

MINUTES CITY OF DARIEN

PLANNING, ZONING, AND ECONOMIC DEVELOPMENT COMMISSION

Wednesday, May 7, 2025

PRESENT: Lou Mallers – Chairperson, Jonathan Christ, Shari Gillespie, Chris Green, Chris Jackson, Mark Kazich

ABSENT: Jonathan Johnson

OTHERS: Ryan Murphy – City Planner, Dan Gombac – Director

Chairperson Lou Mallers called the meeting to order at 7:00 p.m. at the Darien City Hall, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present.

Regular Meeting – New Business

- a. **PZC2025-08 – 8337 Grandview Lane – Daniel Dobrzynski – A petition for a variation from Section 5A-5-8-2-4 of the City Code to permit a fence 6 feet in height within the corner side and rear yard of 8337 Grandview Lane, Darien IL 60561 (PIN 09-31-401-005).**

Mr. Ryan Murphy, City Planner reported that the fence would be six feet in height in the rear yard and that the existing fence bounds the corner side yard. He reported that the proposed fence would abut the neighbor behind and preserve the site line for the neighbor's driveway. He further reported that the petitioner prepared the justification and clarified a typo in the packet, stating there would be no rezone.

Chairperson Lou Mallers swore in an audience member wishing to present public testimony.

Mr. Daniel Dobrzynski, 8337 Grandview Lane, stated that they would put up a six-foot fence with two adjustments including an acute street alignment and a grade of road higher than their home. He stated that the fence would be for privacy and security and that their neighbor was supportive of the variance, but not a full six-foot perimeter. Mr. Dobryzynski further stated that he had been planning on putting up a solid fence but would be open to working with the City on other possibilities.

There was some discussion regarding the specific placement of the fence.

Commissioner Kazich made a motion, and it was seconded by Commissioner Gillespie to approve PZC2025-08 – 8337 Grandview Lane – Daniel Dobrzynski – A petition for a variation from Section 5A-5-8-2-4 of the City Code to permit a fence 6 feet in height within the corner side and rear yard of 8337 Grandview Lane, Darien IL 60561 (PIN 09-31-401-005).

Upon roll call vote, the MOTION CARRIED UNANIMOUSLY 6-0.

Mr. Murphy announced that the petition would pass to the Municipal Services Committee on May 27, 2025.

- b. PZC2025-10 – 2330 Green Valley Road – Brennan O’Brien – A petition for a variation from Section 5A-5-8-2-4 of the City Code to permit a fence 6 feet in height within the corner side and rear yard of 2330 Green Valley Road, Darien IL 60561 (PIN 09-29-402-013).**

Mr. Murphy reported that the petition would be for the same variation as above – for a six-foot fence. He reported that there had been a plat and justification provided and that the yard has no private area. He further reported that due to the location of the neighbor’s rear yard area, the petitioner had requested to go to the farthest corner. Mr. Murphy reported that the City had received two public comments, one in support and one opposed.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Mr. Brennan O’Brien, 2330 Green Valley Road, stated that he had three young kids and would like more security and privacy, and feel like he had a more usable back yard. He stated he would have a four-foot reduction for site line visibility backing out of the driveway and that his neighbor had been in support.

There was some discussion regarding angling the fence.

Mr. O’Brien stated that he would prefer not to angle the fence as it would cut off a piece of his property.

There was some discussion regarding the opposition to the fence.

Commissioner Mark Kazich stated that ComEd would have the right to take out the fence if they would need to do work there.

Mr. O’Brien stated that he understood the risk.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Mr. Randall Theusch, 7811 Surrey Drive, stated that he lives across the street from the petitioner and that he is not a fan of fences, but people have the right to put a fence up. He stated that there are other homes in the subdivision with corner lots that have fences and that he would not want his neighbor to put up a fence because it would look bad aesthetically.

There was some discussion regarding the fence code.

