

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS April 5, 2011

### MINUTES

Approved at the May 3, 2011 meeting

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

Vice Chairman Van-der-Mey called the meeting to order at 7:08 p.m. Roll call found Commissioners Lannes, Warbiany, Mireault, Liamins and Van-der-Mey were present. Commissioners Boyer and Posadzy were absent.

Also in attendance was City Planner Jeff Harris.

#### 2. Pledge of Allegiance.

Everyone in attendance participated in the Pledge of Allegiance.

#### 3. Chairman's Comments.

None.

#### 4. Minutes.

Commissioner Lannes made a motion, seconded by Commissioner Mireault, to approve the minutes of March 1, 2011 as presented. Voting Aye: Commissioners Lannes, Van-der-Mey and Mireault. Voting Nay: None. Commissioners Warbiany and Liamins abstained. Motion carried.

#### 5. Public Hearing Case PC 10-13, Special Use Amendment.

Mr. Harris provided an overview. The applicant and business owner, Chuck Strayve, is requesting approval of a second amendment to an existing special use permit that allows the operation of a landscape contractor with outside storage at 350 Elliott Avenue. The amendment entails eliminating a sunset clause established in the original special use. The subject property is located on the west side of Elliott Avenue and south of Grand Lake Boulevard at 350 Elliott Avenue.

The City Council approved a special use permit for the operation of a landscape contractor with outside storage on the subject property for Mr. Strayve in October of 2000. A condition of approval was placed upon the original special use that terminated this use at this location in ten (10) years, unless an extension is granted by the City Council. Front yard parking and landscaping setback

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variances along with rear yard building and landscaping setback variances were also granted in conjunction with the original special use. The second amendment approved certain improvements to the property such as adding a fuel tank storage enclosure, installing landscaping, reducing the number of parking spaces, and increasing the size of the outdoor storage yard in June of 2005.

In November of 2006 the City Council provided a recommendation on the Grandlake-Elliott redevelopment plan and concluded that the redevelopment project was not feasible at this time based on findings prepared by an independent consultant. Given this recommendation the applicant is requesting that the previously imposed sunset clause on his special use be rescinded so that he can continue his business operations on-site as a legally permitted special use.

The applicant also owns the gravel lot immediately to the south of the subject property. His intentions are to improve the lot for additional outside storage if he can address all of the engineering related issues that would allow him to improve the lot to City standards for such a use. City staff is agreeable to these improvements subject to bringing the lot into compliance with the City's storage yard regulations prior to use of the lot for such activities.

Staff recommends approval of the requested second amendment to the special use permit with the following conditions:

1. The development shall be in compliance with the previously approved Site Plan by Steinbrecher Land Surveyors, Inc. dated 10/25/04 with the last revision on 04/12/05.
2. The development shall be in compliance with the previously approved Landscape Plan by Chuck Strayve Landscaping, Ltd. dated October of 2004.
3. The following condition listed within Section 1 of Ordinance 4350, adopted October 9, 2000, and reaffirmed in Section 1 of Ordinance 05-O-0048, adopted June 20, 2005, is hereby rescinded:
  - C. The special use permit shall expire on October 9, 2010, unless the date of said expiration is extended by an additional amendment to this special use passed and approved by the Corporate Authorities of the City.
4. The applicant shall be permitted to improve the adjacent gravel lot (P.I.N. 04-04-407-007) for outside storage yard purposes subject to receiving engineering approval and bringing the lot into compliance with City standards for such a use prior to using the lot for outside storage purposes.

There was no one from the audience who spoke in favor of or against the petition.

Commissioner Warbiany asked staff if there was an advantage to the applicant consolidating all of his properties into one lot.

Mr. Harris responded that yes there are advantages, but the City was not requiring the lots to be consolidated at this time.

Commissioner Mireault made a motion, seconded by Commissioner Warbiany, to approve case PC 10-13 as presented. Voting Aye: Commissioners Lannes, Van-der-Mey, Warbiany, Liamins and Mireault. Voting Nay: None. Motion carried.

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Commissioner Mireault made a motion, seconded by Commissioner Warbiany, to close the public hearing for case PC 10-13. Voting Aye: Commissioners Lannes, Van-der-Mey, Warbiany, Liamins and Mireault. Voting Nay: None. Motion carried.

#### **6. Review of Case PC 10-13, Special Use Amendment.**

The review of case PC 10-13 was conducted under the public hearing.

#### **7. Public Hearing Case PC 10-14, Special Use Amendment.**

Mr. Harris provided an overview. The applicant, Jeff Bilek of Family Landscaping & Tree Werks Inc., is requesting the approval of an amendment to an existing special use for an outside storage yard at their existing facility located at 227 W. Grandlake Boulevard. Specifically, the applicant is requesting to rescind a previously approved condition of approval establishing a sunset clause on the special use. The property is flag lot shaped and is approximately 1.7 acres in area. The subject property is located on the north side of West Grandlake Boulevard where Grandlake terminates into the Canadian National railroad.

The City Council approved the original special use permit for the operation of a landscape contractor with outside storage on the subject property in October of 2006. A condition of approval was placed upon the original special use that terminated this use at this location on October 1, 2010 unless an extension is granted by the City Council.

