

**CITY OF DARIEN**  
**DU PAGE COUNTY, ILLINOIS**

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**ORDINANCE NO. 0-33-25**

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**AN ORDINANCE REZONING CERTAIN PROPERTY, PROVIDING FOR  
PRELIMINARY PLAT APPROVAL, AND GRANTING CERTAIN  
VARIATIONS FROM THE DARIEN ZONING ORDINANCE  
(PZC 2024-09/CHESTNUT COURT DARIEN IL LLC – 7511 LEMONT ROAD)**

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**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
OF THE  
CITY OF DARIEN  
THIS 2<sup>nd</sup> DAY OF JUNE, 2025**

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**Published in pamphlet form by authority  
of the Mayor and City Council of the City  
of Darien, DuPage County, Illinois, this  
6<sup>th</sup> day of June, 2025.**

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PRELIMINARY PLAT APPROVAL, AND GRANTING CERTAIN  
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(PZC 2024-09/CHESTNUT COURT DARIEN IL LLC – 7511 LEMONT ROAD)**

**WHEREAS**, the City of Darien is an Illinois home rule unit of government pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government, except as limited by Article VII, Section 6; and

**WHEREAS**, the property legally described on **Exhibit 1** attached hereto and made a part hereof (the “Subject Property”) is zoned B-3 pursuant to the City’s zoning ordinance; and

**WHEREAS**, the owner of the Subject Property has petitioned the City for rezoning of the Subject Property to the M-U Mixed Use District pursuant to Section 5A-8-5 of the zoning ordinance; for approval of certain variations as described more thoroughly below; and for approval of a preliminary plat of subdivision; and

**WHEREAS**, pursuant to notice as required by law, the City’s Planning, Zoning and Economic Development Commission conducted a public hearing on this petition on May 7, 2025; and

**WHEREAS**, following additional deliberation on May 21, 2025, the Commission favorably recommended said petition; and

**WHEREAS**, at its meeting held on May 27, 2025, the City Council’s Municipal Service Commission favorably recommended the petition; and

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**WHEREAS**, the Mayor and City Council have determined that granting this petition is reasonable, consistent with the City's land use plan for development of the Subject Property, and otherwise in the best interest of the residents of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, ILLINOIS**, as follows:

**SECTION 1: Subject Property.** The relief granted by this Ordinance is limited and restricted to the Subject Property.

**SECTION 2: Rezoning.** The Subject Property is hereby rezoned from the B-3 District to the M-U District pursuant to the Darien Zoning Ordinance.

**SECTION 3: Variations.** The following variations are granted:

A. A variation from Section 5A-8-5-5 to allow the construction of a stand-alone multi-family apartment building as shown on the owner's site plans.

B. A variation from Section 5A-11-5 of the Darien City Code is granted to reduce the required parking ratio from 2 spaces per dwelling unit to 1.75 spaces per dwelling unit, for a minimum of 270 residential parking spaces to accommodate 156 units.

**SECTION 4: Preliminary Development Plan Approved.** The owner's preliminary development plan, consisting of the development of three (3) retail buildings totaling approximately 107,165 square feet, and one (1) 151,196 square foot 4-story, 156 multi-family apartment building including studio, one bedroom, and two bedroom units, as well as residential amenities such as a fitness room, club room, storage, and outdoor recreation areas, is approved.

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**SECTION 5: Preliminary Plat Approved.** Pursuant to Section 5B-1-5 of the City Code, the Developer's proposed preliminary plat of subdivision, identified as "Chestnut Court Shopping Center Resubdivision," prepared by R.E. Allen & Associates and revised as of February 13, 2025, is hereby approved. Said plat is hereby incorporated into this Ordinance by reference as **Exhibit 2.**

**SECTION 6: Other Ordinances.** Except as otherwise provided for by this Ordinance, the development of the Subject Property shall proceed in full compliance with all applicable ordinances of the City of Darien.

**SECTION 7: Zoning Map.** The City Clerk is hereby authorized and directed to note the rezoning granted by this Ordinance on the City's official zoning map.

**SECTION 8: Home Rule.** This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent the terms of this ordinance should be inconsistent with any non-preemptive state law, this ordinance shall supersede state law in that regard within its jurisdiction.

**SECTION 9: Effective Date.** This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

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**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE  
COUNTY, ILLINOIS**, this 2<sup>nd</sup> day of June, 2025.

AYES 6 - Belczak, Kenny, Leganski, Schauer, Stompanato, Sullivan

NAYS: 0 - NONE

ABSENT: 1 - Gustafson

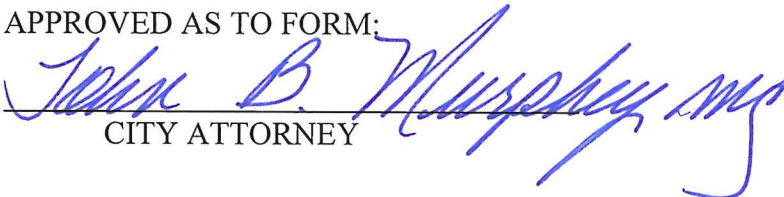
**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,  
ILLINOIS**, this this 2<sup>nd</sup> day of June, 2025.

