

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

MINUTES

Development Committee

December 13, 2010

Approved at February 14, 2011 Meeting

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, Nicholas Dzierzanowski, H. Ronald Monroe, Alan Murphy, Ruben Pineda and Rebecca Stout present. Absent: Alderman Joseph Gianforte.

Also in attendance was Community Development Director Joanne Kalchbrenner.

2. Approval of Minutes.

A. Development Committee, October 11, 2010. Alderman Stout made a motion, seconded by Alderman Murphy, to approve the minutes of the October 11, 2010 Development Committee Meeting. Voting yea: Aldermen Stout, Murphy, Beifuss, Dzierzanowski, Monroe, Murphy and Pineda. Voting Nay: 0. Motion carried.

3. Public Participation – None.

4. Items for Consent.

A. Letter of Credit Requirements for West Chicago Taxing Bodies

Chairman Pineda read the Item for Consent. Alderman Dzierzanowski stated that he wanted to add Federal and State Government to the list.

Alderman Dzierzanowski made a motion, seconded by Alderman Monroe, to move Resolution No. 10-R-0100 to City Council on Monday, December 20, 2010. Voting yea: Aldermen Dzierzanowski, Monroe, Beifuss, Murphy, Pineda and Stout. Voting Nay: 0. Motion carried.

5. Items for Discussion

A. Fence height in corner side yards

- B. Concept review – Jel Sert, Vacation of Sycamore Street
- C. Driveway regulations in R-5 Single-Family Zoning District
- D. Playsets in the front yard - Reconsideration

Chairman Pineda noted that item 5B would be discussed first.

5B. Concept review – Jel Sert, Vacation of Sycamore Street

Chairman Pineda requested staff to provide a brief overview. Ms. Kalchrenner stated that Jel Sert is conducting its due diligence for purchasing several properties on the west side of Sycamore Street to expand its facility and add parking. She added that the Police, Fire and Public Works Departments do not object to the vacation although final access issues and the extent of the vacation need to be resolved. She added that the direction of Clayton Street would be reversed. Ms. Kalchbrenner noted that when an owner requests a vacation and realizes some benefit, the City has typically sold the right-of-way for fair market value. She noted further that Jel Sert is requesting that the right-of-way be conveyed to them without charge. Ms. Kalchbrenner stated that Jel Sert would still need to go through the vacation application process and pay the fees. She added that they are here for concept review only.

Alderman Beifuss asked about the subsurface utilities on Sycamore Street and Ms. Kalchbrenner responded that a water main, storm sewer and sanitary sewer are in a utility easement now. She added that the builder would loop the water main around the building, which is not unusual, and it would still be the City's. Alderman Beifuss asked who would pay to repave or replant the area if utility work needed to be done. Ms. Kalchbrenner responded that the City would pay to repave an area and replant grass but the City would not replace trees or bushes.

Ms. Pearl Marziani commented that Jel Sert is not moving. She added that they are purchasing the parcels because they need additional parking. She noted that Lots 2-9 would be consolidated. She noted further that Lot 1 would be left alone because Jel Sert might use the building for training purposes. Ms. Marziani stated that any existing tenants will have six months to leave.

Ms. Kalchbrenner added that all of the property is zoned manufacturing. She added further that Jel Sert's request for the right-of-way to be conveyed to them without charge would have to be considered by the Finance Committee.

Chairman Pineda noted that no objections were mentioned from the Development Committee members.

5A. Fence height in corner side yards

Chairman Pineda requested staff to provide a brief overview. Ms. Kalchrenner stated that the City received a complaint that the City's current fence regulations for corner lots

cause a safety hazard. She noted that currently the City allows a maximum height fence of 6 feet in a corner side yard for any style of fencing. Ms. Kalchbrenner commented that the Development Committee discussed this issue at its August 9th meeting and directed staff to research regulations for other communities. She added that staff researched fence regulations for Carol Stream, Batavia, Geneva, Warrenville and St. Charles and found that they all limited the height of fences in the corner side yard to a maximum height of between 3 and 4 feet tall. She noted that several photos of existing corner side yard fences throughout the City were included in the packet. Ms. Kalchbrenner stated that staff recommends reducing the fence height to 4 feet and requiring the fence to be decorative.

Alderman Beifuss commented that there is only an issue with the corner side yard fence height when the sight line is obstructed. He commented that the regulations should not be too restrictive but safety is a concern.

Alderman Dzierzanowski raised the issue of homeowner association regulations, which might be more restrictive. He questioned how changes to the existing requirements would affect an association's rules. Ms. Kalchbrenner responded that she would have to research how to address that issue. She added that some homeowner associations sign off on a permit before the City issues it but the City will issue the permit if the homeowner association does not object. Alderman Dzierzanowski questioned the fence height requirement for pools and Ms. Kalchbrenner responded that she would have to verify whether it was 4 feet or 6 feet. Alderman Dzierzanowski noted that a limited number of properties are affected by the height of corner side yard fences.

Chairman Pineda commented that pulling out of driveways or alleys is a safety concern due to pedestrians.