Commissioner Jackson made a motion, and it was seconded by Commissioner Gillespie to approve PZC2025-10 – 2330 Green Valley Road – Brennan O’Brien – A petition for a variation

from Section 5A-5-8-2-4 of the City Code to permit a fence 6 feet in height within the corner side and rear yard of 2330 Green Valley Road, Darien IL 60561 (PIN 09-29-402-013).

Upon roll call vote, the MOTION CARRIED UNANIMOUSLY 6-0.

Mr. Murphy announced that the petition would pass to the Municipal Services Committee on May 27, 2025.

- c. PZC2025-07 – 6624 Richmond Avenue – Maria Saenz – A petition for a plat of subdivision to subdivide the property at 6624 Richmond Avenue (PIN 09-22-104-056) into two lots, and a variation from Section 5A-7-2-5 of the City Code to allow for the creation of a lot less than 120 feet in depth within the Single Family Residence (R-2) District, which still meets the minimum lot area requirement.**

Mr. Murphy reported that the petition would be for a lot split, which the Planning and Zoning Commission normally would not see, but the petitioner had requested a variation to allow a lot split as it would not be deep enough. He reported that the 0.58-acre lot would be split in two with the new lot fronting High Ridge Court and remaining vacant, and the existing lot would house the existing single-family home on Richmond Avenue. Mr. Murphy reported that the petitioner moved the lot line to ensure there would be no non-conforming conditions created by the lot line for the existing structure, and that he had not received any written public comments.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Ms. Maria Saenz, 6624 Richmond Avenue, stated that she had remodeled the house and put it up for sale and one of the neighbors made an offer for part of the property. She stated that she sought guidance from Mr. Murphy and some engineers and that the house has not sold yet, but the potential buyer would want to build something on the second lot for relatives.

Mr. Murphy reported that he had received phone calls regarding clarity on the status of the lot split. He reported that the only street access for the new lot would be on High Ridge Court with a standard driveway.

Mr. Dan Gombac, Director clarified that the street would be a Darien roadway.

Commissioner Chris Jackson questioned if there would be adequate buildable area leftover after the dividing.

Mr. Murphy reported that that would be up to the Commission to decide, and that the proposed new lot would be roughly 100 feet deep, 20 feet shy of a standard lot.

Commissioner Jackson clarified that there would be about 40 feet of buildable space leftover, which would be adequate.

After a question from Commissioner Shari Gillespie, Ms. Saenz stated that the house had been up for sale for about two months.

Mr. Gombac clarified that the proposed property would have to tap on to City water.

Commissioner Kazich stated that it would be a raised lot, with grading three to four feet to the sidewalk, with a seven-foot differential.

Mr. Gombac reported that the maximum driveway slope would be 8% and the slope ratio would ideally not exceed 2%. He reported that the engineering plan would require the grading and foundation to be tight.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Mr. Richard Gardner, 819 High Ridge Court, stated that he resides in the house west of the lot and that he is not opposed to the proposal. He stated that he would like to know how they will address the stormwater due to a swell that flows toward 67th Street where the sidewalk dead ends and holds a lot of water. He questioned if the County or City had done a stormwater study there.

Mr. Gombac reported that the house on the corner is unincorporated and that he would be looking at a project for next year's budget to connect the sidewalk to 67th Street, and that there would be a possibility to force an annexation of that property. He reported that stormwater for that property would be owned and maintained by the detention center and should flow back toward Richmond and 67th Street.

There was further discussion between Mr. Gombac and Mr. Gardener regarding stormwater maintenance for the subdivision.

Mr. Gardener stated that when they came to rehab the house, they tore down the trees past the lot line on their property and that he would like to see some type of landscaping or arborvitae put back in there to create a barrier.

Mr. Gombac stated that this would be something they can decide on down the line and that any issues they would face with a future neighbor may be resolved.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Mr. Ken Kunesh, 6518 South Richmond Ave, Willowbrook, stated that his concern is the reasoning behind the hardship to grant the variation. He stated that the remodeled house was originally listed for just under a million dollars and that it has been on the market for about a year and a half. He stated that he feels the hardship the applicant is facing is just making money off the property.

