

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
April 21, 2021**

PRESENT: Lou Mallers – Chairperson, Michael Desmond (7:16 pm), Robert Erickson, Hilda Gonzalez (7:03 pm), Steve Hiatt, Julie Kasprovicz, Brian Liedtke, Ralph Stompanato

ABSENT: Bryan Gay

OTHERS: Jordan Yanke - City Planner, Mayor Joseph Marchese, Attorney John Murphey

Chairperson Lou Mallers called the meeting to order at 7:00 p.m. at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present and swore in the audience members wishing to present public testimony.

REGULAR MEETING:

A. Public Hearing – PZC 2021-02 2305 Sokol Court & 2345 S Frontage Road – Major PUD Amendment, Annexation Agreement Amendment, and Plat of Consolidation Petitioner Shipper Columbus, LLC c/o Paul Swanson Associates, Inc. seeks approval for a Major Planned Unit Development (PUD) Amendment, Annexation Agreement Amendment, and Plat of Consolidation in order to construct a multi-family 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 5A-3-3-4: 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, City Planner provided an overview and reported that at the last PZC meeting that it was the direction of the Committee that a market study be provided. He reported that the petitioner submitted a study, and it was included in the agenda packet.

Mr. Paul Swanson, petitioner, stated that he was the authorized agent for the Equity Trust Company and the contract purchaser. He provided an overview of the proposal and reported that he hired Kiser Group for the Market & Development Feasibility Study and stated that the schools will be getting the majority of taxes collected and compared this proposal to one completed in Arlington Heights. Mr. Swanson stated that it is difficult to propose condominiums and that financing is difficult. He provided a handout from a mortgage consultant.

Mr. Swanson stated that there were a lot of comments regarding undesirable and transient residents and that he did not agree and that the average stay of a renter is 3-5 years and not transient. He stated that credit checks for a lease is quite strict.

Commissioner Ralph Stompanato stated that the market research study by Tracey Cross & Associates indicated that the development would not deteriorate property pricing.

Commissioner Brian Liedtke questioned rental rates after selling.

Mr. Swanson stated that a management company can come in and lower the rates but that his Arlington Heights development was sold and that they continue to raise the rent. He stated that the vacancy rate is 3%.

Commissioner Gonzalez questioned if there is a market analyses regarding apartment rental rates in the area.

Mr. Swanson stated that the information can be found in the Kiser report. He stated that the rental rates are realistic and what Kiser does for a living.

Mr. Yanke reported that the PZC received a Matrix in the packet showing 2005 development versus this proposal. He noted that there were three proposals.

Chairperson Mallers opened the meeting to anyone wishing to present new information regarding this proposal.

Ms. Kate Shea stated that Mr. Swanson's proposal has not changed and that he refuses to consider condominiums and that he is disrespectful and only interested in his own agenda. She questioned why he cannot get a loan and provided copies of an article regarding the booming condo market and low interest rates.

Mr. Kevin Drummond stated that the apartments Mr. Swanson developed in Arlington Heights are near a train. He stated that Darien is landlocked and that this complex will end up with a lot of vacancies.

Mr. Don Letrich stated that Mr. Swanson was lying and that rentals during Covid are struggling and that the rentals will go to HUD.

Ms. Kathy Rogan stated that the smallest condo in the area is \$227,000. She questioned why not make them condominiums since the developer is already spending a lot of money.

A Darien resident stated that renters do not have the same commitment and that this proposal lends no value to the neighborhood. He stated that the petitioner is not budging on the concept.

Mr. George Nassis stated that there are numerous rentals available in Darien and that no more are needed. He stated that the concept does not match with the homes in the area.

A Darien resident stated that the apartments are expensive and that there is nowhere to walk. She stated that it does not fit in area.

Ms. Karen Martin stated that the community is quiet, and that the development will devalue the homes.

Mr. John Murphey, City Attorney reported that he is not an expert on market trends but that the zoning regulates land use and not land users. He stated that the proposed land use is a reasonable one and the HUD issue is not appropriate for the Committee to consider. Mr. Murphey stated that it is appropriate to look at land use for the piece of property.

