

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS April 3, 2012

MINUTES

Approve at the May 1, 2012 meeting.

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

Vice Chairman Van-der-Mey called the meeting to order at 7:01 p.m. Roll call found Commissioners Lannes, Van-der-Mey, Mireault, Laimins, Warbiany, Posadzy and Boyer were present.

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 Mireault made a motion, seconded by Commissioner Laimins, to approve the minutes of February 7, 2012 as presented. Voting Aye: Commissioners Van-der-Mey, Mireault, Boyer, Laimins and Lannes. Voting Nay: None. Commissioners Warbiany and Posadzy abstained. Motion carried.

5. Public Hearing Case PC 12-05, Text Amendments.

Mr. Harris provided an overview. The City of West Chicago staff is proposing various text amendments in order to update, modify or clarify several sections of the Zoning Code.

The following bold faced text is being proposed to be added to the existing regulations, as outlined below. Struck through text is proposed to be deleted.

Multi-faced sign

Add a definition for multi-faced sign to the definitions section of the Zoning Code so that it is clear what constitutes a single faced sign and a multi-faced sign with respect to the City's existing Sign Code regulations. Also, change a reference of a double-faced sign to a multi-faced sign in the

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existing Sign Code so that the proposed definition does not conflict with any existing regulations in the Code.

4.1 Construction of terms.

sign, multi-faced: A sign with two or more connected faces where the interior angle formed by any two of the faces is ninety (90) degrees or less, where each face is designed or intended to be viewed from a different direction.

12.5 Sign area.

12.5-1 Calculation of sign area.

- (C) In calculating the sign area, only one (1) side of any ~~double-faced~~ **multi-faced** sign shall be counted.

Public hearing notification requirements

Add public hearing sign requirements to the variance regulations to be consistent with current notification procedures being performed as part of a variance's consideration. Staff is also amending the certified mailing requirements for a special use to be consistent with current notification procedures being performed as part of a special use's consideration. The proposed language matches that of the existing variance regulations. Lastly, staff is modifying the public hearing sign requirements to match that of the proposed variance public hearing sign regulations. Both of these public hearing requirements are already being applied to all variance and special use applications.

5.4 Variations.

5.4-3 Public hearing notice.

- (C) **A public hearing notice sign shall be posted on the premises in a manner and number prescribed by the zoning administrator.**

5.5 Special uses.

5.5-3 Public hearing notice.

- (A) ~~By certified mail return receipt requested of all persons residing within two hundred fifty (250) feet of the property.~~ **By certified mail return receipt requested of all persons residing within two hundred fifty (250) feet of the property; a certified mailing sent to all persons at the addresses appearing on a roll prepared by the County Clerk of DuPage County, listing whom the tax bill are sent concerning the parcel(s) of property which are within two hundred fifty (250) feet of the subject property will satisfy this requirement.**
- (C) ~~There shall be an additional notice posted on the premises at least fifteen (15) days prior to the public hearing in a manner and number prescribed by the zoning administrator.~~ **A public hearing notice sign shall be posted on the premises in a manner and number prescribed by the zoning administrator.**

Refuse containers

Combine two different sections of the Code that both regulate the use of refuse containers. This is intended to make the Code more user friendly.

6.25 Refuse containers.

Refuse Containers: All refuse generated by ~~facilities~~ **uses** located within any **zoning** district, excluding all single family residential ~~districts~~ **dwelling and multi-family residential dwellings with fewer than four (4) total dwelling units**, shall be stored in approved ~~covered~~ **refuse containers that are** visually screened **on all sides** with a **solid screen** fence. **All multi-family residential dwellings utilizing a refuse container greater than one (1) cubic yard in volume shall visually screen the container on all sides by a solid screen fence.**

~~7.11 Refuse containers for multifamily units.~~

~~Multifamily residential dwellings with four or more dwelling units shall place all refuse containers in visually screened areas. All multifamily units which have refuse containers which are one (1) cubic yard in area or greater shall be in visually screened areas.~~

Home occupation signs

Eliminate the existing signage regulations in Section 7.2 of the home occupations section of the Zoning Code because it conflicts with the existing home occupation signage regulations in the Sign section of the Code in Section 12.3 (H). The home occupation sign regulations in the Sign Code were adopted in 2008 and that amendment failed to address the conflicting regulations in Section 7.2.

