

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## MINUTES

### Development Committee

January 11, 2010

Approved April 12, 2010

#### 1. Call to order, Roll Call and Establishment of a Quorum.

Chairman Pineda called the meeting to order at 7:00 p.m.

Chairman Pineda made a brief announcement, explaining that the Development Committee consists of seven (7) members of the City Council and considers all matters relating to land use, making recommendations to the full City Council. The full City Council makes the final determination of an issue. This evening's meeting is an open meeting, not a public hearing, with everyone having an opportunity to speak. Chairman Pineda reminded those in attendance that in order to have the opportunity to speak, persons must complete a Public Participation Form. Persons will be called to speak as their respective agenda items are discussed. Each person will be given three (3) minutes to speak in order to accommodate the large public attendance with all comments being addressed to Chairman Pineda.

Roll call found Aldermen Joseph Gianforte, Nicholas Dzierzanowski, James Beifuss and Rebecca Stout present. Aldermen H. Ronald Monroe and Alan Murphy were absent.

Also in attendance was Community Development Director Joanne Kalchbrenner.

#### 2. Approval of Minutes.

- A. Minutes for the Development Committee, October 12, 2009, will be considered at the February 8, 2010 meeting.

#### 3. Public Participation - None.

#### 4. Items for Consent.

- A. Gateway Centre Development – 334 S. Neltnor Boulevard, Sign Variances
- B. Murphy's Ace Hardware – 319 S. Neltnor Boulevard, Sign Variances
- C. Murphy's Ace Hardware – 319 S. Neltnor Boulevard, Façade Grant
- D. Haggerty ford – 330 E. Roosevelt Road, Sign Variances
- E. City of West Chicago – Annexation and Rezoning, Area 1, 32W350 and 32W371 Smith Road

- F. City of West Chicago – Annexation and Rezoning, Area 2, 31W351 North Avenue**
- G. City of West Chicago – Annexation and Rezoning, Area 3, 3N155 Powis Road**
- H. City of West Chicago – Annexation and Rezoning, Area 4, 31W010 Hawthorne Lane**
- I. City of West Chicago – Annexation, Area 5, Pilsen Road, Lane Road and Lee Road east of Pilsen Road**
- J. City of West Chicago – Annexation and Rezoning, Area 6, Illinois Prairie Path west of Industrial Drive**
- K. City of West Chicago – Annexation, Area 7, Illinois Prairie Path east of Kautz Road**
- L. City of West Chicago – Annexation and Rezoning, Area 8, Union Pacific Railroad and Adjacent Property between Kress Road and Roosevelt Road**
- M. City of West Chicago – Annexation and Rezoning, Area 9, Pomeroy Street and Brown Street between Sherman Street and Pearl Street**
- N. City of West Chicago – Annexation, Area 10, Portion of Pioneer Park**
- O. City of West Chicago – Annexation and Rezoning, Area 11, Pearl Road between Forest Avenue and Roosevelt Road**
- P. City of West Chicago – Annexation and Rezoning, Area 12, West Side of Route 59 at Gary's Mill Road**
- Q. City of West Chicago – Annexation, Area 13, 29W250 Gary's Mill Road**
- R. City of West Chicago – Annexation, Area 14, 29W141 Gary's Mill Road**
- S. City of West Chicago – Annexation and Rezoning, Area 15, 905 Hillview Avenue**
- T. City of West Chicago – Annexation and Rezoning, Area 16, 1N435 and 1N463 Ingalt Avenue**
- U. City of West Chicago – Annexation and Rezoning, Area 17, 1N761 Arbor Avenue and 29W715 and 29W745 Hawthorne Lane**
- V. City of West Chicago – Annexation and Rezoning, Area 18, 2N166 Prince Crossing Road**
- W. City of West Chicago – Annexation, Area 19, South Side of North Avenue between Prince Crossing Road and Ancient Oaks Drive**

**Items 4 E, F, I, M, O, T, U were pulled for public participation and discussion.**

**Items 4 A and D were pulled for discussion by Alderman Beifuss. Item 4 B was pulled for discussion by Alderman Dzierzanowski.**