There was no one else in the audience wishing to present public comment and Chairperson Mallers closed the public hearing.

Commissioner Hiatt stated that he has no issues with property value or crime but that the proposal does not fit in. He stated that taxation gain is not significant and that he is inclined to listen to the residents.

Commissioner Liedtke questioned the height of the building.

Mr. Yanke cited the 1996 Ordinance and reported that the waiver is 5' over the 2005 47.9' proposal.

Commissioner Liedtke questioned if it viable to build a 3-story.

Mr. Swanson stated that the Arlington Heights development is 3 miles from the train and that three stories would not be valuable and that it does not meet the decision criteria.

Commissioner Desmond stated that the PZC needs to consider the waivers, density impact, parking, and setbacks.

Commissioner Hiatt stated that the PZC needs to have conversation regarding the community.

Mr. Yanke questioned the attorney regarding variations based on the waiver criteria.

Attorney Murphey stated that PUDs are "antizoning" and there are bulk standards. He stated that the discussion is on the right track and that there should be four separate votes.

Commissioner Desmond read the special use criteria and the Committee discussed each waiver request.

Commissioner Hiatt made a motion, and it was seconded by Commissioner Stompanato to approve Section 5A-3-3-4: Waiver request to increase allowed residential density.

Upon roll call vote, THE MOTION was unfavorable with a vote of 7 Nays and 1 Aye. Commissioner Stompanato voted Aye. Commissioner Gay was not present.

Commissioner Hiatt made a motion, and it was seconded by Commissioner Kasprowicz to approve Section 5A-3-3-5: Waiver request to off-street parking requirements.

Upon roll call vote, THE MOTION was unfavorable with a vote of 7 Nays and 1 Aye. Commissioner Stompanato voted Aye. Commissioner Gay was not present.

There was some discussion about the loading area. Commissioner Liedtke questioned if it would be screened.

Mr. Swanson stated that the loading area screens itself because it goes down 11 feet.

Commissioner Liedtke made a motion, and it was seconded by Commissioner Gonzalez to Section 5A-3-3-9(B): Waiver request to minimum setback requirement.

Upon roll call vote, THE MOTION was unfavorable with a vote of 7 Nays and 1 Aye. Commissioner Stompanato voted Aye. Commissioner Gay was not present.

Commissioner Hiatt made a motion, and it was seconded by Commissioner Gonzalez to Section 5A-3-3-10: Waiver request to increase maximum building height.

Upon roll call vote, THE MOTION was unfavorable with a vote of 7 Nays and 1 Aye. Commissioner Stompanato voted Aye. Commissioner Gay was not present.

Commissioner Liedtke made a motion, and it was seconded by Commissioner Gonzalez to approve PZC 2021-02 2305 Sokol Court & 2345 S Frontage Road – Major PUD Amendment, Annexation Agreement Amendment, and Plat of Consolidation as presented.

Upon roll call vote, THE MOTION was unfavorable with a vote of 7 Nays and 1 Aye. Commissioner Stompanato voted Aye. Commissioner Gay was not present.

Mr. Yanke reported that the petition would be forwarded to the Municipal Services Committee with a non-favorable motion on Monday, April 26, 2021 at 7:00 pm

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

APPROVAL OF MINUTES

Mr. Jordan Yanke, Senior Planner stated that Mr. Chris Marema's name was spelled incorrectly.

Commissioner Stompanato made a motion, and it was seconded by Commissioner Desmond to approve the April 7, 2021 Regular Meeting Minutes with changes.

Upon voice vote, THE MOTION CARRIED 8-0.

NEXT MEETING

Mr. Jordan Yanke announced that the next meeting is scheduled for May 5, 2021.

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 Liedtke made a motion, and it was seconded by Commissioner Gonzalez. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 8:28 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

**Elizabeth Lahey
Secretary**

**Lou Mallers
Chairperson**