizzo stated that he did not have that information as it was not in the scope of work. He stated that he has never compared condos to apartments.

Alderman Gustafson stated that he was concerned about the home value.

Mr. Munizzo stated that the apartment development does not match the other homes in the area because it was built in a different era.

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

A resident in the audience cited an article regarding an Orland Park apartment complex that closed. She stated that the townhome owners cannot get \$3,000 a month for rent and questioned if his data supported today's market.

Mr. Munizzo reported that his data is based on today's market. He stated that he presented data for the scope of work.

A resident who stated that he was 250 feet from I-55 stated that renters are not as committed, and that the development will affect the value of his home. He asked that noise be considered when deciding.

Mr. Chris Marema stated that he has been in Darien 17 years and that this development does not fit in with the community. He stated that it is 20 feet from the private park and that the petitioner does not want to change one thing. He further stated that the building is an eyesore and not a good project for Darien.

There was some discussion regarding Tracy Cross & Associates feasibility analyses. Mr. Yanke reported that a copy of the letter was on page 124 of the Agenda Memo.

The petitioner, Mr. Paul Swanson reviewed his petition and compared his proposal to the previous proposal.

Chairperson Belczak reported that in 2005 the height and density was approved.

Mr. Swanson stated that his proposal is close or better than the proposal in 2005. He stated that his development is less height to more density and 40 feet away from the condos and that everything will be done on the ramp versus a loading dock.

Mr. Marema stated that back in 2005 the residents worked with the developer because they were condos. He stated that the building will overshadow the park and asked that the Committee not allow the variances.

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

Alderman Belczak made a motion approval of approval PZC 2021-02 Darien Heights Residences (2305 Sokol Court & 2345 S Frontage Road) - Petitioner Shipper Columbus, LLC c/o Paul Swanson Associates, Inc. seeks approval of a Major Planned Unit Development (PUD) Amendment, Annexation Agreement Amendment, and Plat of Consolidation in order to construct a multifamily apartment complex on property zoned Planned Unit Development (PUD)/Multi-Family Residence District (R-3), located at 2305 Sokol Court and 2345 S Frontage Road in Darien, Illinois. This petition includes Waiver requests to the following standards in the Planned Unit Development (PUD) District: 1. Section 5A3-3-4: Waiver request to increase allowed residential density, 2. Section 5A-3-3-5: Waiver request to off-street parking requirements, 3. Section 5A-3-3-9(B): Waiver request to minimum setback requirement, 4. Section 5A-3-3-10: Waiver request to increase maximum building height.

There was no second. **MOTION FAILED.**

- d. **PZC 2021-03 Zoning Text Amendment – 2019 75th Street (City-Initiated) - Petition involves a Zoning Text Amendment submitted by the City of Darien. The petition is for a Zoning Text Amendment to City Code Section 5A-9A-5(A) to add an additional property/address to the List of Permitted Locations for a Cannabis Dispensing Organization. Petition site is located at 2019 75TH Street and is within the B-2 Community Shopping Center Business District.**

Mr. Jordan Yanke, Senior Planner presented the petition and reported that this request is to add an additional location to the Steak n' Shake property as location #9 of the approved 8 locations. He reported that he received residential correspondence noted in the agenda packet.

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

Mr. Tom Glen, Darien stated that he lives 500 feet away and that there is a church, school, and children's playground and not an appropriate use for the site. He stated that should this site be a cannabis location it will increase crime and property value.

A Darien resident stated that every resident in the area is against this petition. He stated that the other 8 locations are not near a residential area.

A Darien resident stated that his children attend Marquette Manor and that allowing this for additional tax dollars versus safety of the children is setting the City up for lawsuit. He stated that there are already designated zones and questioned why another. He further stated that he is in the healthcare industry and marijuana is used to mask schizophrenia and that the tax revenue will be wiped out by one lawsuit.