**Alderman Beifuss motioned to move consent items 4 C, G, H, J, K, L, N, P, Q, R, S, V and W to City Council on Monday, January 18, 2010. Alderman Stout seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

**4A. Gateway Centre Development – 334 S. Neltner Boulevard, Sign Variances**

**Alderman Beifuss stated that he agrees with the general sign variances. He urges the liquor store at this location to use the LED portion of the sign to replace banner signs.**

Residents in the area have complained regarding beer/liquor signs and the empty posts when banners are not in use. He would also like to review the temporary signage rules at a future meeting, related to what other communities require.

**Alderman Stout motioned to move consent item 4A to City Council on Monday, January 18, 2010. Alderman Beifuss seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4B. Murphy's Ace Hardware – 319 S. Neltor Boulevard, Sign Variances

Alderman Dzierzanowski questioned if a parking space would be lost by adding landscaping to the sign. Ms. Kalchbrenner replied yes and that the owner offered to install additional landscape material along the property boundary to offset the required landscaping around the base of the sign and would need a variance either to the parking requirement or landscaping around the base of sign.

**Alderman Dzierzanowski motioned to move consent item 4B to City Council on Monday, January 18, 2010. Alderman Gianforte seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4D. Haggerty Ford – 330 E. Roosevelt Road, Sign Variances

Bill Haggerty of Haggerty Ford gave details for the requested sign variance. Haggerty Ford purchased the former Crossroads Chevrolet property to satisfy Ford's requirements for building size. There were formerly three (3) large signs on the property. Haggerty Ford currently proposes one (1) thirty-two (32) foot high sign to provide proper visibility from both east and west along Roosevelt Road. Trees block visibility from the west. A low sign will prevent the business from promoting their best-selling vehicles near the street, with the height of the trucks blocking view of the sign from Roosevelt Road. Haggerty Ford is located in an area of minimal residences and a high speed limit. Mr. Haggerty distributed a letter from Ford Motor Company dated January 8, 2010 regarding a professional sign. He concluded that Haggerty Ford has invested in the community through various events and that the purpose of the sign is to drive additional business, thus providing additional revenue to the City.

Alderman Beifuss noted that the Plan Commission requires landscaping per City Code, with the amount of landscaping determined by the size of the sign. The sign is one hundred sixty five (165) square feet, which would require approximately two hundred forty seven (247) square feet of landscaping, or the approximate equivalent to a one and a half stall parking space. Alderman Beifuss suggests requiring landscaping as a condition to the variance approval. At the Plan Commission meeting, the vote was for denial, which would require a super-majority vote to pass at the City Council level (nine of the fourteen votes).

Mr. Haggerty stated that the business had not asked for landscaping originally to save the parking space. He also stated that Haggerty Ford is not against landscaping; simply that it was not discussed at the previous Plan Commission meeting.

Alderman Beifuss also suggested that there be future discussion regarding the height of a sign bearing some relationship to the size of the development. Alderman Stout agreed.

Alderman Stout stated that the added landscaping would benefit her ward aesthetically as well as make a good business presentation from the road.

**Alderman Beifuss motioned to approve the sign variance with landscaping per the City Code and move consent item 4D to City Council on Monday, January 18, 2010. Alderman Stout seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4E. City of West Chicago – Annexation and Rezoning, Area 1, 32W350 and 32W371 Smith Road

Grant Chappel, 32W371 Smith Road, spoke against annexation of the property and would prefer zoning to ER1, as opposed to ORI. Zoning to ER1 would allow for rebuilding of the structure should there be a fire that destroys more than fifty (50) percent of the residence.

Alderman Dzierzanowski stated that this is his ward. The residents on Foxfield want the property to remain residential, with this property making a good buffer between residential and commercial properties. The City well house is to the east, St. Charles townhouses to the west and commercial property to the south. Alderman Dzierzanowski also stated that he has negotiated with the City of St. Charles to keep undesirable development away from West Chicago homes in this location and does not feel this is fair to St. Charles residents if the property is rezoned ORI. He is in favor of ER1 zoning.

