

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS December 15, 2009

MINUTES

Approved with changes at the January 5, 2010 meeting

1. Call to Order, Roll Call and Establishment of a Quorum – Chairman Jarolin called the meeting to order at 7:02 p.m. Roll call found Commissioners Hale, Balthazar, Posadzy, Warbiany, Van-der-May and Jarolin present. Commissioner Boyer was absent.

Also in attendance were City Planner Jeff Harris, Community Development Director Joanne Kalchbrenner and Public Information Officer Valeria Perez (translator).

2. Pledge of Allegiance – everyone in attendance participated in the Pledge of Allegiance.

3. Chairman's Comments – Chairman Jarolin reminded all in attendance to turn off or silence all electronic devices and explained the public hearing process to the audience.

4. Minutes – Commissioner Warbiany made a motion, seconded by Commissioner Posadzy, to approve the minutes of October 6, 2009. Voting Aye: Commissioners Balthazar, Posadzy, Jarolin, Van-der-May and Warbiany. Voting Nay: None. Commissioner Hale abstained. Motion carried.

5. Public Hearing Case PC 09-17 – Rezoning of several properties throughout the City upon annexation.

Mr. Harris provided an overview for each of the thirteen areas being considered for rezoning upon annexation. Mr. Harris also noted that the Development Committee will consider the proposed annexations and rezonings at it January 11, 2010 meeting at City Hall if the Plan Commission provides recommendations on the rezonings tonight.

Sarah Chappel, 32W371 Smith Road, spoke in opposition to the rezoning of her property located in Area # 1 to ORI and requested that it remain ER-1 upon annexation so that the property would be legally conforming.

Jack Young, 32W350 Smith Road, spoke in opposition to the rezoning of his property located in Area # 1 to ORI and was concerned how the zoning would impact his existing pole barn accessory building on the property.

Commissioner Warbiany made a motion, seconded by Commissioner Balthazar, to approve the rezoning of Area #1, **32W350 and 32W371 Smith Road**, from ER-1 to ORI. Voting Aye:

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Commissioners Balthazar, Jarolin, Van-der-May and Warbiany. Voting Nay: Commissioners Posadzy and Hale. Motion carried (4-2).

Commissioners Hale and Posadzy voted against the ORI zoning because they felt that the property should be left ER-1 upon annexation and could be rezoned to ORI, if necessary, at a later date once a specific development is proposed.

Frank Wesolowski, attorney for property owner Bob Chicoine, 31W351 North Avenue, spoke in opposition to the rezoning of his client's property located in Area # 2 to M because of the concerns of making the existing gravel storage yard on-site legal non-conforming.

Commissioner Balthazar made a motion, seconded by Commissioner Van-der-May, to approve the rezoning of Area #2, **31W351 North Avenue**, from ER-1 to M. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

No one from the audience spoke in favor of or in opposition to the proposed rezoning of Area # 3 from ER-1 to M.

Commissioner Warbiany made a motion, seconded by Commissioner Hale, to approve the rezoning of Area #3, **3N155 Powis Road**, from ER-1 to M. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

Dale Hammersmith, 31W010 Hawthorne Lane, spoke in opposition to the rezoning of his property located in Area # 4 to B-2 because it is a single family residential use and the proposed zoning would render the property legal non-conforming.

Commissioner Warbiany made a motion, seconded by Commissioner Van-der-May, to approve the rezoning of Area #4, **31W010 Hawthorne Lane**, from ER-1 to B-2. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

No one from the audience spoke in favor of or in opposition to the proposed rezoning of Area # 6 from ER-1 to M and A.

Commissioner Warbiany made a motion, seconded by Commissioner Balthazar, to approve the rezoning of Area #6, **Illinois Prairie Path west of Industrial Drive**, from ER-1 to M. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

No one from the audience spoke in favor of or in opposition to the proposed rezoning of Area # 8 from ER-1 to A.

Commissioner Balthazar made a motion, seconded by Commissioner Van-der-May, to approve the rezoning of Area #8, **Union Pacific Railroad and adjacent property between Kress Road and**

Roosevelt Road, from ER-1 to A. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

Diane Ferguson, 30W276 Pomeroy Street, spoke in opposition to the rezoning of her property located in Area # 9 from ER-1 to R-5 because she would prefer to have her property stay unincorporated.

Ms. Garcia, 30W279 Pomeroy Street, spoke in opposition to the rezoning of her parent's property located in Area # 9 from ER-1 to R-5 because they are Hispanic and do not fully understand the proceedings. Ms. Perez translated the information for Ms. Garcia's mother, who was also in attendance.

Commissioner Van-der-May made a motion, seconded by Commissioner Balthazar, to approve the rezoning of Area #9, **Pomeroy Street and Brown Street between Sherman Street and Pearl Street**, from ER-1 to R-5. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

Robert Heipp, 0S031 Pearl Road, spoke in opposition to the rezoning of his property located in Area # 11 from ER-1 to R-3 because he would prefer to have his property stay unincorporated and did not support B-2 zoning for the vacant property located at the northeast corner of Pearl and Roosevelt Roads because of the potential noxious uses allowed in the B-2 district.

