

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## MINUTES

### Development Committee - March 9, 2009

Approved – July 13, 2009

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

Chairman Pineda called the meeting to order at 7:00 p.m. Roll call found Aldermen James Beifuss, H. Ronald Monroe, Alan Murphy, Rebecca Stout, and Gregory Bunch present. Alderman Nicholas Dzierzanowski was absent.

Also in attendance was Community Development Director Joanne Kalchbrenner.

Alderman Nicholas Dzierzanowski arrived at 7:07 p.m.

#### 2. Approval of Minutes.

**A. Development Committee, February 9, 2009. Alderman Murphy made a motion, seconded by Alderman Stout to approve the minutes of February 9, 2009 Development Committee Meeting. Voting yea: Aldermen Murphy, Pineda, Beifuss, Bunch, Stout and Monroe. Voting Nay: 0. Motion carried.**

#### 3. Public Participation.

Ms. Kalchbrenner announced that the Tronox (Kerr McGee) property had been sold on the same day of the hearing notice and therefore needed to be removed from the agenda, per recommendation of the City attorney. In the interest of full disclosure, the hearing notice will be republished and will be considered by the Plan Commission and, ultimately, the Development Committee on a future date.

A call for Public Participation found no one in attendance to speak on the items for consent.

#### 4. Items for Consent.

- A. Gerald Neumaier – Text Amendment**
- B. David Miller – 903 W. Washington Street, Special Use Amendment and Landscape Setback Variance**
- C. James and Joann Burns – 1200 W. Hawthorne Lane, Rezoning**
- D. City of West Chicago – Stimmel and Blair Streets, Rezoning**

Ms. Kalchbrenner clarified that item 4C should read “James and Joann Burns – 1200 W. Hawthorne Lane, Rezoning and Annexation Agreement,” which is correctly addressed in the committee member’s packets.

**Alderman Bunch motioned to move the consent items to City Council on Monday, March 16, 2009. Alderman Stout seconded the motion. Voting yea: Aldermen Pineda, Beifuss, Bunch, Monroe, Murphy and Stout. Voting nay: None. Motion carried.**

**5. Items for Discussion**

**A. Forming America – 1200 Prince Crossing Road, Special Use Permit Update**

Ms. Kalchbrenner provided an update. The committee had requested that Forming America be present at this meeting. However, the owner is currently out of the country and no one is present as a representative. Forming America has obtained a site utility permit and conducted a pre-construction meeting. Construction for erosion control had been planned for this week. However, the weather has been uncooperative. According to the owner, they are on schedule to complete the paving work by May 31, 2009 per the committee's direction. The plat of dedication for the roadway is outstanding due to ongoing DuPage County Forest Preserve arrangements. A field change has been submitted for additional paving, which staff is currently evaluating for a possible amendment to the storm water permit application and will present to the Development Committee if necessary.

Chairman Pineda asked the committee members for additional comments, which there were none, and recommended that Forming America be present at the April meeting.

(Chairman Pineda addressed a group of people that arrived at this time for public participation regarding consent item 4C. He explained that the committee meeting had begun at 7:00 p.m. and that the item in question had already been voted on. The group could return to speak at the next City Council meeting on March 16, 2009.)

**B. Ray Soto – 275-285 E. Roosevelt Road, Amendment to the Bishop Place Final PUD**

Ms. Kalchbrenner provided an update. Mr. Soto did not attend the last meeting and, in an attempt to clarify some confusion as to his request, Ms. Kalchbrenner reiterated that Mr. Soto has requested an amendment to the PUD to allow a two (2) year extension for the completion of the remaining commercial building. Staff had advised Mr. Soto that he was not in compliance with the PUD, which he had addressed by submitting the application. He also included in his application an additional request to release the remaining four (4) residential building permits which are to be withheld until the completion of the commercial building.

Alderman Dzierzanowski began the question and answer session by asking Mr. Soto about past difficulties in project completion. Mr. Soto did not recall this as a previous issue. To his recollection, the City wanted commercial development along the Roosevelt Road corridor and he agreed to this development plan. At that time, the economy was stronger than it is today. Many commercial properties are vacant in the City of West Chicago and he doesn't feel that he should be held responsible to erect another ten thousand (10,000) square foot commercial building which, in his opinion,

will add to the commercial vacancies. Mr. Soto stated that he is currently able to sell houses and should not be penalized by the economic downturn by being held to the original agreement.