Ms. Kalchbrenner retrieved a map of West Chicago and the areas affected by the annexation for review by committee members. Ms. Kalchbrenner clarified that bringing the property into West Chicago as ORI is comparable to OR in DuPage County, which is the current zoning of the property. Typically, properties are annexed as ER1 (Estate Residential), which is what the property owner is requesting.

Mr. Chappel requested the benefits of annexation and wondered who would pay for water connection. Chairman Pineda clarified that it is the homeowner's responsibility to pay for the water connection after annexation, should they choose to do so. The homeowner would not be forced to connect to City services.

Ms. Kalchbrenner clarified the location and uses of surrounding properties for Alderman Beifuss.

**Alderman Dzierzanowski motioned to approve the annexation of consent item 4E with zoning remaining as ER1 to City Council on Monday, January 18, 2010. Alderman Stout seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4F. City of West Chicago – Annexation and Rezoning, Area 2, 31W351 North Avenue  
Robert Chicoine, 31W351 North Avenue, spoke against annexation of this property and referenced information from his attorney already received by the Development Committee. The property is surrounded by a crusher plant, wetlands and the forthcoming widening of North Avenue with a proposed retaining wall. Mr. Chicoine sees no gain by annexation.

**Alderman Beifuss motioned to move consent item 4F to City Council on Monday, January 18, 2010. Alderman Dzierzanowski seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4I. City of West Chicago – Annexation, Area 5, Pilsen Road, Lane Road and Lee Road east of Pilsen Road  
Robert Lipscomb, 1N531 Lane Road, stated that he had lived in MacQueen Estates for thirty five (35) years and can see no benefit to annexing into West Chicago. He requested to know what the benefits would be.

Maryellen Lipscomb, 1N531 Lane Road, stated that her family has attended West Chicago schools and churches. They own a business and land in West Chicago, but have no voting rights or alderman to turn to for help in the annexation matter. She does not want to be annexed and is representing herself. She moved to the area for the peace and quiet, with neighbors taking care of each other and doing their own thing. The City of West Chicago has continued to encroach upon the subdivision. With the future plans showing industrial property and the industry located down Hawthorne Lane, Mrs. Lipscomb voiced concern that the City would eventually take her property for industrial use. She stated that she hoped the committee would find it in their hearts not to annex Area 5, however she understood that by making the area less than sixty (60) acres, West Chicago could forcibly annex her subdivision.

Robert Grant (Leonardo's), 1N741 Pilsen Road, asked what the overall goal was for the proposed area to be annexed. Chairman Pineda responded that Ms. Kalchbrenner is writing down all questions and will respond at the end of the comments.

Michele Doyle, 1N714 MacQueen Drive, spoke against the annexation, stating that there is no need for additional industrial property given the amount of empty industrial property near Area 5.

Guy Logalbo, 31W151 Lee Road, agrees with his neighbors and is against annexation. His questions had already been answered.

Kathy Tracey, 1N465 MacQueen Drive, chose to move to the area thirty (30) years ago because it was unincorporated. She wants to maintain the rural atmosphere and is against annexation.

Paul Jepsen, 31W015 Lee Road, has lived here for twenty two (22) years and spoke against annexation. People live in the area because they do not want government intruding in their lives. Annexation will bring more taxes, laws and bureaucracy and nothing in return.

Michael Lullo, 1N711 and 1N681 Pilsen Road, owns three parcels with two homes on the property, which have been extensively remodeled. He sees no benefit to himself or his tenants, questions the increase in real estate taxes and requested that the City postpone annexation until the economy picks up. Sewer and water will not be available to him or his neighbors.

Tom Jepsen, 31W015 Lee Road, voiced opposition to the annexation, stating that he and his neighbors like their current circumstances and incorporation will bring higher taxes and less freedom.

Genevieve Pokorny, 30W675 Lee Road, agrees with her neighbors and is against annexation.

Steve Potirala, 1N506 Lane Road, asked Chairman Pineda why he would want to wreck the neighborhood he grew up in and stated that he was against annexation.

