

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
March 6, 2019**

PRESENT: Lou Mallers – Chairman, Robert Cortez, Michael Desmond, Robert Erickson, Brian Gay, Brian Liedtke, Mary Sullivan, Ralph Stompanato, Steven Manning - City Planner

ABSENT: None

Chairperson Lou Mallers 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.

REGULAR MEETING:

A. Public Hearing - Continued

Case: PZC 2018-11 Chemical Uses (zoning text amendment) City of Darien has petitioned for approval of a text amendment of the Zoning Code, Title 5A, Chapter 9: Office and Industrial Districts, Chapter 12: Performance Standards, and Chapter 13: Definitions, regarding standards for chemical-related uses and activities.

Mr. Steve Manning, City Planner reported that at the October City Council Goal Setting meeting the Council discussed land use regulation and oversight by City Council. He reported that the consensus of the Council was to review the City Code and recommend revisions in land uses with the goal of minimizing uses that may pose a hazard and requirements for public notification in the case of an EPA violation.

Mr. Manning reported that the City Administrator prepared an initial draft and a public hearing held in February and along with comments and attorney comments an updated draft was prepared. He reported that the packet included the comments received and a new draft referencing Federal Regulations Tier II.

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

Ms. Brooke Ledeman, Sterling Bay stated that they were concerned and that they would like to avoid over restricting tenants. She explained that there are hundreds of chemicals from the Tier II list and that it is difficult to identify chemicals.

Mr. Manning questioned if Sterling Bay has any prospective tenants.

Ms. Ledeman stated that she was not aware of any but that she would find out.

Chairperson Mallers stated that there are a lot of comments and that there are a lot of moving parts.

Commissioner Cortez stated that he would like to see what other communities have and provide a benchmark.

Commissioner Sullivan stated that we need to be mindful of the current owners and tenants and that leasing space is very competitive

Commissioner Erickson stated that the Fire District probably has a list of chemicals and quantities and how they are stored.

The Fire District staff was present for their hearing and answered that an annual fire inspection is done and that they will forward Mr. Manning's information to the Fire Inspection Director.

Commissioner Gay suggested having a mandatory fire inspection for specific Tier II chemicals.

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

Mr. Manning reported that the goal is to have final language by March 20th.

Commissioner Cortez made a motion and it was seconded by Commissioner Gay to continue PZC 2018-11 Chemical Uses (zoning text amendment) City of Darien has petitioned for approval of a text amendment of the Zoning Code, Title 5A, Chapter 9: Office and Industrial Districts, Chapter 12: Performance Standards, and Chapter 13: Definitions, regarding standards for chemical-related uses and activities to the March 20, 2019 meeting with Fire District information and any other public comment.

Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 8-0.

B. Public Hearing Case: PZC 2019-01 419 Plainfield Road (tower height variation) Tri-State Fire Protection District has petitioned for approval of a variation to Section 5A5-12 (C) of the Zoning Code, that otherwise limits the height of towers to 60 feet, for a proposed communications tower 150 feet tall to be built in the rear yard of the Tri-State Fire Station at 419 Plainfield Road.

Mr. Steve Manning, City Planner reported that this is a continuation of the public hearing. He reported that the Tri-State Fire District receives communications from the Addison Consolidated Dispatch Center (ACDC) via hard wire telephone lines and that they would like to convert to microwave signals between ACDC and the four stations in Darien, Willowbrook, Burr Ridge and Willow Springs. He reported that the site plan is in the packet.

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

Fire Chief Sam Molinaro reported that the purpose is for communication between the four stations. He reported that this is the most economically feasible thing to do and explained that there will be 2 three-foot dishes on the monopole with potential to add a carrier. Chief Molinaro stated that the goal is not to rely on AT&T and that they cannot afford to have any down time.

Chief Molinaro reported that they originally proposed a 150 ft. tower but that they lowered it to 130 ft. in Darien which is 30 feet taller than the Darien Park District tower.

Chairperson Mallers stated that the Fire Protection District protects the communities and that it is hard to say we can't do it. He asked if they have contacted any of the nearby residents.

Chief Molinaro reported that he talked to the manager of the apartments who passed it along to the property manager but that he never heard back. He also reported that he has contacted the high school principal.

