

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

DEVELOPMENT COMMITTEE

Monday, February 9, 2015
7:00 P.M. - Council Chambers

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
 - A. January 12, 2015
3. Public Participation
4. Reports from Staff
5. Items for Consent
6. Items for Discussion
 - A. Property Owner Consent and Application Fee Amendments for Individual Landmark and Historic District Nominations
7. Unfinished Business
8. New Business
9. Adjournment



MINUTES
DEVELOPMENT COMMITTEE

January 12, 2015, 7:00 P.M.

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

Alderman Stout called the meeting to order at 7:00 P.M.

Roll call found Aldermen John Banas, James Beifuss, Laura Grodoski, Melissa Birch, James Smith, John Smith and Becky Stout, present.

Also in attendance was Director of Community Development, John D. Said.

2. Approval of Minutes

A. December 8, 2014

Alderman Grodoski made a motion, seconded by Alderman Banas, to approve the December 8, 2014 Development Committee Minutes as presented. Alderman Birch abstained and all remaining members unanimously agreed and the motion carried.

3. Public Participation

Marilyn Kroll expressed concern about the lighting on Theresa Lane. John Said responded that he would check into this matter. Ms. Kroll then asked for the corporate mailing addresses of Menard's and Hobby Lobby and Mr. Said asked her to fill out a FOIA to obtain this information.

4. Items for Consent

- 4A. P&L Motorsports Auto Repair Special Use – 1965 Powis Road
- 4B. Shell Gas Station Resubdivision – 1307 S. Neltnor Boulevard

Alderman Banas made a motion, seconded by John Smith, to place the Items for Consent on the January 19, 2015 City Council Agenda. The Committee members unanimously agreed and the motion carried.

5. Items for Discussion

5A. Hoving Enterprises Conceptual Review – 1655 Powis Road

John Said provided an update on the Hoving Group of 2351 Powis Road and their proposal to relocate and expand their business to 1655 Powis Road, the previous Alcoa site.

Gerald Callaghan, a lawyer with Freeborn & Peters of Chicago, introduced himself and other representatives of Hoving, including Mr. Ken Hoving. Mr. Callaghan then summarized the history of the Hoving business, which has been operating since 1999 and was annexed to the City in 2005. The initial operation was construction and demolition debris recycling, but over time, the business was expanded to portable restrooms, street sweeping and container storage. A building was constructed last year that was not in compliance with City code and as a result, they began to look for additional property for expansion. They found that the 27-acre property at 2351 Powis was on the market, which presented an opportunity to relocate.

Mr. Callaghan went on to explain that the 2351 Powis property had some previous environmental problems, but that it was cleared for industrial and commercial purposes.

He then went on to provide a summary of the areas surrounding the property and later described the site plans for the property development and specifically, the location of the two property entrances, enhanced landscaping along Powis Road and the improvement of the existing detention pond. The usable part of the site is 15 to 16 acres, which would allow for business growth. An existing building will be renovated for vehicle maintenance and the recycling of demolition debris and a new office building will be built. The operation would also include areas for wood mulching, concrete block recycling, wood, asphalt shingles, pallets, portable restroom storage, and roll off box storage. The property center will also have a 76-space parking lot for various types of vehicles, as the company maintains a fleet of approximately 50 vehicles. There are also plans for an employee parking area and a new use, which is a refueling station for compressed natural gas.

Mr. Callaghan concluded his presentation by saying that zoning approvals from the City will be required, including a text amendment to add a special use and a PUD.

Alderman Stout read a message from Matt Fuesting who wanted it noted that he supports this plan, but that he was unable to attend due to work obligations.

Alderman Banas stated his support of the proposal on this vacant site that would provide additional revenue. He questioned about the mulching facility.

Alderman Beifuss requested clarification of the existing versus new areas of business. The sale of mulch would be new.