Jan Anderson, 30W701 Lee Road, quoted Thomas Jefferson and questioned the five (5) and ten (10) year plans for the City. He also questioned whether the City would declare eminent domain to take resident's properties for economic purposes as part of that plan and closed with a quote from Ronald Reagan.

Wilbert Withaeger, 1N561 Lane Road, wrote a letter voicing opposition to the annexation. A proxy spoke on his behalf.

Jimmy Wagenmakers, 1N599 Lane Road, has lived here a half a century and is against the annexation as he sees no benefit in it.

Vera Potirala, 1N506 Lane Road, has lived at this location for over thirty (30) years, having purchased her in-laws property and having made many upgrades. Twenty (20) years ago, the Forest Preserve District condemned over three (3) acres of their land, leaving them with only two (2) remaining acres. She is against the annexation, wishing to preserve wildlife and prevent further industrial growth.

Richard Moberg, 1N430 and 1N760 MacQueen Drive, has lived in the area for fifty nine (59) years, living most of his life in unincorporated areas and prefers it that way. He is against the annexation.

Joseph O. Pokorny, 30W675 Lee Road, has lived here over thirty (30) years. Neighbors are long-time residents and there are no for-sale signs, as people tend not to move from the area. He opposes annexation as residents already pay plenty in taxes for the benefit of West Chicago schools, library and pensions.

Bob Chasteen, 1N638 MacQueen Drive, voiced opposition to annexation by submitting a Public Participation form, but chose not to speak.

Peggy Anderson, 30W701 Lee Road, and husband Jan have lived in unincorporated West Chicago for twenty five (25) years. The total acreage for the entire MacQueen Estates area is almost one hundred thirty four (134) acres. Through the manipulation of boundaries, the City of West Chicago has whittled this particular section down to fifty eight point two (58.2) acres, within the legal sixty (60) acres or less for forcible annexation. She feels that the City of West Chicago is robbing her of her freedoms and her money. DuPage County taxes are high enough. In these times of economic hardship, unrivaled since the Great Depression of the 1930s, everyone is struggling to make ends meet. Being forced to pay additional taxes will certainly pose an additional financial burden she does not want and cannot afford. Taxes will increase by .472 of the current assessment. Mrs. Anderson quoted from Chapter 24 of the Illinois Municipal Code, section 7-1-2 paragraph C, regarding proper notification of annexation petition, declaring that this hearing had been rushed to judgment and may be illegal. She had not received her letter from the City of West Chicago, dated December 29, 2009, until December 31, 2009, which was eleven (11) days prior to this meeting. She also stated that the neighbors can petition and present it to the Circuit Clerk of the County. Mrs. Anderson pointed out that MacQueen Estates is surrounded by forest preserve, high tension lines and rail lines. Again, Mrs. Anderson quoted from Chapter 24 of the Illinois Municipal Code, section 7-1-1, regarding the separation between the territory to be annexed and the municipal boundary. She also pointed to a ninety two point five (92.5) feet by one thousand one hundred seventy two point eight five (1,172.85) feet strip of forest preserve land, known as lot 25, running north and south, just south of Pilsen Road which is to remain unincorporated. Had this parcel remained in tact with Area 5 of MacQueen Estates, the total area to be annexed would have exceeded the sixty (60) acre minimum requirement for forcible annexation. Referring to the City's argument that forcible annexation will help to "square off" the City's boundaries, Mrs. Anderson also mentioned parcel 2 along the rail line, which will also remain unincorporated, making an unusual boundary at the City limits. She asked how it is legal to annex land used for agricultural purposes, which has regularly been planted in corn or beans. Mrs. Anderson referred to the laws of the City, Chapter 18, Section 33, regarding mandatory water service to buildings with plumbing fixtures, stating that Jeff Harris had previously noted that the residents in MacQueen Estates would not have access to City water. She concluded by referring to the biographies of the alderman, which repeatedly state wanting to "do good"

for the people of West Chicago and wanting to give back to the community. She implored the committee members to use common sense in their final decision and reminded them that, if annexed, the residents of Area 5 will vote against them in the next election.

