

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
November 20, 2013**

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

ABSENT: Pauline Oberland, Susan Vonder Heide

Chairperson Meyer called the meeting to order at 7:00 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. Public Hearing - PZC 2013-09: Darien VFW Post 2838, 7515 Cass Avenue: Requests a special use to permit a drinking establishment within the B-2 Community Shopping Center District.

Mr. Michael Griffith – Senior Planner reported that this is a special use request to permit a drinking establishment for the VFW members at the Heritage Plaza Shopping Center. He reported that there will be bar service available for their members. Mr. Griffith reported that the City Council created a liquor license. He further reported that the Committee received a copy of the business plan.

The petitioner, Commander Matt Goodwin reported that the VFW has been in Darien since 1985. He stated that they will operate as a canteen for members and guests only. Mr. Goodwin stated that parking will not be an issue because all but two of the businesses within the shopping center close at 6:00 p.m. with their activities beginning around 7:00 p.m.

Commissioner Mallers questioned how many members they have and if they are seeking a video gaming license.

Mr. Goodwin reported that there are 140 members and that they do not intend to seek a video gaming license.

Commissioner Hickok questioned how they intend to grow their membership.

Mr. Goodwin reported that the canteen will provide for growth because members will have their own place to meet and socialize.

Commissioner Hickok questioned if they will be serving food and how the drinking will be controlled.

Mr. Goodwin reported that they will not service food and that the regulations for food service are cost prohibitive. He stated that they will serve beer, wine and alcohol and that their servers must be BASSAT trained to handle people who may drink too much. Mr. Goodwin stated that this is a concern and that they do not want to cause problems for their place.

Commissioner Hickok questioned if they were aware of the City's plan for the property. Mr. Goodwin stated that he is aware of the City's plans for the property regarding redevelopment.

Chairperson Meyer questioned if there would be card playing.

Mr. Goodwin reported that card playing could go on but that there will be no organized gambling.

Commissioner Ritzert questioned if food could be brought in and their hours of operation.

Mr. Goodwin reported that members can bring in food but that food service will not be available. He stated that have not established hours yet but most likely they will be open from Thursday to Sunday. He further stated that they do not intend to be a 2:00 a.m. type establishment.

Mr. Griffith reported that the liquor license regulates when alcohol can be served.

Mr. Felix Miscoti, Darien questioned how much the VFW has invested in the location given the City's plans for the property. He questioned where they had their meetings in the past.

Mr. Goodwin reported that their meetings were in various locations and that their investment in this location has been done knowing the City's plans for the property. He stated that their improvements are mostly portable and can be taken elsewhere if needed.

There was no one else wishing to present public comment and Chairperson Meyer closed the public hearing at 7:26 p.m.

Commissioner Kiefer made a motion and it was seconded by Commissioner Hickok that based upon the information presented, the request associated with PZC 2013-09 is in conformance with the standards of the Darien City Code and move that the Planning and Zoning Commission approve the petition as presented.

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

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee on Monday, November 25th at 6:30 p.m.

B. Public Hearing - PZC 2013-10: Text Amendment to the Zoning Ordinance: Generators: Consideration of a text amendment to the Zoning Ordinance to permit generators within interior and corner side yards.

Mr. Michael Griffith, Senior Planner reported that the Zoning Ordinance regulates where generators are permitted to be located on residential properties. He stated that currently, generators are not permitted within the required side yard setbacks. He further stated that the since the majority of homes in Darien do not have side yards greater than 10 feet, generators are effectively restricted to the rear yard.

Mr. Griffith stated that residents obtaining permits to install emergency back-up generators on their property is a fairly common activity.

Commissioner Hickok questioned why the change in the Code.

Mr. Griffith reported that residents have expressed that it costs more to place the generator in the rear yard over the side yard since they have to extend utility lines to the rear.

Commissioner Mallers reported that other communities allow generators within the side yards.

Commissioner Hickok stated that he would be fine with the change if the generators were restricted to within 5 feet of the exterior wall of the home.

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

Mr. Felix Miscoti, Darien stated that when he wanted to install a generator he was told it had to be in the rear yard which required that he extend the gas and electric lines from the side of his home to the back of his home. He stated that because of this and the cost associated with it that he did install the generator.

Mr. Mike Minardi, Darien, stated that his request prompted the City to look into the Code. He stated that he and his wife have spent a lot of money on landscaping in the back of their home and that the air conditioner is on the side of the home. Mr. Minardi stated that his contractor recommended placing the generator next to the air conditioner. He stated that the newer generators are not louder than an air conditioner.

Commissioner Lind stated that allowing residents to place a generator on the side provides more options.

There was no one else wishing to present public comment and Chairperson Meyer closed the public hearing at 7:41 p.m.

Commissioner Hickok made a motion and it was seconded by Commissioner Mallers to approve a Text Amendment permitting generators within an interior side or rear yard as long as they are located within 5 feet of the exterior wall of the principal structure, maintain a minimum of 10 feet from any window or door opening, that they are screened

with landscaping or fence type structure, and that the Table found in Section 5A-12-1: Noise, be amended as noted.

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

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee on Monday, November 25, 2013 at 6:30 p.m.

MINUTES

Commissioner Kiefer made a motion and it was seconded by Commissioner Hickok to waive the reading of the October 16, 2013 Meeting Minutes. Commissioner Oberland and Commissioner Vonder Heide were not present.

Upon voice vote, **THE MOTION CARRIED UNANIMOUSLY 7-0.**

Commissioner Ritzert made a motion and it was seconded by Commissioner Hickok to approve the October 16, 2013 Meeting Minutes. Commissioner Oberland and Commissioner Vonder Heide were not present.

Upon voice vote, **THE MOTION CARRIED UNANIMOUSLY 7-0.**

CORRESPONDENCE

None.

OLD BUSINESS/PLANNER'S REPORT

Mr. Griffith reported that the Committee received the 2014 Meeting Schedule.

NEXT MEETING

Mr. Griffith announced that the next meeting is scheduled for Wednesday, December 4, 2013 at 7:00 p.m.

ADJOURNMENT

With no further business before the Commission, Commissioner Mallers made a motion and it was seconded by Commissioner Kiefer. Upon voice vote, **THE MOTION CARRIED unanimously and the meeting adjourned at 7:58 p.m.**

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Beverly Meyer
Chairman