Jim Walker, 0S020 Pearl Road, also spoke in opposition to the rezoning of his property located in Area # 11 from ER-1 to R-3 and because he would prefer to have his property also stay unincorporated and also did not support B-2 zoning for the vacant property located at the northeast corner of Pearl and Roosevelt Roads because of the potential noxious uses allowed in the B-2 district.

Joe Domzalski, 0S111 Pearl Road, spoke in opposition to the rezoning of his property located in Area # 11 from ER-1 to R-3 because he was concerned he would lose the buildable status of the adjacent vacant lot he owned.

Commissioner Warbiany made a motion, seconded by Commissioner Van-der-May, to approve the rezoning of Area #11, **Pearl Road between Forest Avenue and Roosevelt Road**, from ER-1 to R-3 and B-2. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy and Warbiany. Voting Nay: Commissioner Hale. Motion carried.

Commissioner Hale voted against the B-2 zoning because she felt that the property could be rezoned to B-2, if necessary, at a later date once a specific development is proposed. She was in favor of the rezoning to R-3 though.

No one from the audience spoke in favor of or in opposition to the proposed rezoning of Area # 12 from ER-1 to B-2.

Commissioner Posadzy made a motion, seconded by Commissioner Van-der-May, to approve the rezoning of Area #12, **west side of Route 59 at Gary's Mill Road**, from ER-1 to B-2. Voting Aye:

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Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

Matt Goeringer, deacon at Faith Community Church, 910 Main Street, on behalf of the church spoke in favor of the rezoning from ER-1 to R-3 and also stated that the church thought that their property was already within the City limits.

Commissioner Warbinay made a motion, seconded by Commissioner Balthazar, to approve the rezoning of Area #15, **905 Hillview Avenue**, from ER-1 to R-3. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

No one from the audience spoke in favor of or in opposition to the proposed rezoning of Area # 16 from ER-1 to R-2.

Commissioner Posadzy made a motion, seconded by Commissioner Van-der-May, to approve the rezoning of Area #16, **1N435 and 1N463 Ingaltan Avenue**, from ER-1 to R-2. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

Pamela and David Cain, 1N761 Arbor Avenue, spoke in opposition to the rezoning of their property located in Area # 17 from ER-1 to R-1 because they would prefer to have their property stay unincorporated.

Peter and Lori Kennedy, 29W715 Hawthorne Lane, also spoke in opposition to the rezoning of their property located in Area # 17 from ER-1 to R-1 because they would prefer to have their property stay unincorporated.

Joan and Jack Laycock, 29W745 Hawthorne Lane, also spoke in opposition to the rezoning of their property located in Area # 17 from ER-1 to R-1 because they would prefer to have their property stay unincorporated.

Craig Hernan, 1N617 Arbor Avenue, also spoke in opposition to the rezoning of his neighbor's properties located in Area # 17 from ER-1 to R-1 because he felt the City should leave these properties unincorporated.

Commissioner Warbiany made a motion, seconded by Commissioner Balthazar, to approve the rezoning of Area #17, **1N761 Arbor Avenue and 29W715 and 29W745 Hawthorne Lane**, from ER-1 to R-1. Voting Aye: Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

No one from the audience spoke in favor of or in opposition to the proposed rezoning of Area # 18 from ER-1 to R-2.

Commissioner Van-der-May made a motion, seconded by Commissioner Posadzy, to approve the rezoning of Area #18, **2N166 Prince Crossing Road**, from ER-1 to R-2. Voting Aye:

Commissioners Balthazar, Jarolin, Van-der-May, Posadzy, Hale and Warbiany. Voting Nay: None. Motion carried.

Commissioner Posadzy made a motion, seconded by Commissioner Van-der-May, to close the public hearing for case PC 09-17. Voting Aye: Commissioners Posadzy, Balthazar, Jarolin, Van-der-May, Hale and Warbiany. Voting Nay: None. Motion carried.

6. Review of Case PC 09-17 – Rezoning of several properties throughout the City upon annexation.

The review was conducted during the public hearing.

7. Other Commission Business. – Mr. Harris noted that the Commission will have a meeting on January 5, 2010.

8. Previous Petitions and General Development Update. – Mr. Harris indicated that the Kramer outdoor storage special use on Church Street and the rezoning and variances for 771 W. North Avenue, which were considered at the October 6th Plan Commission meeting, were approved by the City Council.

9. Adjournment – Commissioner Warbiany made a motion, seconded by Commissioner Posadzy, to adjourn the December 15, 2009 Plan Commission/Zoning Board of Appeals meeting at 10:26 p.m. The Commissioners unanimously agreed. Motion carried.

Respectfully submitted,

Jeff Harris, City Planner

PlanComm/ZBA.MIN121509/jh