

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved with changes June 8, 2015

MINUTES

DEVELOPMENT COMMITTEE

May 11, 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, Melissa Birch, ~~Laura Grodoski~~ Jayme Sheahan, John Smith and Becky Stout, present.

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

2. Selection of Chair and Vice-Chair.

Alderman Banas made a motion to nominate Alderman Becky Stout as chairman and Alderman James Beifuss as vice chairman. Alderman Smith seconded the nomination. The remaining members unanimously agreed and the motion carried.

Alderman Stout also welcomed Alderman Jayme Sheahan to her first meeting as a member of the Development Committee.

3. Approval of Minutes.

A. April 13, 2015

Alderman Banas made a motion to approve the minutes without changes. The motion was seconded by Alderman Beifuss and all remaining members agreed and the motion was carried.

4. Public Participation.

None.

5. Items for Consent.

A. Text Amendment, Special Uses and PUD for Hoving's Demolition Debris and Recycling Facility – 1655 Powis Road

Alderman Beifuss requested that this item be pulled off the Consent Agenda for discussion.

6. Items for Discussion.

A. Forming America's Bi-Annual Site Improvement Progress Report – 1200 N. Prince Crossing Road.

John Said provided a summary of the Special Use. In 2007 Mr. Langkamp received approval of this Special Use for an outside storage yard use along with several site improvement deadlines. In particular, the deadline for the paving of the existing gravel storage yard area was not met. In 2011, Mr. Langkamp then requested and obtained amendments to the Special Use to adopt new deadlines, which were not met either. Another amendment was approved in 2014 with new compliance deadlines. On a twice yearly basis, they have been required to provide reports to the Development Committee. Currently, they report progress in having completed paving work in 2014, but there remain some incomplete site improvement issues. The delays have come in part from working with DuPage County. The County has now provided approval for the work, however, and the City is working to issue a permit for the paving. The company expects to meet the Phase II and III deadlines later this year.

Alderman Banas inquired about the potential liability for the City with an unpaved parking lot for employees and John Said answered that the responsibility is that of the private property owner.

Alderman Smith remarked that the owners are making progress and that the delays have largely been due to the County. Alderman Beifuss agreed. The Committee will again hear from Forming America at their December 2015 meeting.

B. Text Amendment, Special Uses and PUD for Hoving's Demolition Debris and Recycling Facility – 1655 Powis Road.

John Said briefly explained the nature of the applicant's requests. He went on to summarize the Hoving Enterprise's plans to relocate and expand their business from 2351 Powis Road to 1655 Powis Road as well as their plans for short and long-term site development. Mr. Said also provided estimates of future truck traffic associated with the expansion and other site development details, such as the proposed landscaping. Mr. Said commented that City staff does not foresee any outstanding issues for engineering approvals.

Alderman Beifuss requested that City staff define what a text amendment, special use and planned unit development (PUD) are. Mr. Said provided definitions for each and the associated approval process as applicable.

Alderman Beifuss summarized the varying types of operations planned by the Hoving Company. He then noted that since Hoving's conceptual review by the Committee, he has learned more about such operations, causing him to have concerns about the potential nuisances associated with mulch, particularly the odor. He mentioned two previous nuisance lawsuits associated with mulch businesses. Alderman Beifuss then asked about what sorts of things can be done to mitigate this potential nuisance and requested that City staff review the issues associated with mulch and report back to the Committee. He made a motion to table the request until staff could complete this review. The motion was seconded by Alderman Smith. Some questions and comments ensued to clarify the motion. The motion did not pass by a vote of 2-4.

Alderman Stout asked to hear from the applicant. Gerry Callaghan, a representative for the company, stated that in the company's 16 years of operation in handling mulch, there have not been any complaints from any neighbor or from the City. The company's plan is to move their existing operation to a different location within the City, which would allow for both storage consolidation and expansion of their business.

Mr. Callaghan highlighted some of the key features of the physical Site Development Plan and planned business activities, which include among others, construction debris recycling, various types of storage, mulching area, office and employee parking lot, and a CNG fueling station. He stressed that this will be a better facility for the operation.

Alderman Banas spoke in support of the Hoving request, including comments that this business is better suited to the new location and that he supports the company's green initiatives.

Alderman Beifuss noted concerns about traffic volume, possible nuisances, and enforcement of nuisances. He also noted that he is trying to consider the impacts to the entire community, and stressed that a text amendment request allows for the proposed change in the entire M District. He said he could not speak to details of the Hoving contract for the subject site, as he is not a party to that contract. He then posed questions concerning height of the pallet stacks and the mulch.

