

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS September 8, 2010

MINUTES

Approved on October 5, 2010

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

Chairman Jarolin called the meeting to order at 7:00 p.m. Roll call found Commissioners Boyer, Posadzy, Mireault, Hale and Jarolin were present. Commissioners Warbiany and Van-der-May 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 Posadzy made a motion, seconded by Commissioner Boyer, to approve the minutes of July 7, 2010 as presented. Voting Aye: Commissioners Boyer, Posadzy, Hale and Mireault. Voting Nay: None. Commissioner Jarolin abstained. Motion carried.

Commissioner Posadzy made a motion, seconded by Commissioner Boyer, to approve the minutes of July 20, 2010 as presented. Voting Aye: Commissioners Boyer, Posadzy, Jarolin and Mireault. Voting Nay: None. Commissioner Hale abstained. Motion carried.

5. Public Hearing Case PC 10-11 184 W. North Avenue, Variances.

Mr. Harris provided an overview. The applicant and property owner, TrueNorth, is requesting approval of front and corner side yard building and landscaping setback variances for the Shell gas station located at the southeast corner of North Avenue (IL Route 64) and Neltor Boulevard (IL Route 59). The variances, if approved, would allow the applicant to install two (2) new canopies over the gas pump islands on-site. The site formerly had three (3) canopies approximately 25' x 25' in area over each of the three (3) gas pump islands. At that time each island only had one gas pump. In the late 1980's the canopy immediately north of the building was removed. Then in 2007 the

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remaining two (2) canopies were removed. By then each gas pump island had been upgraded with two (2) pumps per island. The former canopies were considered legal non-conforming with respect to their setbacks from the North Avenue and Neltnor Boulevard lot lines and they lost their "grandfather" status when they were removed.

The applicant desires to erect two (2) new canopies on-site to cover the three (3) proposed gas pump islands. The larger of the two proposed canopies (approximately 52' x 40') is immediately north of the existing building and will cover two (2) of the gas pump islands. Because the canopy is considered a structure, it is therefore required to comply with the site's required building setbacks. The front yard building setback is forty (40') feet. This proposed canopy will only have a setback of eleven (11') feet. The second proposed canopy is northwest of the existing building and is approximately 25' x 34' in size. It will cover one (1) gas pump island. The corner side yard building setback is forty (40') feet. The proposed canopy will only have a setback of nineteen (19') feet.

In addition to the required forty (40') foot building setbacks along the North Avenue and Neltnor Boulevard lot lines there are also required twenty (20') landscape setbacks along both of those lot lines. The proposed canopies both encroach into those respective landscape setbacks, thus necessitating the need for the landscape setback variances. As previously mentioned the larger canopy only has a proposed setback of eleven (11') feet and the smaller canopy a proposed setback of nineteen (19') feet. However, the existing pavement conditions on-site further reduce those setbacks to zero (0') feet along both lot lines. City staff encouraged the applicant to remove some of the existing pavement around these lot lines in order to lessen the severity of the proposed landscape setback variances being requested, but the applicant desires to pursue the variances as requested.

The site is approximately 36,000 square feet (0.8 acres) in area and is zoned B-3, Regional Shopping District. The City's current minimum lot area for a lot in the B-3 district is five (5) acres. As you can see the lot is significantly smaller in area than the current minimum lot area, however if you look at the Site Plan there is a significant amount of area on the site to redevelop the legal non-conforming property in full compliance with all of the City's current setback regulations. City staff is not in support of the requested variances because the goal is to eliminate legal non-conformities and encourage compliance as opposed to granting variances that would render the legal non-conformities compliant and therefore encourage their continued existence.

City staff recommends denial of all of the requested variances, which are as follows:

1. Decreasing the required front yard (North Avenue) building setback from forty (40') feet to eleven (11') feet.
2. Decreasing the required front yard (North Avenue) landscape setback from twenty (20') feet to zero (0') feet.
3. Decreasing the required corner side yard (Route 59) building setback from forty (40') feet to nineteen (19') feet.
4. Decreasing the required corner side yard (Route 59) landscape setback from twenty (20') feet to zero (0') feet.

Ron Ambrose from Ambrose Design Group in Crystal Lake, Illinois represents the store owner, Gary Patel. Mr. Ambrose stated that the previous canopies were removed because they became structurally unsound and would like to essentially replace those canopies in order to be more like a traditional service station. The canopies would be better lit making it safer as the site is very dark at night as it exists. His client's did look into the feasibility of completely rebuilding the site in compliance, but under the current economic conditions that is not feasible. Mr. Ambrose also indicated that removing some of the existing pavement on-site and installing landscaping is definitely something his clients would be willing to entertain in order to enhance the site.