In November of 2006 the City Council provided a recommendation on the Grandlake-Elliott redevelopment plan and concluded that the redevelopment project was not feasible at this time based on findings prepared by an independent consultant. Given this recommendation the applicant is requesting that the previously imposed sunset clause on his special use be rescinded so that he can continue his business operations on-site as a legally permitted special use.

Staff recommends approval of the requested amendment to the special use permit with the following conditions:

1. The site shall be developed in conformance with the Geometric Plan prepared by Engineering Resource Associates, Inc. consisting of one sheet, dated February 10, 2006, with a final revision date of August 23, 2006.
2. The site shall be developed in conformance with the Landscape Plan prepared by Engineering Resource Associates, Inc. consisting of one sheet, dated July 13, 2006, with a final revision date of August 23, 2006.
3. The following condition listed within Section 3 of Ordinance 06-O-0079, adopted October 2, 2006, is hereby rescinded:
  3. This special use permit shall expire on October 1, 2010, unless the date of said expiration is extended by an additional amendment to this special use passed and approved by the Corporate Authorities of the City.

There was no one from the audience who spoke in favor of or against the petition.

Commissioner Warbiany made a motion, seconded by Commissioner Mireault, to approve case PC 10-14 as presented. Voting Aye: Commissioners Lannes, Van-der-Mey, Warbiany, Liamins and Mireault. Voting Nay: None. Motion carried.

Commissioner Lannes made a motion, seconded by Commissioner Mireault, to close the public hearing for case PC 10-14. Voting Aye: Commissioners Lannes, Van-der-Mey, Warbiany, Liamins and Mireault. Voting Nay: None. Motion carried.

#### **8. Review of Case PC 10-14, Special Use Amendment.**

The review of case PC 10-14 was conducted under the public hearing.

#### **9. Review of Case PC 11-03, Final PUD Amendment.**

Mr. Harris provided an overview. The developer of Bishop Place, Ray Soto, is requesting approval of a third amendment to the final PUD previously approved for the Bishop Place mixed-use development. The subject property is located at the northwest corner of Roosevelt Road (IL Route 38) and Bishop Street.

The preliminary PUD plan—which set forth the commercial and residential lot configurations, location of the internal private driveways and parking areas, and identified the stormwater management areas for this mixed-use development—was approved in July of 2004. The final PUD for the entire development was approved in June of 2005. The first amendment to the final PUD for the commercial component of the development was approved in October of 2006. The second amendment to the final PUD for the conditions of approval pertaining to the overall development was approved in March of 2009. The overall development consists of twelve (12) detached single-family residential lots situated along Augusta Avenue and Bishop Street and a commercial component consisting of two (2) multi-tenant commercial buildings that will front off of Roosevelt Road.

The commercial component is currently zoned B-2 General Business district. The building closest to Roosevelt Road is already constructed and contains a laundromat in addition to several vacant tenant spaces, including an end cap with a drive through facility.

The proposed amendment consists of modifying a previously approved condition of approval. The condition was approved as part of the original PUD in 2005 and carried over as part of the approval of the first amendment to the PUD. The second amendment to the PUD amended this condition by extending the deadline by an additional two (2) years. The condition is as follows: A temporary or final certificate of occupancy shall be secured for Commercial Building A within three (3) years of approval of the final PUD (June of 2008 and extended to June of 2010).

The condition was written with the understanding that Commercial Building A would be constructed first and the developer was given three (3) years from June of 2005 to secure an occupancy permit for it. Since 2005 Commercial Building B has been built instead. The developer is now requesting an additional five (5) years (June of 2015) on top of the previously approved two (2) year extension to complete Commercial Building A. City staff is agreeable to this request given the current economic conditions.

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City staff recommends the approval of the requested third amendment to the final PUD for Bishop Place, subject to the following amended condition:

1. Condition 6 in Section 1 of the final PUD Ordinance 05-O-0039, further reaffirmed by condition 1 in Section 1 of the first amendment to the final PUD Ordinance 06-O-0086, and extended by two (2) additional years by condition 4 in Section 1 of the second amendment to the final PUD Ordinance 09-O-0006 shall be revised to read as follows:  
“A temporary or final certificate of occupancy shall be secured for Commercial Building A within ten (10) years of approval of the original final PUD on June 6, 2005.”

There was no one from the audience who spoke in favor of or against the petition.

Commissioner Mireault made a motion, seconded by Commissioner Warbiany, to approve case PC 11-03 as presented. Voting Aye: Commissioners Lannes, Van-der-Mey, Warbiany, Liamins and Mireault. Voting Nay: None. Motion carried.

#### **10. Other Commission Business.**

None.

#### **11. Previous Petitions and General Development Update.**

Mr. Harris informed the Commission that the window coverings text amendment the Commission voted on at the March 1<sup>st</sup> meeting will be discussed by the Historic Preservation Commission at its next regularly scheduled meeting on April 26<sup>th</sup>.

#### **12. Adjournment.**

Commissioner Mireault made a motion, seconded by Commissioner Warbiany, to adjourn the April 5, 2011 Plan Commission/Zoning Board of Appeals meeting at 7:41 p.m. The Commissioners unanimously agreed. Motion carried.

Respectfully submitted,

Jeff Harris, City Planner

PlanComm/ZBA.MIN040511/jh