Alderman Beifuss stated that only allowing a 4 foot fence along the entire side yard is not reasonable. He added that privacy fences should be allowed. There followed a discussion on the samples submitted with the Aldermen's packets.

Alderman Murphy stated that he agreed with Alderman Beifuss that the issue is the vision triangle in the rear yard by driveways and alleyways.

Alderman Stout commented that decorative versus practicality should be considered. She added that homeowners like chain link fences in the front yard to help protect their children and dogs. Chairman Pineda noted that the fence amendments were tabled several times to define decorative fences.

Chairman Pineda stated that the regulations for homeowner associations should be reviewed before any further consideration of the item.

Alderman Stout made a motion, seconded by Alderman Murphy, to table the fence height regulations in corner side yards to the next meeting.

5C. Driveway regulations in R-5 Single-Family Zoning District

Chairman Pineda requested staff to provide a brief overview. Ms. Kalchrenner stated that at its October 18, 2010 meeting, City Council approved a text amendment to allow driveways to have bump outs between the side of the garage and the side lot line. She added that during the City Council meeting, a question was raised as to whether or not the amended regulations should be applicable in the R-5 zoning district. She added further that staff was directed to raise the issue to the Development Committee to determine if the regulations should go back to the Plan Commission. Ms. Kalchbrenner commented that it is staff's opinion that prohibiting bump outs in the R-5 zoning district is not necessary because of other limiting factors associated with the district such as lot coverage. She noted that the additional factors would limit a property owner's ability to install a bump out. Ms. Kalchbrenner stated that staff is seeking direction regarding an additional amendment to the driveway regulations to prohibit bump outs in the R-5 zoning district.

Alderman Beifuss asked if the City gets many requests for bump outs in the R-5 zoning district and Ms. Kalchbrenner responded yes. Alderman Beifuss commented that the current regulations treat each zoning district differently because of the lot coverage limitations. He added that historically the lot coverage limitations have worked. He noted that under the former system, many homeowners would have had to request a variance.

Ms. Kalchbrenner noted that the proposed language is for driveways to attached garages in the front yard, "When leading to an attached garage the driveway shall only be located in the area directly in front of the garage or in that portion of the actual front yard between the closest interior side lot line and the garage."

Alderman Murphy commented that bump outs are necessary because most families have more than one or two cars.

Alderman Beifuss commented that a homeowner could request a variance. Ms. Kalchbrenner noted that variances are for unique circumstances or hardships.

Alderman Murphy stated that bump outs should be allowed as long as it meets the lot coverage requirements. Alderman Stout stated that all of the R-5 zoning district should not be restricted. Ms. Kalchbrenner commented that staff reviewed the current regulations and formulas for lot coverage and other factors limit bump outs.

Alderman Beifuss stated that he would like additional information from staff and that he would like staff to look at all the variables. He added that staff should look at some circumstances when a bump out is not ok and when it would impact other houses next to it. He noted that he would like more samples and aerial photos.

Alderman Murphy commented that the lot coverage requirements and frontage requirements are working well and limit the driveway coverage.

Chairman Pineda commented that he does not want a sea of concrete. He added that the issue needs to be resolved before permit season.

The driveway regulations in R-5 Single-Family Zoning District were tabled to the next meeting.

5D. Playsets in the front yard - Reconsideration

Chairman Pineda requested staff to provide a brief overview. Ms. Kalchrenner stated that at its August 16, 2010 meeting the City Council tabled consideration of the proposed text amendment prohibiting playsets in the front yard so that the Development Committee could consider the issue further and discuss the information regarding regulations in other communities.

Chairman Pineda commented that other communities permit playsets in the rear yard only. He added that West Chicago needs some regulations.

Alderman Stout stated that the City does not require a permit for a playset so it would be difficult to regulate its location. Alderman Dzierzanowski questioned if the City would make a homeowner take a playset down if it was put up in the front yard. Alderman Murphy noted that some rear yards are not large enough for a playset. Alderman Dzierzanowski stated that he does not want to require a permit for a playset. He added that the City just needs to educate the public.

Chairman Pineda commented that the City could just go with the odds that a playset will not be located in the front yard again.

6. Unfinished Business

Alderman Dzierzanowski asked about the status of the internet car sales business. Ms. Kalchbrenner responded that they have not submitted any paperwork to the County per the special use permit.

Alderman Stout asked about the status of the building on Prince Crossing Road south of Forming America. Ms. Kalchbrenner responded that the building owner has been cited. She noted that a roofing company has been there for about 9 years and Superior Safe, which has a lot of outside storage, is located there also. She added that the owner is in the process of evicting the businesses. Ms. Kalchbrenner commented that there has been worked done without a permit. She stated that an agreement is being worked on as far as securing the building and cleaning up the site. She noted that a railroad club is interested in the inside of the building.

Alderman Dzierzanowski noted that a storm water ordinance complaint by someone on Atlantic Drive was filed with the County. He added that the complainant is claiming the pond on Atlantic is flooding his property.

7. New Business - None.

8. Reports from Staff – None.

9. Adjournment

Alderman Stout motioned to adjourn, seconded by Alderman Murphy. The members unanimously agreed. Motion carried. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Linda Ericksen