Jon Fisher, 1N460 MacQueen Drive, stated that, on the surface, it appears the City simply wants more tax revenue. The only recourse the residents have is to attend the meeting and speak against the annexation. The decision of the committee is what the residents will have to live with.

Joanne Kalchbrenner responded to the questions raised during discussion of item 4E.

1. Future Comprehensive Plan – The City has a comprehensive plan, available on the website or at City Hall, which was developed in the 1970s and sets forth the ultimate plans for West Chicago. The Future Land Use map shows and has shown this area to be industrial. The proposal for this meeting is for annexation, not rezoning, and there are no immediate plans or goals for rezoning to manufacturing. The properties will remain Estate Residential and the City will not take the properties.
2. Increased taxes – The tax increase will be approximately four (4%) to six (6%) percent of resident's tax bill.
3. Eminent Domain – The City of West Chicago does not have future plans to exercise eminent domain for economic development purposes.
4. Ultimate Municipal Boundaries – West Chicago has boundary agreements with all surrounding municipalities, as specified in the Future Comprehensive Plan, and all proposed property annexations are within those boundaries, including Area 5.
5. Agricultural Land – The State of Illinois does allow for annexation of agricultural land.
6. Hearing Notice – According to State Statute, the notice is required to be no less than fifteen (15) days prior to consideration of the ordinance. Tonight is the Development Committee meeting discussion, not consideration of the ordinance.

Chairman Pineda stated that West Chicago police protection and snow plowing will be benefits of annexation and directed discussion to the committee members.

Alderman Beifuss addressed the public by stating that the homeowner is not required to connect to sewer and water as a condition of the annexation and that future connection is voluntary, at the homeowner's expense. Realtors suggest that property values increase when sewer and water connection are available. With the close proximity of the City's Water Treatment Plant, future connection to water and sewer seem possible. Ms. Kalchbrenner responded to Alderman Beifuss that there are approximately fifty eight (58) acres involved in Area 5 and that the State Statute does allow the rail line to act as a boundary. Alderman Beifuss continued that it makes sense for the City to annex those properties within its jurisdiction to prevent unwanted development by the county, noting a waste transfer facility and gentlemen's nightclub as examples of developments to which the City objected. He has spent time in the neighborhood and feels it is important to preserve its rural nature by maintaining the Estate Residential zoning.



Ms. Kalchbrenner responded to Alderman Gianforte by stating that police protection, snow plowing and City permits, rather than county permits, are changes that the residents will acquire with annexation.

Alderman Dzierzanowski commented that the areas might be more difficult for Winfield Township to reach for snow plowing, stating that the route is more in line with City snow plowing, which would be more efficient for both governments. He indicated that Winfield Township currently represents the area but that they are not present at the meeting to represent the homeowners.

Alderman Stout reinforced that there would be no changes for the residents, only benefits of City services. Ms. Kalchbrenner replied to Alderman Stout that there would be minimum property maintenance codes that would be enforced. A grandfather clause will apply to legally non-conforming circumstances, such as horses on the property, if not discontinued for more than six (6) months, even in the event of a transfer of property ownership.

Chairman Pineda reinforced that there will be no changes with annexation other than an increase in taxes and additional City services. Members of the attending public stated that they do not want City services and cannot afford increased taxes.

**Alderman Dzierzanowski motioned to move consent item 4I to City Council on Monday, January 18, 2010. Alderman Stout seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4M. City of West Chicago – Annexation and Rezoning, Area 9, Pomeroy Street and Brown Street between Sherman Street and Pearl Street  
Burrera Huerta, 30W305 Pomeroy Street, does not agree with annexation.