Alderman Beifuss asked about the use of street sweepers, the recycling process of construction and demolition debris, the truck volume and load tonnage, port-a-potty maintenance and storage, third party storage of roll offs, resale of pallets, wood mulching of tree trunks and branches, manufacture of pallets made of recycled, compressed wood, levels of noise output, hours of operation, truck tarp use, dust suppression, facility height maximums, odor mitigation and an explanation of the company's failure to obtain a building permit from the City in the past. The representatives of Hoving responded to each Alderman Beifuss' questions.

Alderman Banas thanked Alderman Beifuss for his questions and further stated that he sees no disadvantage to this plan as it means moving traffic away from a dangerous intersection and a school and residential area to an industrial one. He lives near their current site and has never heard of any complaints regarding the Hoving business. He also stated that the permit issue is irrelevant given the company's efforts to rectify the situation.

Alderman John Smith agreed with Alderman Banas and supports the idea.

Alderman Grodoski added that she works in the commercial interior design industry and works closely with construction and demolition industries. More opportunities to recycle construction and demolition debris rather than it going into landfills is good for the Earth.

Alderman Beifuss further stated that the business seems interesting, but expressed the potential impact that neighboring manufacturers can have on one another. He also thanked the Hoving representatives for being forthright in sharing their business information and added his concern about the company's proposed expansion given the number and nature of current City businesses.

Mr. Callaghan clarified that the City annexed Hoving's recycling business in the first place and that the mulch operation would be comprised of only wood. He also stated that the proposed uses for the new site already exist and that there would be the addition of sales.

Alderman Jim Smith concurred with Alderman Banas that there is a benefit to moving the business away from its current location near a school and a park.

Alderman Birch expressed her support of the relocation and site plan.

Alderman Stout acknowledged that while some issues may need tweaking and more research, she feels the proposal would be a win for both the City and the company.

6. Unfinished Business

Alderman Banas inquired about the status of review of landmark applications for historic preservation.

7. New Business

None.

8. Reports from Staff

John Said shared his observation that based on the updates of Business Registrations with the City, there appears to be an increase in employment.

Mr. Said also apprised those in attendance of a state-awarded \$150,000 to the City for environmental cleanup at the West Washington Street site. A draft resolution will be provided at the next City Council meeting.

He also informed that interest has been expressed recently about the construction of townhomes at a vacant site near Franciscan Way, located near the northwest quadrant of North Avenue and Route 59. Mr. Said expressed concerns about the idea due to its location along a private road and in a commercial area. He invited the Aldermen in attendance to share their thoughts.

Alderman Stout agreed that it is not a viable location and others agreed.

Mr. Said also mentioned that the City is working with Thornton's as they propose development on the northwest corner of Roosevelt Road and Route 59. Also, spring construction is expected for the planned Shell station.

9. Adjournment

Alderman Banas made a motion, seconded by Alderman John Smith, to adjourn the January 12, 2015 Development Committee meeting at 8:09 P.M. The Committee members unanimously agreed and the motion carried.

Respectfully submitted,

Jane Burke
Executive Secretary

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Proposed Municipal Code amendments concerning nomination applications for landmark designation of properties and historic districts

AGENDA ITEM NUMBER: _____**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** February 9, 2015**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** John D. Said**SIGNATURE** JDS**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

At its December 8, 2014 meeting, the Development Committee directed staff to further research requirements for landmark designations for properties and districts, specifically concerning owner consent. Staff also researched application fees as part of this process. The Committee also directed staff to review nomination application requirements with the Historical Preservation Commission at their next available meeting, and to return to the Development Committee with follow up information in two months.

Staff pursued a survey of owner consent and application fees through the DuPage Mayors and Managers Conference (DMMC); results are attached. The DMMC's survey of communities resulted in only seven responses on the owner consent question, and eighteen on the landmark application fees question. As to owner consent, DMMC results were essentially the same as staff's previous findings; three required owner consent, three did not and there was one "other" response. The Committee will recall that staff found similar results from its previous informal survey. As to application fees for landmark applications, one community (out of nine that have such a program) indicated that they charge a fee (Downers Grove; \$400).