Mr. Don Sherwin, School Administrator, Marquette Manor Baptist Academy stated that they have been operating securely with no fences for years and that this proposal does

not make anyone feel safe if a dispensary is there. He stated that he is opposed to this proposal.

Pastor Dave Schlagel, Marquette Manor Baptist Church stated that he was concerned for the neighborhood, the safety of the church, school, and young children.

Alderman Eric Gustafson thanked the public for their comments. He stated that there is a great demand for a drive-thru business and that hopefully the site will be sold in the near future versus an additional marijuana license.

There was no one else wishing to present public comment.

There was no motion. **MOTION DENIED.**

e. Resolution - Approval to enter into a contract agreement with Compass Minerals America, Inc. for the purchase of rock salt in an amount not to exceed \$206,719.24.

Mr. Dan Gombac, Director reported that rock salt is utilized by the Municipal Services Department for street de-icing operations during the snow season. He reported that the City continues to partner with the DuPage County for the purchase of rock salt and that recently, the County approved a renewal of the current contract with Compass Minerals America Inc. in the amount of \$81.13 per ton.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of a Resolution to enter into a contract agreement with Compass Minerals America, Inc. for the purchase of rock salt in an amount not to exceed \$206,719.24.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

f. Resolution - Approval to execute an Intergovernmental Agreement with the Darien Park District for the reimbursement of Rock Salt through the City's 2021/2022 Rock Salt Agreement.

Mr. Dan Gombac, Director reported that as part of the joint contract. He reported that the City has committed to receive up to 2,500 tons of salt with the ability to take an additional 500 tons (3000 total) of sodium chloride salt. He further reported that the Darien Park District and Center Cass School District #66 will be purchasing up to 40 and 8 tons respectively of rock salt not to exceed \$3,245.20 and \$649.04.

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

Alderman Gustafson made a motion, and it was seconded by Alderman Belczak approval of a Resolution to execute an Intergovernmental Agreement with

the Darien Park District for the reimbursement of Rock Salt through the City's 2021/2022 Rock Salt Agreement.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- g. Resolution - Approval to execute an Intergovernmental Agreement with Center Cass School District #66 for the reimbursement of Rock Salt through the City's 2021/22 Rock Salt Agreement.**

Mr. Dan Gombac, Director reported that as part of the joint contract. He reported that the City has committed to receive up to 2,500 tons of salt with the ability to take an additional 500 tons (3000 total) of sodium chloride salt. He further reported that the Darien Park District and Center Cass School District #66 will be purchasing up to 40 and 8 tons respectively of rock salt not to exceed \$3,245.20 and \$649.04.

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

Alderman Gustafson made a motion, and it was seconded by Alderman Belczak approval of a Resolution to execute an Intergovernmental Agreement with the Darien Park District for the reimbursement of Rock Salt through the City's 2021/2022 Rock Salt Agreement.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- h. Resolution - Authorizing the mayor to accept a proposal from Core & Main for the purchase of commercial water meters and remote readers in an amount not to exceed \$49,966.52.**

Mr. Dan Gombac, Director reported that this is for the purchase of commercial water meters and remote readers completes the replacement of the commercial water meters.

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

Alderman Belczak made a motion, and it was seconded by Alderman Kenny approval of a Resolution authorizing the mayor to accept a proposal from Core & Main for the purchase of commercial water meters and remote readers in an amount not to exceed \$49,966.52.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- i. Resolution - Authorizing the Mayor to execute a contract between the City of Darien and GO Painters Inc. for the 2021 Fire Hydrant Painting Phase 1 in an amount not to exceed \$74,958.00.**

Mr. Dan Gombac, Director reported that the City partnered with the Village of Lisle and surrounding municipalities for the opportunity to secure better pricing for fire hydrant painting program. He reported that the City of Lisle entertained the multi- jurisdictional

contract, and the awarded vendor is GO Painters Inc. He reported that this is the first year of a two-year program.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson to approve a Resolution authorizing the Mayor to execute a contract between the City of Darien and GO Painters Inc. for the 2021 Fire Hydrant Painting Phase 1 in an amount not to exceed \$74,958.00.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- j. Resolution – Authorizing the purchase of one (1) new 2021 Peterbilt Model 348 Cab and Chassis, to replace unit 408, from JX Truck Center in an amount not to exceed \$111,058.70.**