7.2 Home occupations.

(C) Home occupations are permitted as an accessory use to a residence only when all of the following criteria are met:

~~(8) Signage. Signage or other forms of advertising pertaining to the home occupation may be placed or painted onto the exterior of the residence or in the yard of a residence. These signs may not exceed two (2) square feet in area.~~

12.3 Exempt signs.

(H) Home occupation signs identifying only the name and occupation of the resident. Not more than one (1) such sign shall be displayed on any zoning lot. Such signs shall non-illuminated, flush-mounted, and shall not exceed two (2) square feet in area.

Government facilities

Clarify that all types of government facilities are permitted uses in the B-1 zoning district so that the matter is not an issue when the future City Hall is developed on W. Washington Street. Staff felt this was easily accomplished by deleting the term "United States" from the existing government facilities use already permitted in the B-1 zoning district. Staff is also proposing to add planned unit developments (PUD) as a special use in the B-1 district in the event that the West Washington Street Redevelopment Plan needs to be developed by means of a PUD. PUD's are already special uses in several of the City's other zoning districts.

10.2 B-1 Central business district.

10.2-3 Permitted uses.

(J) Government facilities, ~~United States~~.

10.2-4 Special uses.

(M) ~~Intentionally deleted, reserved.~~ **Planned unit developments.**

LED signs

Create new standards for LED signs utilized by institutional uses in residential zoning districts with respect to illumination based on direction from the Development Committee. The amendments also create a new formula for calculating the allowable area of an LED sign utilized by an institutional use in a residential zoning district. This new calculation allows the area of the LED signage portion of a freestanding sign to increase as the overall area of the freestanding sign increases, but not at a direct linear rate in proportion to the increase in the overall sign area.

12.6 General sign regulations.

12.6-2 Illumination.

(F) Signs shall not exceed a maximum illumination of five thousand (5000) candelas per square meter during daylight hours and a maximum illumination of five hundred (500) candelas per square meter between dusk to dawn, as measured from the sign's face, at maximum brightness.

(G) Changeable copy signs for institutional uses in residential districts shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m.

12.7 Regulation based on sign type.

12.7-1 Changeable copy signs.

~~(B) Shall not exceed thirty (30) percent of the sign area of the freestanding sign of which it is a part.~~ **Allowable area:**

**(1) For signs for institutional uses in residential districts, the changeable copy portion of the sign shall not exceed the area (in square feet) determined by the following formula:
(total freestanding sign area + 6 square feet) x 0.5 = maximum area of the changeable copy portion of the sign.**

(2) For all other signs, the changeable copy portion of the sign shall not exceed thirty (30) percent of the sign area of the freestanding sign of which it is a part.

(D) Shall comply with the following regulations when containing changeable copy that may be changed by electronic means:

(2) The frequency of message change shall be restricted to no more than once every ten (10) seconds, except that the frequency of message change for signs for institutional uses in residential districts shall be restricted to no more than once every sixty (60) seconds.

Gravel parking lots

Eliminate the gravel parking lot upgrade requirement to a paved surface because it was adopted in the early 1990's and was never enforced when the September 30, 1995 deadline came. Therefore current staff feels it is most appropriate to eliminate the regulation given the length of time that has passed since the compliance deadline and the lack of enforcement of the regulation.

13.1-9 Paving of existing unpaved parking facilities.

~~Notwithstanding any other provision of this article to the contrary, any unpaved parking area lawfully existing as of the date of this ordinance located in a multiple family, business or manufacturing zoning district shall be graded, paved, improved and landscaped as required by this ordinance by September 30, 1995.~~

Parking lot lighting

Eliminate the following regulation because it was brought to the attention of staff by an exterior lighting consultant that the regulation in question is contradictory with some of the other lighting regulations in the same section of the Code. It was also explained that this regulation has become outdated due to the advances in modern lighting technology.

13.1-10 Lighting.

- (D) All luminaries erected twenty-~~one (20)~~ **(21)** to thirty (30) feet above ground level:
 - (3) ~~Shall maintain a ratio of 3:1 or less of luminaire spacing to luminaire mounting heights.~~

Residential parking areas

Add the phrase "parking lots" to this subsection in order to cover all potential parking situations for uses such as multi-family housing complexes or non-residential uses such as churches that would potentially utilize a parking lot.

13.1-13 Location of parking.

(A) Residential districts.

- (5) There shall be no parking except on driveways, **parking lots, or and/or** in enclosed garages, constructed consistent with the provisions of this section.

The only standard set forth in the zoning regulations that is related to a zoning text amendment is its impact on the health, safety and welfare of the community. It is City staff's opinion that the proposed text amendments will help improve the enforcement, readability and applicability of the City's zoning regulations by continually striving to update and improve on the Zoning Code. City staff recommends approval of the proposed text amendments as proposed.