Commissioner Hale asked the applicant if they would be willing to provide additional landscaping before the Commission votes on it.

Mr. Ambrose indicated yes.

Commissioner Mireault also agreed that adding landscaping would be beneficial.

Mr. Ambrose also passed around a color rendering of the proposed canopies for the Commission to review.

Mr. Harris indicated that there is a very limited amount of existing green space on the property to add landscaping to and that removing existing pavement around the perimeter of the property would greatly increase the planting areas.

Chairman Jarolin asked the applicant if staff provided any recommendations on the landscaping.

Mr. Harris indicated that staff did suggest the concept of removing pavement and installing landscaping, but the applicant chose not to pursue that path.

Chairman Jarolin stated that this matter should be tabled until the applicant is able to work with staff and present a landscape plan.

Mr. Harris suggested that if the applicant is agreeable that this matter be tabled for further consideration to the October 5, 2010 regularly scheduled Plan Commission meeting.

Mr. Ambrose stated he and his client were agreeable to that motion.

No one else was present in the audience to speak for or against the petition.

Commissioner Hale made a motion, seconded by Commissioner Boyer, to continue the public hearing for case PC 10-11 until the October 5, 2010 Plan Commission meeting. Voting Aye: Commissioners Mireault, Hale, Posadzy, Boyer and Jarolin. Voting Nay: None. Motion unanimously carried.

6. Review of Case PC 10-11 184 W. North Avenue, Variances.

The review of Case PC 10-11 was also tabled until the October 5, 2010 Plan Commission meeting.

7. Public Hearing Case PC 10-15 City of West Chicago, Text Amendment.

Mr. Harris requested that this case be continued until the October 5, 2010 Plan Commission meeting for consideration.

Commissioner Boyer made a motion, seconded by Commissioner Posadzy, to continue the public hearing for case PC 10-15 until the October 5, 2010 Plan Commission meeting . Voting Aye: Commissioners Mireault, Hale, Posadzy, Boyer and Jarolin. Voting Nay: None. Motion unanimously carried.

8. Review of Case PC 10-15 City of West Chicago, Text Amendment.

The review of Case PC 10-15 was also tabled until the October 5, 2010 Plan Commission meeting.

9. Public Hearing Case PC 10-12 1900 Howard Drive, Text Amendment, Special Use and Variances.

Commissioner Boyer excused herself from the meeting at 7:30 p.m. and left for the evening.

Mr. Harris provided an overview. The applicant, DuPage County, is requesting approval of a text amendment to add law enforcement facilities as a special use in the Manufacturing District. The applicant is also requesting special use approval for said use in conjunction with landscape variances associated with the development of the site. Specifically, the applicant desires to construct a new tactical training facility and impound yard for the Sheriff's Department. The subject property is 7.8 total acres in area, but only approximately 1.5 of those acres will be used for this new facility. The majority of the site is already improved and being used as one of the County's Department of Transportation facilities.

The following text is proposed to be inserted into the City's existing Manufacturing District regulations: Law enforcement facilities owned, leased or occupied and directly operated by units of government, including police stations, impoundment yards, laboratories, and shooting ranges, but excluding such facilities whose principal purpose is the incarceration of inmates, such as jails or prisons.

The applicant is proposing to construct a multi-use facility for the Sheriff's Department. The middle of the site will contain a new 1,600 square foot tactical training facility for the training of law enforcement officers. The facility will be designed as "portable" so that it can be reconfigured to meet the various training needs. The north half of the subject property will be utilized as a secure vehicular impound yard. The yard will be able to accommodate up to 76 vehicles. Stormwater detention is being proposed at the south half of the property and the applicant is proposing to install significant landscaping along the streetscape. The majority of the site will be enclosed with a new eight foot high chain link security fence with mesh screening attached. The site will also be interconnected with the applicant's adjacent Department of Transportation facility located immediately to the west.

The subject property was originally developed as a trucking & freight terminal by the Yellow Freight Company in 1979. The County purchased the property in 2002 to use as a satellite facility for their Department of Transportation. Only about 3.5 acres of the 7.8 acre property is currently developed and used by the County.

The site will have two vehicular access points; one directly off of Arthur Drive and the other into the yard of the applicant's adjacent facilities to the west. The drive aisles are all designed for two-way traffic. There will only be one vehicular access point into the proposed impound yard area located north of the proposed tactical training facility.