Diane Ferguson, 30W276 Pomeroy Street, stated that her family has been here for eighty five (85) years, and her father had been a part of City government. On June 19, 2007, residents stated that they did not want annexation and were told they were not going to have to annex into West Chicago during a Habitat for Humanity meeting at City Hall. On August 20<sup>th</sup>, residents received via mail a Recapture Agreement from the City, Resolution Number 07-R-01-01 regarding the Pioneer Prairie Habitat for Humanity, on page 15, exhibit E, referencing indirect benefited parcels expected to pay twenty (20%) percent of the cost of the improvement. Each of the parcels, Ms. Ferguson's home as one, would be responsible for five thousand five hundred twenty eight (\$5,528) dollars. Due to a lack of a quorum, the February 9<sup>th</sup> meeting was rescheduled to February 15<sup>th</sup>, at which time the residents were told that they would not have to pay the recapture agreement. March 3, 2009 was referenced as a forcible annexation meeting. On November 27, 2009, she received a letter regarding the meeting at Wheaton Academy about annexation. Ms. Ferguson spoke with Mayor Kwasman on Saturday, November

28, 2009, where the Mayor stated that sixty (60%) percent of the Habitat for Humanity homes were in West Chicago. He told Ms. Ferguson that annexation would be a good thing and that it would not cost them anything. Upon attending the dedication of the first Habitat for Humanity home on December 20, 2009, it was announced that the City and Park District had given two (2) additional parcels to Habitat for Humanity, which now meant Area 9 was completely surrounded by West Chicago and could be forcibly annexed. Ms. Ferguson suggested using the Kerr-McGee public benefit fund to help those homeowners in Area 9 that are of "indirect benefit" by Habitat for Humanity and forced annexation. She sees no benefit to the residents, their taxes will be increased and the annexation is nothing more than a "convenient boundary clean up." There has never been a problem with the Sheriff's services and the residents pay for City services in their property taxes. In this difficult economy, residents will have difficulty paying the increased taxes, particularly with lowered income levels. To the casual observer, it would seem that there is something less than truthful in what the residents have been told throughout the various meetings since 2007.

Armondo Garcia, 30W279 Pomeroy Street, left prior to his opportunity to speak, but noted his opposition to annexation on the Public Participation Form.

Chairman Pineda noted that this is his ward and gave the following examples of how nothing will change: no forced sidewalks, no change of address. A slight increase in taxes will provide City services such as police protection and snow plowing. The last City budget had no sewer or water increases with a lower overall operating cost of seven point one (7.1%) percent. The City Council works hard to keep taxes low in West Chicago and has a lower tax rate than most communities. Much of the tax bill goes toward education. Habitat for Humanity had nothing to do with this annexation. Chairman Pineda believes that annexation is good for Area 9.

**Alderman Gianforte motioned to move consent item 4M to City Council on Monday, January 18, 2010. Alderman Beifuss seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

40. City of West Chicago – Annexation and Rezoning, Area 11, Pearl Road between Forest Avenue and Roosevelt Road

Sherri and Bob Garramone, 0S042 Pearl Road. The family purchased the handicapped accessible home to provide a good quality of life for their disabled son, Kyle. Had they wanted to live in the City, they would have purchased their home there ten (10) years ago. The township has dependable plowing service which has previously enabled emergency services to access their home in a timely manner. Mr. Garramone questions the benefit of City services when City property at the end of his street has, at times, been mowed by his neighbor to provide better visibility turning into oncoming traffic. Their property became landlocked during annexation of the Airhart subdivision, making Area 11 less than sixty (60) acres. The family's well was previously capped due to possible ground water contamination and, therefore, they were forced to pay for City water. Mr.

Garramone fears future laws may ban septic systems post annexation, which would force a sewer connection. The property taxes have increased three (3) times in the last ten (10) years. The home was purchased with their son's annuity and they need to be certain that there will be enough money to take care of their son in the future. Mr. Garramone purchased the home across the street from his parents because he loved the area he grew up in. Now he feels it is being taken away from him due to rising taxes. He opposes the annexation and doesn't feel it is necessary.