Chairperson Mallers questioned if there are any issues with the flight pattern.

Mr. Jay Panazzo, Consultant representing the Fire District reported that there is an FAA study and that they determine if there is a hazard. He stated that the study is pending but that they do not foresee any issues.

Commissioner Desmond questioned if the tower would need a light.

Mr. Panozzo reported that lights are only required over 200 feet and that they will not require a light.

Commissioner Cortez asked what the projected cost savings would be annually.

Chief Molinaro reported that initially \$250,000. Mr. Panozzo reported that it will take 6 years to recoup the costs.

Commissioner Liedtke questioned if there are other openings to generate revenue.

Chief Molinaro stated that there would be potential to generate revenue.

Commissioner Desmond asked if there are specifications regarding safety.

Mr. Panozzo stated that they need to follow guidelines which are very stringent.

Commissioner Sullivan questioned if all the other stations need the same approval.

Chief Molinaro stated that they all need approval, so it is all or nothing.

Commissioner Erickson questioned if there is a no fall zone requirement.

Mr. Manning reported that there is nothing is Darien and that the towers are stronger than buildings.

Mr. Manning stated that he was familiar with propagation studies and questioned how they arrived at 130 feet.

Chief Molinaro reported that there were two studies completed and that the strongest signal is at 130 feet.

Mr. Manning questioned if prospective income is essential.

Chief Molinaro stated that it is not essential but irresponsible to the taxpayers if they never look into co-locations.

Mr. Manning stated that adding co-locations will be bulkier. He asked if they would consider a fence around the complex.

Chief Molinaro stated they would place a fence around the complex.

Commissioner Stompanato questioned what happens if something is built between the towers.

Mr. Panozzo stated that they it would affect the tower and that they would have to look at other options. He stated that the study considers the height of the building codes.

Commissioner Cortez questioned if they preferred 150 ft.

Chief Molinaro stated that they are comfortable with 130 ft.

There was some discussion regarding the tower being an eyesore. Chief Molinaro stated that 75-85% of the emergency calls are made with a cell phone and that this tower will benefit to have better cell coverage. He further stated that they informed the nearby residents of the meeting tonight and that there was no one in the audience.

Commissioner Sullivan questioned if there were any comments from residents.

Mr. Manning reported that there were none.

Commissioner Desmond stated that the height and location were a concern.

Commissioner Sullivan stated that she did not like the look but that they are updating technology.

Mr. Panozzo reported that if they limit the height, they will need more towers.

Commissioner Liedtke stated that he did no want to restrict the co-locations as it is irresponsible to the citizens.

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

Commissioner Gay made a motion and it was seconded by Commissioner Liedtke to approve PZC 2019-01 419 Plainfield Road (tower height variation) Tri-State Fire Protection District for approval of a variation to Section 5A5-12 (C) of the Zoning Code, that otherwise limits the height of towers to 60 feet for a proposed communications tower 130 feet tall to be built in the rear yard of the Tri-State Fire Station at 419 Plainfield Road with the following conditions:

- 1. The FAA approval of the tower and fence be placed around the tower compound;**
- 2. Based on the findings that 130 ft. height is the minimum needed for public safety and addresses decision criteria#1 which is the property be allowed to “yield a reasonable return.**

Upon roll call vote, THE MOTION CARRIED 7-1. Commissioner Desmond voted Nay based on the decision that Criteria #3 is the potential negative impact of the tower on the “essential character of the locality.”

CORRESPONDENCE

None

OLD BUSINESS

Mr. Steve Manning, City Planner reported that replacement pages for the manual were provided. There was some discussion regarding the outcome of a PZC tie or pending vote.

NEW BUSINESS

Mr. Manning reported on the draft application form and that he received no comments.

APPROVAL OF MINUTES

Commissioner Sullivan made a motion and it was seconded by Commissioner Desmond to approve the February 6, 2019 Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED 8-0.

NEXT MEETING

Chairperson Mallers announced that the next meeting is scheduled for Wednesday, March 20, 2019 at 7:00 p.m.

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 Sullivan. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 9:05 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Lou Mallers
Chairperson