Ultimately, the results of the DMMC and staff surveys only generally represent how other communities address these matters, and are not necessarily conclusive or scientific. As such, a larger sample size, different questions or other options would not necessarily establish a clear precedence for these issues.

Upon review of owner consent and application fees at their January 27, 2015 meeting, the Historical Preservation Commission believes adding more application requirements would limit future landmark applications and thereby lessen potential recognition of historical properties and districts in the community. Members of the Historical Preservation Commission are expected to attend the February 9 meeting to further discuss these matters with the Committee.

To assist the Historical Preservation Commission and the Development Committee, staff prepared draft language amending Article V, Section 4-93 for owner consent, which is attached. Currently, the City requires a \$200 fee for local historic landmark/district designation, although no deposit is required. Should the Committee consider adding a deposit, staff recommends a \$500 deposit amount, which would be consistent with applications for zoning approvals such as variations. This deposit

would pay for the required parts of application public hearings, including legal notices, court reporting (transcripts), and potentially attorney fees.

ACTIONS PROPOSED:

Consideration of proposed Municipal Code amendments regarding nomination applications for landmark designation of properties and historic districts.

COMMITTEE RECOMMENDATION:

Constant Contact Survey Results

Survey Name: Landmark Nominations

Response Status: Partial & Completed

Filter: None

Jan 19, 2015 11:32:10 AM

1. Does your community charge a fee to apply to have a property landmarked?

	Number of Response(s)	Response Ratio
Yes	1	5.5%
No	8	44.4%
N/A - Do not have a landmark or historic preservation designation or nomination.	8	44.4%
No Responses	1	5.5%
Total	18	100%

2. If you answered Yes to the first question, what is the application fee? Please specify if there are any additional charges besides the application fee.

1 Response(s)

3. Does your community require property owner consent as part of the application submittal or final approval process? Please choose all responses that apply.

	Number of Response(s)	Response Ratio
Owner consent required for application	2	28.5%
Owner consent NOT required for application	3	42.8%
Owner consent required for final approval	3	42.8%
Owner consent NOT required for final approval	1	14.2%
Other	1	14.2%
Total	7	100%

Constant Contact Survey Results

Survey Name: First very quick survey of 2015

Response Status: Partial & Completed

Filter: None

Jan 19, 2015 11:32:10 AM

2. If you answered Yes to the first question, what is the application fee? Please specify if there are any additional charges besides the application fee. - Responses

Answer	Respondent
\$400 for a property	
\$475 for a district	dfieldman@downers.us

3. Does your community require property owner consent as part of the application submittal or final approval process? Please choose all responses that apply. - Other responses

Answer	Respondent
Consent required for a property, 51% of the owners for a district	dfieldman@downers.us

ARTICLE V. LANDMARK AND HISTORIC DISTRICT REGULATIONS

Sec. 4-90. Purpose.

The purpose of this article is to promote the educational, cultural, economic and general welfare of the community by:

- (1) Providing a mechanism to identify and preserve the special distinctive historic, aesthetic, architectural, and/or landscaping characteristics of West Chicago, which represent elements of the city's cultural, social, economic, political and architectural history.
- (2) Fostering civic pride in the beauty and noble accomplishment of the past as presented in West Chicago's landmarks and historic districts.
- (3) Stabilizing and improving the property value of West Chicago's landmarks and historic districts, and encouraging continued utilization of such properties and their adaptation for current use.
- (4) Protecting and enhancing the attractiveness of the city to its homebuyers, homeowners, residents, tourists, visitors and shoppers, and thereby, supporting and promoting business, commerce, industry and providing economic benefit to the city.
- (5) Fostering and encouraging preservation, restoration and historically sensitive rehabilitation.
- (6) Ensuring that all of the economic benefits resulting from preservation, including tax incentives, new jobs and renewed buildings are available to our citizens.
- (7) Encouraging new or rehabilitated buildings and developments that will be harmonious in scale, color, form, texture, and materials with existing historic structures, sites and neighborhoods.

Sec. 4-91. Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Alteration. Any act or process which changes one or more of the "exterior architectural features" of a structure.