Robert Heipp, 0S031 Pearl Road, had previously attended the Plan Commission/Zoning Board of Appeals meeting, having spoken with Ms. Kalchbrenner who stated that she believed residents would receive better services from the City of West Chicago upon annexation. Mr. Heipp stated that the services offered by Winfield Township are stupendous. Area 11 is a half a block from the Winfield Township facility, with their street being plowed before City of West Chicago streets. The annexation is a "done deal" and is based on the City's need for additional revenue. Mr. Heipp moved into the area eleven (11) years ago and was forced to take City water seven (7) years ago. At that time, residents were offered sewer connection and were told that the City would never annex them. People move into unincorporated areas for a reason. Mr. Heipp referenced an e-mail exchange between himself and Ms. Kalchbrenner which he saw as incomplete. He stated that members of the committee were supposed to be public servants and he does not want to be one of their constituents.

Mark Beutke, 0S048 Pearl Road, voiced his opposition to the annexation and asked several questions of the committee. He wanted to know whether the properties on the northeast and northwest quadrants along IL Route 38 and Pearl Road were indeed within the City limits, as mentioned by a previous speaker. He also questioned the proposed zoning of the properties. Ms. Kalchbrenner clarified that the northwest corner is within City limits and zoned commercially. The vacant property on the northeast corner is to be annexed and zoned B2. The three (3) parcels to the north of that vacant property are to be zoned R3 (single family residential). Additional questions involved code enforcement and types of violations, including overcrowding. He believes that some of the tax issues could be resolved by dealing with residential overcrowding in West Chicago.

Chairman Pineda suggested that Mr. Beutke contact Ms. Kalchbrenner regarding all issues related to code enforcement.

Alderman Beifuss addressed the issue "it's about money." One of the benefits of annexation is infrastructure. Currently, the City of West Chicago has money to pave streets, when many other taxing bodies do not, in particular the County. The City has a number of different ways to gather money to pay for services that other taxing bodies do not have available to them.

Ms. Kalchbrenner confirmed to Alderman Beifuss that the parcels on the corner of IL Route 38 and Pearl Road would be zoned R3, with the exception of the corner lot which

would be zoned B2, under the current proposal. The frontage that is along Roosevelt Road (IL Route 38) that is currently within West Chicago is zoned B2.

**Alderman Stout motioned to move consent item 4O to City Council on Monday, January 18, 2010. Alderman Dzierzanowski seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4T. City of West Chicago – Annexation and Rezoning, Area 16, 1N435 and 1N463 Ingalton Avenue

John and Nancy Petrik, 1N463 Ingalton, are surrounded by the City of West Chicago and understand the rationalization behind annexation. They have several questions for the record.

1. What happens when repairs are necessary for well or septic systems or they sell their home? Will this affect the grandfathering of the use of these systems?
2. Will annexation require an address change?
3. Are there any obligations with changes in zoning?

Ms. Kalchbrenner responded to Mr. Petrik's questions. In regard to well and septic, there will be no obligation to connect to water or sewer and the systems may be maintained. Upon sale of the property, the county may require inspection prior to sale, but there would be no requirement to connect to sewer or water at that time. Ms. Kalchbrenner offered to provide Mr. Petrik with a copy of the R2 zoning district which will explain lot sizes, permitted use, and accessory structures among other items. It is also available on line. As for the change of address, the City Council has indicated that they will not require a change of address.

**Alderman Gianforte motioned to move consent item 4T to City Council on Monday, January 18, 2010. Alderman Beifuss seconded the motion. Voting yea: Aldermen Pineda, Dzierzanowski, Gianforte, Beifuss, and Stout. Voting nay: None. Motion carried.**

4U. City of West Chicago – Annexation and Rezoning, Area 17, 1N761 Arbor Avenue and 29W715 and 29W745 Hawthorne Lane

Pete Kennedy, 29W715 Hawthorne Lane, received confirmation from Ms. Kalchbrenner that his property is currently zoned E1 and is proposed to be zoned R1. He supports City events and services but does not want to be annexed. He feels fortunate to have a job, but has been given a wage freeze for three (3) years. He understands that the City is looking for money, but asks that the City forgo annexing until the economy rebounds. Mr. Kennedy questioned if there is a recapture fee on water and sewer and could he have that answer in writing. Ms. Kalchbrenner asked Mr. Kennedy to contact her directly so that she can confirm whether or not there is a recapture agreement related to his connection area and stated that she would put the answer in writing.