Mr. Murphy reported that he characterized it as the configuration of the lot is uncharacteristic of the neighboring properties, which are in the same zoning district and in the City.

Mr. Kunesch stated that the lots in that area vary in size and he didn't see the hardship for the variation.

Ms. Saenz stated that the house had been up for sale but then had to take it down because of pending permits and then were able to put it back on the market. She stated that they didn't decide to sell the lot because of a loss of money, but because a neighbor had made an offer.

Commissioner Jackson questioned if the hardship was that the lot was larger than many of the adjacent lots.

Mr. Murphy stated that her engineer had reported that the configuration of the lot, length wise, was uncharacteristic.

There was some further discussion regarding the lot sizes within the subdivision.

Mr. Gombac emphasized that if there is an active HOA, they would need to review for any type of access of that roadway.

There was some discussion regarding the HOA of the subdivision.

Chairperson Mallers stated the options for the vote, then closed the public discussion.

There was some clarifying discussion regarding the specificity of the vote with conditions.

Mr. Gombac emphasized that any conditions would need to be spelled out specifically.

Commissioner Jonathan Christ stated that they would need to decide if it is feasible to build a house on the proposed lot.

Commissioner Jackson confirmed that the variance would be for the depth and that he finds the lot to be buildable.

The Commission discussed possible conditions to include in their vote.

Commissioner Jackson made a motion, and it was seconded by Commissioner Green to approve PZC2025-07 – 6624 Richmond Avenue – Maria Saenz – A petition for a plat of subdivision to subdivide the property at 6624 Richmond Avenue (PIN 09-22-104-056) into two lots, and a variation from Section 5A-7-2-5 of the City Code to allow for the creation of a lot less than 120 feet in depth within the Single Family Residence (R-2) District, which still meets the minimum lot area requirement, with the following condition:

That the preliminary engineering and feasibility of proper grading and stormwater of future development be demonstrated.

Upon roll call vote, the MOTION CARRIED 5-1.

AYES: Christ, Gillespie, Green, Jackson, Mallers

NAYS: Kazich

ABSENT: Johnson

Mr. Murphy announced that the petition would pass to the Municipal Services Committee on May 27, 2025.

- d. PZC2024-09 – 7511 Lemont Road – Chestnut Court Darien IL LLC – A petition for the rezoning and redevelopment of the Chestnut Court shopping center located in the B-3 (General Business) zoning district at the southeast corner of 75th Street and Lemont Road, commonly known as 7511 Lemont Road (PINs 09-29-300-008, 09-29-300-022, 09-29-300-023, 09-29-300-24, and 09-29-300-025). The project includes the following:**
- **A request to change the zoning for the project site from B-3 (General Business District) to M-U (Mixed-Use);**
 - **A variation to allow for ground-floor residential for a multifamily apartment building;**
 - **A variation to reduce the required parking ratio from 2 spaces per dwelling unit to 1 space per dwelling unit;**
 - **A preliminary plat of subdivision to re-subdivide the site for development purposes;**
 - **The construction of three (3) retail buildings totaling 107,165 square-feet and one 151,196 square-foot four-story 156-unit multifamily apartment building comprised of studio, one-bedroom and two-bedroom units, with residential amenities including a fitness room, club room, storage, and outdoor recreation areas, with an option to increase the number of units to a total of 166-units;**
 - **Façade improvements for the commercial center;**
 - **On-site improvements including landscaping, fencing, walkways, parking and loading areas, on-site utilities, and drainage/stormwater facilities**

Mr. Gombac reported that the City had been looking at the subject property since about 2021 and has viewed it as a tired area in need of updating. He reported that the property had gone through several different owners and toward the end of 2023, Mr. Kumar Bhavanasi closed on the property and had been very excited for the City's redevelopment plan. Mr. Gombac reported that the City's redevelopment plan had considered mixed-use and would liven up with restaurants, more businesses and an apartment building.