Area. A specific geographic division of the city.

Certificate of appropriateness. A certificate issued by the Commission authorizing the performance of alterations, construction and demolition on property and improvements which have been designated for preservation.

Commission. West Chicago Historical Preservation Commission, as appointed and defined in Sections 2-278 to 2-283 of this Code.

Commissioners. Members of the West Chicago Historical Preservation Commission.

Construction. Any act or process whereby a new improvement is built, an existing improvement is expanded in size or area, or a demolished improvement is rebuilt.

Council. West Chicago City Council.

Demolition. Any act or process which destroys in part, or in whole, a designated landmark or an improvement within a designated historic district.

Design criteria. A standard that will preserve the historic and architectural character of an improvement or area.

Exterior architectural appearance. The architectural character and general composition of the exterior of an improvement, including but not limited to the kind, color and/or texture of the building material and the type, design and character of all windows, doors, light fixtures, ornamental details, signs and appurtenant elements.

Historic district. An area designated as a "historic district" by ordinance of the City Council and which may contain within definable geographic boundaries one (1) or more landmarks and which may have within its boundaries other properties or improvements which, not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the district.

Improvement. Any building, structure, work of art, place, parking facility, fence, gate, wall or other object constituting a physical addition to real property, or any part of such addition.

Landmark. A property or structure designated as a "landmark" by ordinance of the City Council according to criteria and pursuant to procedures prescribed herein and which is therefore worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City.

Landscape. A significant natural feature or group of natural features or a combination of natural features and buildings or improvements.

Owner of record. The person or corporation or other legal entity whose name appears on the records of the County Recorder of Deeds, or address as shown on the tax assessor's rolls.

Property. A distinct parcel of real property which is assigned a separate tax parcel number by the County Supervisor of Assessments.

Restoration. The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving portions and features of the property which are significant to its historic, architectural and cultural values.

Relocation. Any removal of an improvement on site to another site or any relocation of an improvement on its site, or any portion of an improvement.

Repair. Any change that does not require a building permit, that is not construction, removal or alteration, where the purpose and effect of such work or replacement is to correct any deterioration or decay of or a damage to such improvement or any part thereof and to restore the same, as nearly as may be practicable to its condition prior to the occurrence of such deterioration, decay or damage.

Structure. See "improvement".

Sec. 4-92. Landmark and historic district designation—Standards.

- (a) Landmarks. The Commission shall consider the following in reviewing property and improvements for designation as landmarks:
 - (1) Significant value as part of the historical, cultural, artistic, social, ethnic or other heritage of the nation, state or community.
 - (2) Its location as a site of a significant local, county, state or national event that may be likely to yield historical information.
 - (3) Significant association with an important person or event in national, state or local history.
 - (4) Representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials and which may render it architecturally significant.
 - (5) Notable work of master builder, designer, architect or artist whose individual genius has influenced an era.
 - (6) Identifiable as an established and familiar visual feature in the community owing to its unique location or physical characteristics.
 - (7) Any improvement that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration.
- (b) Historic district. The Commission shall consider the following in reviewing property and improvements for designation as historical districts:
 - (1) Any of the standards listed in subsection (a).
 - (2) Homogeneity of architectural design or dates of construction throughout the area.

- (3) Identifiable by clear and distinctive boundaries.
- (4) Repetition of distinguishing architectural or land use characteristics throughout the area.

Sec. 4-93. Same—Procedures.

(a) Application.

- (1) The Commission by a three-fifths vote of all members, or any person, group of persons or association, may apply for a landmark or historic district designation for property and improvements located within the corporate limits of the City.

- (2) Any landmark or historic district nominations shall be made to the Commission on forms provided by the commission. The application shall include or be accompanied by the following:

- a. The name and address, as shown on the tax assessor's rolls, of the owner of the property proposed for designation.
- b. The legal description and common street address of the property proposed for designation.
- c. A map delineating the boundaries and location of the property proposed for designation.
- d. A written statement describing the property and setting forth reasons in support of the designation proposed.

e. Owner Consent:

(1) Individual Landmark Nomination. A notarized statement of consent of the nomination from the property owner. If the property owner does not consent to the nomination, the application shall be rejected without any further action.