Pamela Cain, 1N761 Arbor Avenue, questioned why the City is forcing residents to annex if it is not about the money. She is on a fixed income and cannot raise the additional money for a tax increase. Her husband cannot work and they pay eight hundred (\$800) dollars a month in medical expenses. Chairman Pineda responded to her question, stating that the three (3) parcels in Area 17 are completely surrounded by the City of West Chicago and the streets are maintained by the City. Mrs. Cain responded that their property was not surrounded by West Chicago when they moved there. Ms. Kalchbrenner replied that by annexing unincorporated areas within the planning boundary, the City can avoid potentially harmful future developments on property currently governed by the County. Mrs. Cain questioned how she will harm the City with her acre of property. Ms. Kalchbrenner stated that there have been proposals through DuPage County for multi-family dwellings in her general vicinity, not necessarily on her property. The neighborhood did not want multi-family dwellings in her overall area. . Mrs. Cain continued by discussing past road improvements that put their property into a hole by raising the elevation of the road. A previous Engineering Department employee expressed the desire to have nothing built there, with her home torn down and replaced with a pond. Mrs. Cain stated that if the City wants her property, they can have it by paying a fair market value. Do not try to steal the property from her by raising taxes to the point where she can no longer afford her home and it is taken for the taxes. She asked if the City would step in to help her keep her home when she could no longer afford the taxes. She has lived in her home for thirty (30) years and does not want annexation. If she had wanted to live in the City, she would have moved into it. When the residents have to join into something they do not want, because there is a group of people sitting there saying you have to do it, tell her where her freedom is at. She concluded that the City was going to annex her property in spite of her opposition and that she was not sure why the City held the meeting for the public.

**Alderman Stout motioned to move consent item 4U to City Council on Monday, January 18, 2010. Alderman Gianforte seconded the motion. Voting yea: Aldermen Pineda, Gianforte, Beifuss, and Stout. Voting nay: Alderman Dzierzanowski. Motion carried.**

## **5. Items for Discussion**

### **A. Concept Review – Faith Community Church, 910 Main Street, Proposed Subdivision and Variances**

Ms. Kalchbrenner provided an overview regarding the proposed subdivision and variances for the existing church and vacant lots. The church wants to subdivide the vacant lots to construct two homes for youth pastors. There are two options which both require variances. In Option A, the R2 zoning district requires a side yard setback of ten percent of the lot length. The church stands on the parcel that remains, with a lot width which is plus or minus four hundred feet. That would require a forty (40) foot side yard setback. If they comply with the lot size for the homes, that would require a side yard setback variance to allow a twenty (20) foot side yard setback for

the church. Option B requires a variance to the lot width of the single family homes, down to sixty five (65) feet rather than seventy five (75) feet. Staff recommends Option A, due to the precedent of varying lot width for single family home lots and long-term issues with building decks and accessory structures. The side yard setback variance for the church qualifies as a "Unique Circumstance" criteria. The lot is unusual at four hundred (400) feet wide in the R2 district, where lots are typically seventy five (75) feet wide.

Deacon Matt Goeringer spoke on behalf of Faith Community Church. He stated that Option A is the preferred option, with the proposed new homes being a good fit for the existing neighborhood.

Committee members supported the concept review of Option A. Chairman Pineda suggested that the church can move forward with applying for the subdivision and variance.

**6. Unfinished Business – None.**

**7. New Business.**

Alderman Beifuss asked that staff investigate the following items with surrounding communities for review at a future Development Committee meeting:

1. Possible amendment to City of West Chicago rules for banner or temporary signage after exploring rules in other communities.
2. Review height of signs versus size of business parcels in respect to monument signs as compared to other communities.

**8. Reports from Staff – None.**

**9. Adjournment**

Alderman Dzierzanowski motioned to adjourn, seconded by Alderman Stout. The members unanimously agreed. Motion carried. The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Krista Coltrin