Mr. Gombac further reported that this would become a TIF district which would allow certain breaks for a limit of 23 years, which would not affect the real estate taxes and allow the City to receive funds to help disperse and support the development. He reported that following a study, the site had been deemed eligible and now the City will move forward with next steps in forming a TIF committee. He further reported that the City Council has been very favorable for development of this site.

Chairperson Mallers stated that the former Economic Development Commission had deemed Chestnut Court as the number one parcel for redevelopment in Darien.

Mr. Murphy reported that the comprehensive plan for Chestnut Court had been adopted in 2022 in anticipation of a mixed-use development and that the mixed-use (M-U) district had been created in the City Code in 2024. He reported that the proposal would involve the demolition of approximately 90,204 square feet of building area near the southern and western boundary of the site and that construction would include new retail buildings, a new drive-through, a remodeled portion of an existing building, a multi-family development comprised of a 151,196 square foot building and façade improvements for the remaining commercial center. He further reported that the rezoning would exclude Home Run Inn, which would remain B-3 for now.

Mr. Murphy displayed the proposed site design and unit matrix on density to the audience, noting that the multi-family building would be in the southeast corner and would not face density restrictions. He reported that a traffic analysis had been prepared which concluded no impacts to be made as a result of the development, and that multiple access driveways would be preserved with the site plan.

Mr. Murphy displayed the typical retail elevations to the audience and reported that the petitioner had provided a preliminary landscape plan, grading plan and site plan, which would provide three stormwater basins. He reported that staff found the parking would meet the minimum requirements and that they had received a letter from the Forest Preserve which requested only native plantings. Mr. Murphy reported that he had received multiple public comments, some opposed and some in favor.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Mr. Anders Rustin, project architect, provided a presentation of the proposed development with architectural renderings. He stated that they would remove the elbow of existing property and create two retail buildings and refresh the façade. He stated that the architecture would be contemporary but timeless and a cohesive design would be applied to every building. He further stated that the residential building would include outdoor amenity spaces and would use the same material as the commercial buildings.

Chairperson Mallers clarified the layout of the proposed development.

Commissioner Gillespie questioned if there would be retail on the first floor of the residential building.

Mr. Rustin stated that there would not be; the residential building would be solely residential. He stated that it would not be very feasible to add residential to the existing shopping center.

Chairperson Mallers questioned why he thought multi-family residential would be more feasible for this project.

Mr. Rustin stated that multi-family would be permanent residents which would provide a boom and consistent traffic to the retail.

Mr. Gombac reported that Mr. Bahavanasi had reached out to the current tenants and reiterated that they want the small businesses to stay, to which they expressed great interest.

Commissioner Gillespie stated she was under the impression that this would be a condominium project. She questioned what would stop them from doing a low-income or HUD housing district.

Chairperson Mellers swore in an audience member wishing to present public testimony.

Mr. Kumar Bahavanasi stated that affordable housing, economically, would be too expensive and he would want to do luxury apartments. He stated that the rent prices he had been looking at would be around \$1,800 a month for a single apartment and around \$2,500 a month for a double apartment.

Chairperson Mellers stated that people tend to be more comfortable with condos as opposed to apartments.

Mr. Bahavanasi stated that they had never explored the idea of doing condos.

Commissioner Green questioned what the approach would be to add on ten units.

Mr. Rustin stated that they would be utilizing modular construction units.

Mr. Bahavanasi stated that they would not want to build too many or too few and would need to preserve the parking. He stated that 150-160 units would have a market demand.

Commissioner Jackson questioned if the extra ten units would create any complications with the variance or require additional approvals.

Mr. Bahavanasi stated that they had originally planned for 170 units.

Commissioner Gillespie questioned if he had done a development like this before.

