

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## MINUTES

### Development Committee

March 29, 2010

Approved – April 12, 2010

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

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

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

Also in attendance was Community Development Director Joanne Kalchbrenner.

#### 2. Concept Review – New Life Bilingual Church, 464 Ann Street, Subdivision and Setback Variance

Alderman Stout asked Ms. Kalchbrenner to provide a summary. Ms. Kalchbrenner indicated that New Life Bilingual Church currently has three buildings at 464-468 Ann Street. They propose to subdivide the property to sell one of the buildings to another church. The newly created lots would require an 8 foot setback and a 22 foot setback. Due to the location of the existing buildings, the actual setbacks would be four feet for each lot, which would require variances. The variance requests may change when the owner has a plat of survey prepared showing actual dimensions. Before spending the money to submit a formal application, the church is requesting conceptual review to obtain feedback from the Development Committee. Regardless of the results of the conceptual review, the owner has the option of submitting a formal application.

Alderman Stout asked if the church representative would like to make any presentation. Pastor Dan Bovey indicated that he represents the church. The church located in West Chicago in 1963 and provides many services to the community including a food pantry and pre-school. Mr. Bovey read the staff summary and disagrees that the church does not meet the variance criteria. In his opinion this is a unique circumstance because the buildings already exist and it is not new construction. He believes there is a hardship and it wasn't created by anyone present because the church was constructed so long ago. Additionally, he does not believe that the variance will impair light, because it is an existing situation.

Alderman Stout asked for comments and questions from the aldermen.

Alderman Monroe asked if 464 Ann has separate utilities and Mr. Bovey responded that there is separate electric and sanitary sewer service but that he didn't know about the water. A new service line would be run if necessary. Alderman Biefuss asked if the building they are selling contains the gym and Mr. Bovey responded that it is the sanctuary. Alderman Murphy asked if each lot complies with the parking requirements and Ms. Kalchbrenner responded yes. Alderman Biefuss asked the size of the congregation moving in to the site and if they have considered leasing the building rather than selling. Mr. Bovey responded that there would be approximately 80 parishioners and that they have leased the building but this church wants to purchase the building.

Alderman Stout advised that there should be no formal motion but requested that each alderman provide his opinion of the proposed variances. Alderman Beifuss indicated that he is concerned that the setback runs with the land and there could be an issue with fire protection. This would create a precedent for other applications. While the church does wonderful things and is a sympathetic applicant others could use this decision in the future. The Plan Commission will consider the case and may raise these same concerns. If the Plan Commission recommends denial a super-majority of the City Council would need to vote yes to approve the variances. Alderman Murphy asked if the church had discussed the issue with the Fire District and Mr. Bovey responded no. Alderman Beifuss asked if the church would require a special use permit and Ms. Kalchbrenner responded that she would need to check the code. Alderman Monroe indicated that he was concerned about the proposal but after hearing from the church was feeling better about the request. He indicated that they should move forward with the application so he could learn more about it. Alderman Beifuss asked if the church has plans for the vacant land it owns behind the church and Mr. Bovey responded no. Alderman Dzierzanowski asked if the church owns the structure behind the church and Mr. Bovey responded that it had previously been the parsonage but that the church sold it approximately eight years ago. Alderman Dzierzanowski asked if the proposal would require a public hearing and Ms. Kalchbrenner responded yes.

Alderman Stout asked each alderman for his opinion. Alderman Beifuss indicated that he is dubious of the proposal. His opinion is more favorable than before the meeting because the buildings are existing. Alderman Monroe indicated that he is feeling better about the request than he was prior to the meeting. Alderman Murphy advised that he still has some issues regarding the need for a special use permit and wanting input for the Fire District. Although there won't likely be concerns from the neighborhood, he is still interested in learning their opinions. Alderman Gianforte indicated that his initial reaction was no because the buildings are so close to each other but it isn't so bad because the buildings are existing. He is concerned with the church spending the money to go through the process and potentially being denied. Alderman Dzierzanowski advised that this is the most difficult part of being an alderman. He has to set his emotions of the church being such a valuable asset to the community to look at the variance issue itself. The community has to live with the decisions made by its forefathers and we need to move forward with complying with the code. He is concerned with this proposal. Alderman Stout summarized that there is no consensus but

that the City Council members are open-minded to the proposal. The major concerns are safety due to the reduced setbacks and the precedent that granting the variances would set. Ms. Kalchbrenner added that she would provide additional information to the church regarding the change of occupancy inspection and need for a special use permit.

Mr. Bovey indicated that he wanted to comment on several of the issues raised. He indicated that the church building permits were obtained to build the church. And that safety shouldn't be a concern because they are only two feet off of the setback required for most property zoned R-5. He doesn't believe that there would be a precedent because they have no plans to change anything on the property. Denying the proposed variances wouldn't make things any better. The most worst case would be that everything would be the same.

Alderman Stout thanked Mr. Bovey for his comments and indicated that they can decide whether or not to file a formal application. If they do it will be considered by the Plan Commission and then come back to the Development Committee and ultimately go to the City council for a final decision. Mr. Bovey asked for a summary, which Ms. Kalchbrenner provided. Mr. Bovey expressed concern that he did not know whether or not the City Council will support the proposal. Alderman Beifuss explained that this is not a clear cut case. There are some issues that have been raised and there are some questions that still need to be answered before the City Council can make a decision. There was no further discussion.

### **3. Adjournment**

Alderman Gianforte motioned to adjourn, seconded by Alderman Murphy. The members unanimously agreed. Motion carried. The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Joanne Kalchbrenner