Ms. Kalchbrenner answered Alderman Dzierzanowski's original question, stating that Mr. Soto had taken an extended period of time to finish the Stimmel Street subdivision.

Alderman Beifuss recalled that the primary purpose of the original PUD, under the City's plan, was to develop the limited available commercial property along IL Route 38/Roosevelt Road, with no additional residential development. The agreement between the City and Mr. Soto was to allow limited residential development with the stipulation that the commercial properties be entirely completed prior to the release of the last four (4) residential permits. There is currently one (1) vacant commercial lot. The Plan Commission agreed to extend the PUD for another two (2) years, which Alderman Beifuss agreed was reasonable. The Plan Commission did not, however, agree to the completion of the residential lots. Alderman Beifuss was not convinced that it is necessary to release the additional residential building permits, since the original eight (8) have not all been built yet. He suggested that Mr. Soto could come back to the committee at a later date to request the permits.

Alderman Murphy inquired whether or not all of the houses had been sold. Mr. Soto responded that he had 11 out of the 12 sold, but has lost 4 of the sales. He currently has seven (7) sold. He does not want to be in a position where he finds a buyer but cannot build on the last of the four (4) lots held by the City. Mr. Soto stated that he is currently moving forward with the development of the commercial building, working with an engineer and establishing prices as well as procuring funding from his bank. He questioned why he is required to build a commercial structure while there is currently a moratorium on commercial building in West Chicago.

Chairman Pineda stated that Mr. Soto has been granted a two (2) year extension. Mr. Soto replied that he is being "held hostage" with the residential permits in this economy. Chairman Pineda reminded Mr. Soto that the agreement was made four (4) years ago and that the committee continues to seek a guarantee that the commercial building will be completed. Mr. Soto replied that he cannot guarantee the bank funding he is currently waiting on but that he hopes to break ground in the next forty five (45) days. Chairman Pineda stated that he does not want additional commercial property built at this time. However, he reminded Mr. Soto that he can come before the City and request the additional residential building permits at any time.

Dave Sabathne, with the West Chicago Chamber of Commerce and Industry, spoke on behalf of Mr. Soto. He reminded the committee that these are extraordinary economic times and provided examples of vacant commercial properties throughout West Chicago. Mr. Sabathne argued that it is important to support local businesses. Mr. Soto is a home builder with lots in West Chicago and he continues to carry the

liability. If he can continue to sell houses in these economic times, the City should not hold penalize him.

Alderman Murphy suggested that one lot be released. Alderman Pineda stated that he will need to amend the PUD each time he reapplies, which was confirmed by Ms. Kalchbrenner.

This is Alderman Monroe's ward. He believes that the area on Augusta Avenue will benefit by the completion of the homes.

Alderman Beifuss suggested a compromise by offering two (2) additional residential permits. Mr. Soto answered Chairman Pineda by responding that two (2) additional permits would be of benefit to him.

**Alderman Murphy motioned for the two (2) year extension and to allow the release of two (2) additional residential building permits, seconded by Alderman Beifuss. Voting yea: Aldermen Pineda, Beifuss, Bunch, Monroe, Murphy and Stout. Voting nay: None. Alderman Dzierzanowski abstained. Motion carried.**

**6. Unfinished Business – None.**

**7. New Business - None.**

**8. Reports from Staff**

Ms. Kalchbrenner stated that the Development Committee had directed staff to move forward with the landbanking of parking spaces at Norton Creek School. Staff has been observing the school and compiling data. Ms. Kalchbrenner replied to Alderman Stout that the school board has not yet been notified, pending the compilation of data.

Ms. Kalchbrenner also clarified that, in association with the Norton Creek School parking issue, there had been two (2) additional text amendments that had not been forwarded to the City Council. They will appear on the next City Council agenda.

Alderman Dzierzanowski questioned hand-held signs. Ms. Kalchbrenner stated that the code will need to be amended to allow for hand-held signs without a permit.

Ms. Kalchbrenner informed the committee that the City has two (2) new staff engineers, which have been very well received.

**9. Adjournment**

Alderman Murphy motioned to adjourn, seconded by Alderman Bunch. The members unanimously agreed. Motion carried. The meeting adjourned at 7:33 p.m.

Respectfully submitted,

Krista Coltrin

Development Committee Minutes

March 9, 2009

4 of 4