Mr. Bahavanasi stated that he had completed projects in Florida and Mississippi.

There was some discussion regarding EV-ready parking spaces.

Mr. Rustin confirmed that all parking spaces would have EV readiness.

Commissioner Mellers questioned what pressure this development would put on the City, particularly police, fire and schools.

Mr. Rustin stated that they had a market study done that identified a need capacity with a complete analysis of Darien and local neighborhoods.

Following a question from Commissioner Kazich, Mr. Rustin confirmed that this study had not been submitted to the City but they would be able to do so.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Mr. Steven Corcoran stated that they had done a trip generation comparison of the current area versus the proposed development based on full occupancy of both.

Commissioner Kazich questioned if they had looked at peak hourly volume counts.

Mr. Corcoran confirmed that it is in the report.

Commissioner Jackson stated that the parking looked heavy on the retail side and lean on the residential side and questioned if they would consider evening that out.

Mr. Murphy confirmed that the retail parking exceeded the City expectations. He stated that the City would require 1.65 parking stalls per unit for the multi-family development and that they had proposed 1.75.

There was further discussion regarding the residential parking.

Mr. Bahavanasi stated that the apartment tenants would be able to utilize retail parking.

Mr. Rustin stated that they had discussed numbering residential spaces to clarify the difference between the two lots.

Commissioner Gillespie shared her concern with the safety of children living in the apartment building.

Commissioner Kazich questioned if dogs would be allowed in the apartments.

Mr. Bahavanasi stated that he had not considered it.

Chairperson Mallers questioned if there would be security for the building.

Mr. Rustin stated that there would be a FOB system that would lock automatically.

Commissioner Jackson questioned how they decided to break up the existing structure.

Mr. Rustin stated that there had been a natural break in current businesses.

Mr. Bahavanasi stated that they would not remove current tenants.

There was some discussion regarding the current tenants.

Chairperson Mallers questioned what the timeline of the project would be.

Mr. Rustin stated that his best guess would be 16-17 months for construction of each portion.

Commissioner Jackson expressed the need to for the petitioners to address stormwater concerns.

Chairperson Mallers swore in an audience member wishing to present public testimony.

Mr. Christopher Fish stated that they would be replacing existing detention one to tone to make the space more usable and would reduce imperviousness of the site by approximately a quarter of an acre.

There was some discussion regarding the detention and drainage direction.

Mr. Rustin stated that any site runoff would be captured.

Commissioner Jackson questioned what they would do about fencing along the east.

Mr. Rustin stated that they had not received comments about what to do with the fence but they would not be opposed to replacing or repairing as long as it would match design standards.

Commissioner Jackson questioned how accessible the apartments would be.

Mr. Rustin assured that they would abide by the intent of the Illinois accessibility code.

There was some discussion regarding storage in the apartment units.

Commissioner Gillespie questioned if Mr. Bahavanasi's other developments included retail and residential within the same mall.

Mr. Bahavanasi stated that they did not.

Chairperson Mallers swore in an audience member wishing to present public comment.

Mr. Arthur Donner, 7548 Cambridge Road, stated that the developer would be asking for more money and TIF in order to get the project done, and that they had originally proposed high-end condominiums. He stated that the unit layout would not work and that there would be a parking issue with retail that would be too dense. He further stated that the developer would never be present and questioned how he would be financing the project. Mr. Donner questioned how this would benefit the community and stated that it would leave the community having to pay back TIF dollars. He further stated the different TIF costs to consider.

Mr. Donner further stated that Walmart's renewal would be coming up and that they may see what is happening with the development and walk. He stated that the correspondence with the forest preserve had not been included in the write-up and that the proposed building would provide a shadow blocking the sun from the plants. He questioned of the forest preserve had given written approval.

Mr. Murphy stated that they had reviewed it.

Mr. Donner stated that there were a lot of unanswered questions, including whether or not dogs would be allowed and if there would be a manager on premise.