Mr. Callaghan stated that there are lots of mulch facilities around the Chicago area, but he has not heard about any problems with them and that the two nuisance issues cited occurred in other areas of the country. He also stated that the company's current neighbors support the Hoving Company's operations.

Alderman Banas again voiced his support of the new location and that it is better suited for increased truck traffic. He further expressed doubt that the nuisance issues raised being sufficient grounds to disallow the company's plans for expansion.

Alderman Smith stated that he generally supports the idea, but that he was also interested in taking the time to look into any issue about which an alderman has a concern. Alderman Banas agreed and reiterated that he does not see any disadvantages with the applicant's request.

Mr. Callaghan assured everyone that the company's mulch production does not include the mixing of leaves or grass with the wood and clarified that nothing on the site can exceed 42 feet in height because of the airport's vicinity. He also estimated about 20 trucks on average per hour, which is not much more significant than the peak hours of a residential area.

Alderman Birch asked about the causes of sour mulch and how quickly they would act to correct any problems of this nature. The Hoving representatives responded that they would address any problems immediately.

Alderman Stout asked about the height of pallets being stacked and the Hoving representatives replied that they do not stack higher than 20 feet.

Alderman Beifuss asked about the storage location for the portable toilets and the point at which they are cleaned. The Hoving representatives replied that the toilets are emptied prior to returning them to the business location and that they are cleaned soon thereafter before being stored. Alderman Beifuss also asked for clarification on the pallet height and storage area, the size of the mulching area and the content and amount of mulch planned. Hoving responded that the mulching area is 100 x 100 feet. Mr. Said identified another company that stores and handles different types of mulch in the City, but that he has no knowledge of any odor complaints about them.

Alderman Smith told about a previous experience he had as an alderman when he dealt with complaints about a mulching facility that released a fine wood mist in the air, which affected the neighboring homes. However, he acknowledged, the case of Hoving company is different as they are far removed from residential areas and it should not be an issue.

Alderman Banas asked about the number of people the Hoving Company employs and he was told by the Hoving representatives that there are 70 employees.

Alderman Beifuss reminded that there will continue to be truck traffic at the existing site because a new company will eventually occupy the area. He asked about the placement of the mulch bins and if mulch would ever be stored outside of the bins. He expressed concern about a possible limitation of the mulch area and height and steps to both prevent souring mulch and to ameliorate the problem should it occur as he is ultimately concerned with the provisions in the pending PUD. He also recalled the same issue of the fine wood mist problem that Alderman Smith pointed out.

Alderman Banas asked if there any stipulations put in place for other PUD's. John Said say that there are situations where size limitations are imposed. In the event of a possible nuisance matter, that would be dealt with through the existing code enforcement channels. Alderman Stout asked the Committee their thoughts about the stipulations with regards to mulch being discussed.

Alderman Birch asked about the size of the current mulch processing area and the Hoving representatives replied that it is about 50 feet by 60 feet. Alderman Smith asked about the capacity of code enforcement to immediately address problems such as dust, should they arise. Mr. Said confirmed that given the existing codes related to property maintenance and nuisance regulations and industrial standards within the zoning ordinance, staff can reasonably deal with such matters. Alderman Banas commented that, with the airport in the area, there must be a mechanism to immediately address problems on a federal level. Gerry Callaghan pointed out that Hoving Company had an independent study conducted to ensure that dust created did not have a negative impact on the employees. He also emphasized that the City will never have to get to the point of enforcement action because the applicant will immediately address any concerns the City has. Alderman Beifuss stated that for the Special Use, the Committee could specify that before the mulch operations expand, that the applicant would be required to return for an amendment, such as the Committee has set forth in the past. Alderman Banas confirmed that the City does have a mechanism in place and that the company's history is the best indicator of their future actions.

Alderman Banas made a motion to approve a text amendment to the Manufacturing Zoning District Regulations and special uses for a construction and demolition debris recycling facility, fuel sales and storage, building material sales and storage, and a Preliminary and Final PUD for 1655 Powis Road. Alderman Birch seconded the motion. Voting Yea were Alderman Banas, Alderman Birch, Alderman Sheahan, Alderman Smith and Alderman Stout. Voting Nay was Alderman Beifuss. The Motion carried.

7. Unfinished Business.

None.

8. New Business.

None.

9. Reports from Staff.

John Said provided updates on the Thornton's and Shell's plan reviews and on Speedway, who is expected to appear before the Planning Commission/Zoning Board soon. Staff members attended a business expo sponsored by the Aurora Hispanic Chamber of Commerce last week.

9. Adjournment.

Alderman Banas made a motion, seconded by Alderman Smith, to adjourn the Development Committee meeting at 8:35 p.m. The Committee members unanimously agreed and the motion carried.

Respectfully submitted,

Jane Burke
Executive Secretary