(2) Historic District Nomination. Notarized statement(s) of consent of the nomination from at least sixty-six percent (66%) the property owners. If at least sixty-six percent (66%) of the property owners do not consent to the nomination, the application shall be rejected without any further action.

~~An indication of whether or not the owner consents to the proposed designation.~~

- f. The application fee, as established in Appendix G of the Municipal Code. ~~Such other information as may be required by the commission.~~

An application will be considered complete when all items (a. through f. above) are submitted and determined to be accurate and correct by the Director of Community Development.

- (b) Notification of nomination and preliminary review. Upon receipt of an applicant for designation, the President of the Commission shall schedule a preliminary review to be held within forty-five (45) days. He shall notify the applicant of the time and place of the preliminary review and also notify the appropriate City departments, requesting that each department report to the Commission on any matters affecting the subject property or surrounding area.
- (c) *Public hearing and decision.* If the commission finds at the time of the preliminary review that an application [merits] further consideration, then a public hearing shall be scheduled to be held within the next sixty (60) days. In cases of a nomination of a structure as a landmark, notice of the date, time, place and purpose of the public hearing and a copy of the completed nomination form shall be sent by certified mail to the owner(s) of record and to the nominator(s) at least thirty (30) days prior to the date of the hearing. In cases of a nomination of an area as a historic district, notice of the date, time, place and purpose of the public hearing and a copy of the completed nomination form shall be sent by certified mail to the owners of record of each structure located within the boundaries of a nominated historic district and to the nominator(s), at least thirty (30) days prior to the date of the hearing. Notice of the nominations of a landmark shall also be published at least once in a newspaper having general circulation in the City, stating the common street address and legal description of a nominated landmark or legal description and boundaries of a nominated historic district along with the date, time, place and purpose of the public hearing. The applicant shall produce at the time

of the hearing such information as the Commission may require including, but not limited to, the following:

- (1) All information required with the application.
- (2) A visual presentation of the significant improvements on the subject property, together with information as to the age, condition and use of each.

- (3) Proposals for preservation and enhancement of the property proposed for designation.

The applicant and the owners of subject property shall be entitled to speak at the public hearing and the Commission will accept comments from all other interested parties. The Commission shall review and evaluate all available information according to the applicable standards set forth in section 4-92. A record of the proceedings shall be made and retained as a public record.

The Commission shall recommend, reject or modify the requested designation within thirty (30) days after the public hearing; provided, however, that the Commission may not modify a designation to extend beyond the property described in the application unless a new application is filed and the procedure repeated.

Following the public hearing, the secretary of the Commission shall prepare the Commission's evaluation, recommendation and all available information for submission to the City Council within thirty (30) days.

If the Commission recommends the landmark status or historic status or historic district should be designated, it shall do so by resolution passed by a majority of the Commission.

The owner(s) of record shall be notified promptly by a letter containing information on the Commission's decision.

A simple majority vote by the City Council is necessary for the approval of an ordinance to designate a landmark or historic district or historic district designation. If the City Council approves the application for a designation, a notice will be sent to the property owner, the planning department, the building inspector, the City Clerk's Office, and recorded with the County Recorder of Deeds. If the City Council denies the petition, no petitioner or applicant can file for ninety (90) days to the secretary of the Commission to consider this same request.

Buildings designated as historic landmarks shall be subject to issuance of certificates of appropriateness.

A designation may be amended or rescinded by the same procedure and according to the same standards and considerations set forth for designation.

- (d) After the date of filing an application, as outlined above, until the date of either a final decision by the Commission, or a reversal or affirmation by the City Council no building permit shall be issued for the alteration, construction, demolition, or removal of the nominated property unless such alteration, removal, or demolition is necessary for public health, welfare, or safety. In no event shall the delay so imposed exceed two hundred ten (210) days.