  
JOSEPH A. MARCHESE, MAYOR

ATTEST:

  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY



**EXHIBIT 1**

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

**PARCEL 1:**

TRACT "C" (EXCEPT THE NORTH 100 FEET THEREOF AS TAKEN FOR HIGHWAY PURPOSES FOR DEDICATION RECORDED AUGUST 17, 1950 AS DOCUMENT NO. 601548 AND EXCEPT THE WEST 30 FEET OF THE SOUTH 545 FEET OF THE NORTH 645 FEET THEREOF, AS MEASURED FROM THE CENTER LINE OF 75TH STREET AND EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 29, THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF SECTION 29, A DISTANCE OF 365 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 05 SECONDS WEST, ALONG A LINE 30 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT "C" A DISTANCE OF 320.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 55 SECONDS EAST, 211.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 05 SECONDS WEST, 204.00 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 55 SECONDS WEST 211.00 FEET TO A POINT ON SAID LINE 30 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF TRACT "C"; THENCE NORTH 00 DEGREES 00 MINUTES 05 SECONDS EAST ALONG SAID LINE 30 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT "C" 204.00 FEET TO THE POINT OF BEGINNING), IN DOWNERS GROVE TOWNSHIP SUPERVISORS ASSESSMENT PLAT NO. 2 OF THE NORTH 1050 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 3, 1944 AS DOCUMENT NO. 464509, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 2:**

TRACT "B" (EXCEPT THE NORTH 100 FEET THEREOF AS TAKEN FOR HIGHWAY PURPOSES BY DEDICATION RECORDED AUGUST 17, 1950 AS DOCUMENT NO. 601548) IN DOWNERS GROVE TOWNSHIP SUPERVISORS ASSESSMENT PLAT NUMBER 2 OF THE NORTH 1050 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 3, 1944 AS DOCUMENT NO. 464509, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 3:**

TRACTS "F" AND "G" (EXCEPT THE WEST 50 FEET OF SAID TRACTS "F" AND "G" TAKEN OR USED FOR LEMONT ROAD) OF DOWNERS GROVE TOWNSHIP SUPERVISORS ASSESSMENT PLAT NO. 2 OF THE NORTH 1050 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 3, 1944 AS DOCUMENT NO. 464509, IN DUPAGE COUNTY, ILLINOIS.

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**PARCEL 4:**

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS ONE AND TWO FOR INGRESS AND EGRESS OVER THE LAND DESCRIBED THEREIN, AS CREATED BY EASEMENT AGREEMENT RECORDED AS DOCUMENT NO. R77-107410 AND MODIFIED BY DOCUMENT NOS. R83-16245, R83-29468 AND R87-5755, EXCEPTING THEREFROM ANY PORTION FALLING WITHIN PARCELS I AND 3 AND EXCEPTING THAT PORTION FALLING WITHIN THE SOUTH 5 FEET OF TRACT E.

**PARCEL 5:**

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1, 2 AND 3 FOR PARKING, ROADWAYS AND SIDEWALKS OVER THE LAND DESCRIBED THEREIN AS CREATED BY RECIPROCAL EASEMENT AGREEMENT RECORDED AS DOCUMENT NO. R86-042076.

PINs: 09-29-300-008, 09-29-300-022, 09-29-300-023, 09-29-300-024, 09-29-300-025

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**EXHIBIT 2**

**PLAT OF SUBDIVISION  
(Incorporated by reference)**



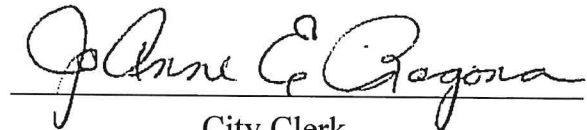
STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF DU PAGE    )

I, JoAnne E. Ragona, do hereby certify that I am the duly qualified CITY CLERK of the CITY OF DARIEN of DuPage County, Illinois, and as such officer I am the keeper of the records and files of the City;

I do further certify that the foregoing constitutes a full, true and correct copy of **ORDINANCE NO. O-33-25 “AN ORDINANCE REZONING CERTAIN PROPERTY, PROVIDING FOR PRELIMINARY PLAT APPROVAL AND GRANTING CERTAIN VARIATIONS FROM THE DARIEN ZONING ORDINANCE (PZC2024-09: 7511 LEMONT ROAD – CHESTNUT COURT DARIEN IL LLC)”** of The City of Darien, Du Page County, Illinois, Duly Passed and Approved by the Mayor and City Council at a Meeting Held on June 2, 2025.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal this 2<sup>nd</sup> day of June, 2025.



  
City Clerk