Mr. Dan Gombac, Director reported that this is approval of a resolution authorizing the purchase of one (1) new 2021 Peterbilt Model 348 cab and chassis, to replace unit 408, from JX Truck Center, in an amount not to exceed \$111,058.70.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson to approve a Resolution authorizing the purchase of one (1) new 2021 Peterbilt Model 348 Cab and Chassis, to replace unit 408, from JX Truck Center in an amount not to exceed \$111,058.70.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- k. Resolution – Accepting a proposal from Monroe Truck Equipment for the purchase of a dump body and snowplow equipment package, lighting accessories, and hydraulic controls, for the 2021 Peterbilt Model 348, in an amount not to exceed \$80,066.00.**

Mr. Dan Gombac, Director reported that this is approval of a resolution accepting a proposal from Monroe Truck Equipment for the purchase of a dump body and snowplow equipment package, lighting accessories, and hydraulic controls, for the 2021 Peterbilt Model 348, in an amount not to exceed \$80,066.00.

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

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson to approve a Resolution accepting a proposal from Monroe Truck Equipment for the purchase of a dump body and snowplow equipment package, lighting accessories, and hydraulic controls, for the 2021 Peterbilt Model 348, in an amount not to exceed \$80,066.00.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- I. Resolution – Authorizing the purchase of one (1) new 2021 Peterbilt Model 348 Cab and Chassis, to replace unit 109, from JX Truck Center in an amount not to exceed \$98,554.65.**

Mr. Dan Gombac, Director reported that this is approval of a resolution authorizing the purchase of one (1) new 2021 Peterbilt Model 348 cab and chassis, to replace unit 109, from JX Truck Center, an amount not to exceed \$98,554.65.

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

Alderman Gustafson made a motion, and it was seconded by Alderman Kenny to approve a Resolution authorizing the purchase of one (1) new 2021 Peterbilt Model 348 Cab and Chassis, to replace unit 109, from JX Truck Center in an amount not to exceed \$98,554.65.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- m. Resolution – Accepting a proposal from Monroe Truck Equipment for the purchase of a dump body and snowplow equipment package, lighting accessories, and hydraulic controls, for the 2021 Peterbilt Model 348, in an amount not to exceed \$122,373.00.**

Mr. Dan Gombac, Director reported that this is approval of a resolution accepting a proposal from Monroe Truck Equipment for the purchase of a dump body, snowplow equipment package, lighting accessories, and hydraulic controls, for the 2021 Peterbilt Model 348, in an amount not to exceed \$122,373.00.

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

Alderman Gustafson made a motion, and it was seconded by Alderman Kenny to approve a Resolution accepting a proposal from Monroe Truck Equipment for the purchase of a dump body and snowplow equipment package, lighting accessories, and hydraulic controls, for the 2021 Peterbilt Model 348, in an amount not to exceed \$122,373.00.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

- n. Minutes – March 22, 2021 Municipal Services Committee**

Alderman Kenny made a motion, and it was seconded by Alderman Gustafson approval of the March 22, 2021 Municipal Services Committee Meeting Minutes.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 3-0.

DIRECTOR'S REPORT

There was no report.

MUNICIPAL SERVICES COMMITTEE

April 26, 2021

NEXT SCHEDULED MEETING

Chairperson Belczak announced that the next meeting is scheduled for Monday, May 24, 2021.

ADJOURNMENT

With no further business before the Committee, Alderman Kenny made a motion, and it was seconded by Alderman Belczak to adjourn. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 9:15 p.m.

RESPECTFULLY SUBMITTED:

**Thomas Belczak
Chairman**

**Eric Gustafson
Alderman**

**Joseph Kenny
Alderman**