Commissioner Laimins asked what existing signs would be affected by the proposed sign code amendments.

Mr. Harris indicated that any non-compliant signs would be rendered legal non-conforming, but could not confirm exactly which signs are impacted.

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Commissioner Warbiany asked if the removal of the gravel parking lot regulations affected new parking lots.

Mr. Harris indicated that it did not because all new parking lots are required to be paved.

Chairman Van-der-Mey noted that there was no one in the audience to speak for or against the petition.

Commissioner Boyer asked how this would affect existing gravel parking lots.

Mr. Harris responded that any property requesting some sort of zoning relief from the City Council would potentially have their existing gravel parking lot evaluated for an upgrade to pavement as part of their zoning relief request.

No one was in the audience to speak in favor of or against the petition.

Commissioner Warbiany made a motion, seconded by Commissioner Mireault, to approved Case PC 12-05 as presented by staff. Voting Aye: Commissioners Lannes, Van-der-Mey, Mireault, Boyer, Warbiany, Posadzy and Laimins. Voting Nay: None. Motion carried.

Commissioner Posadzy made a motion, seconded by Commissioner Boyer, to close the public hearing for case PC 12-05. Voting Aye: Commissioners Lannes, Van-der-Mey, Mireault, Boyer, Warbiany, Posadzy and Laimins. Voting Nay: None. Motion carried.

6. Review of Case PC 12-05, Text Amendments.

The review of case PC 12-05 was conducted under the public hearing.

7. Review of Case PC 12-07, Deviation.

Mr. Harris provided an overview. Mapei Corporation is requesting approval of an after the fact Subdivision Code deviation to allow a small section of their existing privately maintained storm sewer to have the earth cover over the top of the pipe reduced from two (2) feet to one (1) foot. The subject property is located at the northwest corner of Industrial Drive and Western Drive.

Mapei Corporation constructed an addition onto the northwest corner of their building in 2000 that included a recessed truck dock on the west side of said addition. The stormwater detention facilities for this addition were constructed underneath the building addition. The storm sewer in question is located at the bottom of said recessed truck dock. The stormwater flows westward out of the underground detention facility through the storm sewer in question on its way off-site. In order to obtain better positive drainage flow the short section of storm sewer pipe in question was installed at a shallower depth that what was on the approved permit plans. The work is now complete and it would be extremely costly for the applicant to remove and reinstall the storm sewer in question in compliance with the approved permit plans and City Code. Therefore, the applicant is requesting said deviation to allow the storm sewer to remain as constructed with earth cover over the top of the pipe at one (1) foot. The City's engineering staff is in support of the requested deviation because

the storm sewer functions properly and feels that the impact is minimal given only the property owner will be affected.

City staff recommends the approval of the requested deviation to allow a portion of the privately maintained storm sewer in the recessed truck dock located on the west side of the building to have the earth cover over the top of the pipe reduced from two (2) feet to one and one (1) foot for the property located at 530 Industrial Drive.

Chairman Van-der-Mey noted that there was no one in the audience to speak for or against the petition.

Commissioner Warbiany asked if there were any negative implications of approving this deviation.

Mr. Harris replied that the storm sewer is privately maintained and has operated without any problems for the past 11 years. If any problems do arise it would only affect the petitioner and their site.

No one was in the audience to speak in favor of or against the petition.

Commissioner Mireault made a motion, seconded by Commissioner Warbiany, to approved Case PC 12-07 as presented by staff. Voting Aye: Commissioners Lannes, Van-der-Mey, Mireault, Boyer, Warbiany, Posadzy and Laimins. Voting Nay: None. Motion carried.

8. Other Commission Business.

Mr. Harris stated that the regularly scheduled Plan Commission meeting on April 17th will be cancelled.

Mr. Harris discussed the Open Meetings Act training that the Commission members must take immediately after the meeting.

9. Previous Petitions and General Development Update.

Mr. Harris informed the Commission that the Development Committee tabled the consideration of the St. Andrew Lutheran Church variance until staff can prepare an amendment to the Zoning Code to address the LED sign regulations.

Mr. Harris also discussed several projects that staff is currently working on that will hopefully be presented to the Commission in the near future.

10. Adjournment.

Commissioner Mireault made a motion, seconded by Commissioner Lannes, to adjourn the April 3, 2012 Plan Commission/Zoning Board of Appeals meeting at 7:43 p.m. The Commissioners unanimously agreed. Motion carried.

Respectfully submitted,

Jeff Harris, City Planner

PlanComm/ZBA.MIN040312/jh