A man in the audience questioned what the Commission would want in the mall and exclaimed that there are no restaurants in Darien.

Commissioner Gillespie stated that he was correct, and Darien does need restaurants.

Mr. Bahavanasi stated that with the shopping center being the way it is, it would be very difficult to bring any new businesses in. He stated that he had been trying to bring in nice restaurants, a supermarket and other retail businesses, but they are contingent on the upgrades and having an influx of residents. He further addressed Mr. Donner stating that he cares about his tenants and about this project.

Mr. Donner stated that there had not been enough of a concept for the proposal and that the apartment units did not make sense.

Mr. Bahavanasi stated that experts had looked over the project to determine the market of rental spaces.

There was further continuous incoherent conversation amongst audience members.

Chairperson Mallers closed the public hearing.

There was some clarification on the specific contents of the vote.

Commissioner Jackson shared his thoughts, stating it would be exciting to see something happening at the subject property and that all on site improvements would be positive conceptually. He stated that all the retail components seemed worked out, but he had a concern with the fencing. He further stated that the concept of the residential area would be good but there would be issues that needed to be worked out. Commissioner Jackson stated that he would like to see the market study and would like to hear feedback from fire and police regarding the density.

Chairperson Mallers stated that this would be an opportunity to improve the community and that having a mostly empty shopping center had been very negative for Darien. He stated that the plan is not perfect as is, but it would be an improvement.

Commissioner Gillespie stated that there had been an issue with restaurants coming in due to liquor licenses.

There was some discussion with the audience regarding liquor licenses.

There was further discussion regarding previous management at Chestnut Court.

Mr. Murphy clarified that there would be an entirely separate process for TIF notification.

Commissioner Christ stated that this would be the best area for potential development in Darien.

The Commissioners discussed the need for more time to come to a decision.

Commissioner Kazich made a motion, and it was seconded by Commissioner Jackson to continue PZC2024-09 – 7511 Lemont Road – Chestnut Court Darien IL LLC at a later date and with the following additional information:

- 1. The market study provided by the petitioner, and**
- 2. Review of the project from police, fire and other local agencies**

There was some discussion amongst the Commissioners regarding specific details to include in the continuance.

Upon roll call vote, the MOTION CARRIED 5-1.

AYES: Christ, Gillespie, Jackson, Kazich, Mallers

NAYS: Green

ABSENT: Johnson

Mr. Murphy stated that he would need a timeline for the continuance.

Chairperson Mallers clarified with the petitioners that they would be able to provide the additional materials for the continuance in two weeks.

Mr. Murphy recommended the Commission amend the motion to include a specific date for continuance.

The previous motion was amended.

Commissioner Kazich made a motion, and it was seconded by Commissioner Jackson to continue PZC2024-09 – 7511 Lemont Road – Chestnut Court Darien IL LLC to the next regularly scheduled meeting of May 21, 2025 and to have the petitioner and staff provide the following additional information:

- 1. The market study provided by the petitioner, and**
- 2. Review of the project of from police, fire and other local agencies**

Upon roll call vote, the MOTION CARRIED 5-1.

AYES: Christ, Gillespie, Jackson, Kazich, Mallers

NAYS: Green

ABSENT: Johnson

Regular Meeting – Old Business

There was no old business to discuss.

Staff Updates & Correspondence

There were no staff updates and correspondence to discuss.

Approval of Minutes

Commissioner Gillespie made a motion, and it was seconded by Commissioner Christ to approve the April 16, 2025 Regular Meeting Minutes.

Upon voice vote, the MOTION CARRIED UNANIMOUSLY 6-0.

Next Meeting

Mr. Murphy announced that the next meeting would be May 21, 2025.

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 Christ. Upon voice vote, the MOTION CARRIED UNANIMOUSLY, and the meeting adjourned at 9:40 p.m.

Respectfully Submitted:

Approved:

X

Jessica Plzak
Secretary

X

Lou Mallers
Chairperson