The site has 82 total parking spaces on-site. 76 of those spaces will be enclosed with a security fence for use as part of the applicant's proposed impound yard. The remaining 6 spaces will be located on the south side of the tactical training facility. The applicant also has a significant amount of existing pavement immediately west of the proposed site improvements that will be used for overflow parking.

Landscaping is proposed around the detention basin, property frontage and building foundation as required by City Code. The site has existing landscaping (i.e. trees and undergrowth) along the east and north lot lines that will be preserved. The applicant is also requesting two landscaping related variances in conjunction with the proposed site improvements. The first is to eliminate the required landscaping along the north property line. The applicant has provided the required landscape setback, but desires to not install any additional plantings given the presence of some existing vegetation and the fact that the DuPage Airport and some rail spur lines are located immediately to the north, thus negating the need to provide a landscape screen. The second variance is to eliminate all of the required end islands within the impound yard parking lot. City Code requires a curbed island at the end of every row of parking. The applicant is proposing 5 rows of parking within the impound yard. Because this lot will not be used by the general public the applicant desires to eliminate the required islands in favor of providing additional spaces to be used as part of the proposed impound operations.

This development is not required to comply with the City's Appearance Code regulations because the manufacturing District is exempt. The structure will be designed as a shell with removable concrete block walls and a weatherproof canvas and metal roofing system to keep out the elements. The tactical training facility will then be located inside the protective shell.

Staff recommends the approval of the requested text amendment, special use and landscape variances, subject to the following condition: The site shall be developed in conformance with the Site Plan prepared by Knight, consisting of one sheet, dated June 9, 2010, with a last revision date of August 11, 2010.

Assistant State's Attorneys Anthony Hayman and William Roberts gave a presentation on behalf of the applicant. Mr. Hayman and Mr. Roberts had Tom Kuhn of the DuPage County Department of Facilities Management, Sergeant Randy Groh of the Dupage County Sheriff's Office, Ryan Cerniglia and Dana Auman of Knight Engineers & Architects and Marty Michalisko of Engineering Resource Associates also give presentations with their respective components of the project.

Commissioner Hale asked where the next closest facility of this nature is located.

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Sergeant Groh responded that he believes it is near Janesville, Wisconsin.

Commissioner Posadzy asked if only DuPage County would be utilizing the impound yard.

Sergeant Groh responded that Dupage County will ultimately control the facility, but intergovernmental cooperation for use of the facility is not out of the question. Any vehicles impounded would be because of an ongoing criminal case.

Chairman Jarolin asked what the life expectancy of the structure was.

Mr. Auman responded that the canvas has a minimum warranty of 15 years and comes in replaceable sections and the steel trusses and building itself will last much longer.

Commissioner Posadzy asked if the site will be manned 24 hours a day.

State's Attorney Hayman responded no. Typically someone will only be there will the site is in use.

No one else was present in the audience to speak for or against the petition.

Commissioner Hale made a motion, seconded by Commissioner Posadzy, to approve the law enforcement facility text amendment as presented. Voting Aye: Commissioners Mireault, Hale, Posadzy, and Jarolin. Voting Nay: None. Motion unanimously carried.

Commissioner Hale made a motion, seconded by Commissioner Posadzy, to approve a special use for a law enforcement facility with landscaping variances at 1900 Howard Drive as presented. Voting Aye: Commissioners Mireault, Hale, Posadzy, and Jarolin. Voting Nay: None. Motion unanimously carried.

Commissioner Hale made a motion, seconded by Commissioner Posadzy, to close the public hearing for Case PC 10-12. Voting Aye: Commissioners Mireault, Hale, Posadzy, and Jarolin. Voting Nay: None. Motion unanimously carried.

10. Review of Case PC 10-12 1900 Howard Drive, Text Amendment, Special Use and Variances.

The review of Case PC 10-12 was conducted under the public hearing.

11. Other Commission Business.

None.

12. Previous Petitions and General Development Update.

Jeff Harris informed the Commission that the Educare petition at 851 Pearl Road and the Faith Community Church petition at 910 Main Street were both recently approved by the City Council.

Mr. Harris also stated that the variance petition for 1108 Elizabeth Street was recently denied by the City Council.

13. Adjournment.

Commissioner Posadzy made a motion, seconded by Commissioner Mireault, to adjourn the September 8, 2010 Plan Commission/Zoning Board of Appeals meeting at 8:37 p.m. The Commissioners unanimously agreed. Motion carried.

Respectfully submitted,

Jeff Harris, City Planner

PlanComm/ZBA.MIN090810/jh