

## Item #8 Landscaping Plans

Landscaping plans showing the extent of the proposed improvements are enclosed.

The landscaping design firm is:

**DAVID R. McCALLUM ASSOCIATES, INC.**

**Landscape Architects**

350 North Milwaukee Avenue

Libertyville, Illinois 60048

Phone: (847) 362-0209

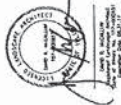
David R. McCallum, President

2505 Elmwood Circle  
West Chicago, Illinois2505 University Circle  
 West Chicago, Illinois

DAVID R. McCALLUM ASSOCIATES, INC.  
LANDSCAPE ARCHITECTS  
201 W. Milwaukee Avenue | Libertyville, Illinois 60069  
847.330.0000 | www.drmcallum.com

Note

**McCALLUM**  
ASSOCIATES




For Data Review	12/2/15
For Review	10/2/15
Disruption	Date

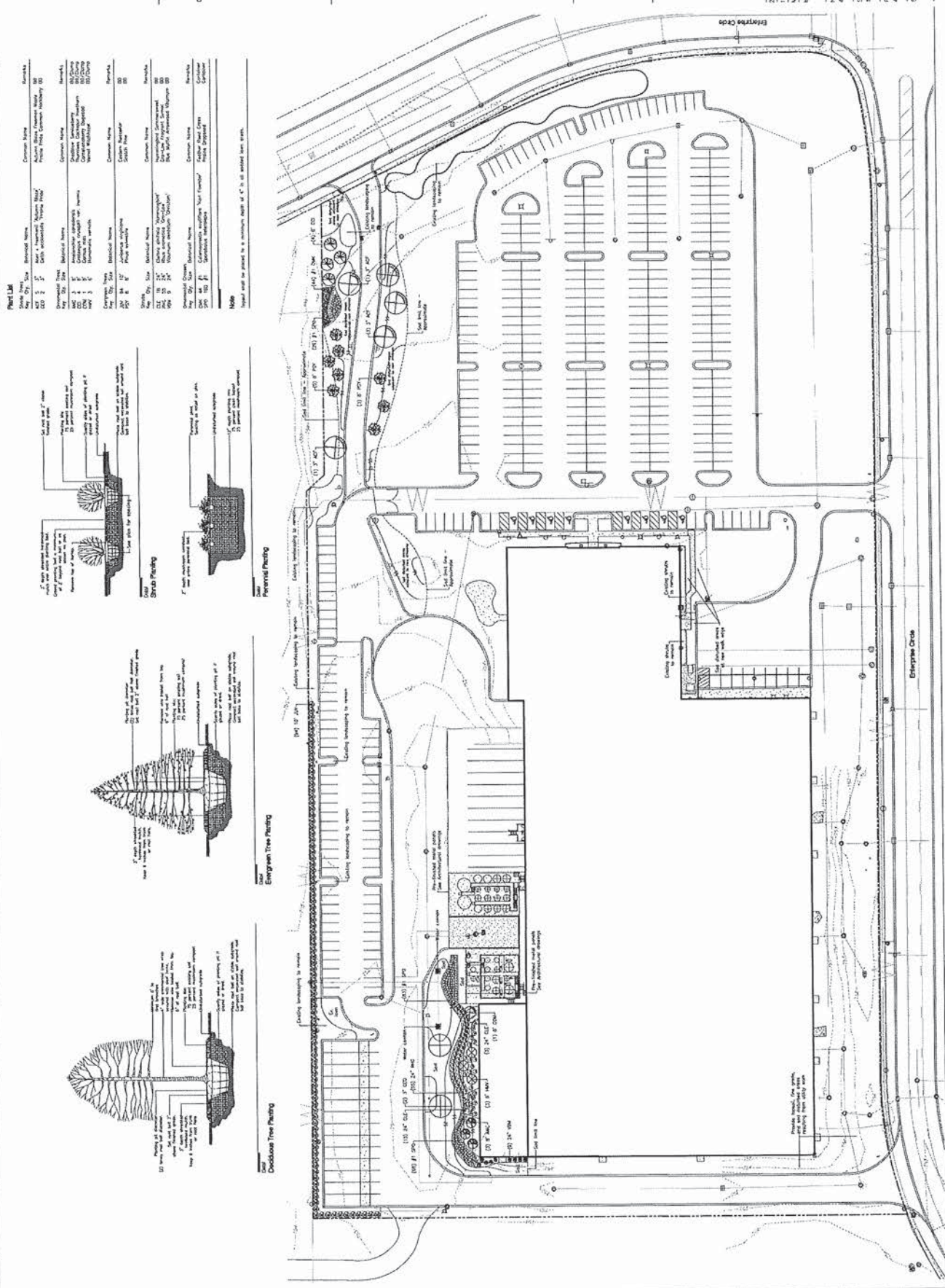
Latitude  
41°15'

Scale  
1" = 10'

North



017





## Item #9 City, State and County Certificates and Seals

The proposed improvements are being made to an existing building. Permit documents will be submitted for the proposed improvements.

## Item #10 Wetland, Archeology, Historic Preservation and Natural Resources Approvals

The proposed improvements are being made to an existing building, within the previously approved property limits.

## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Annexation and Rezoning - Area 1  
Jenlor Court, Powis Road, and Smith Road

Annexation Ordinance No. 15-O-0039  
Rezoning Ordinance No. 15-O-0043

**AGENDA ITEM NUMBER:** 5. A.

**FILE NUMBER:** \_\_\_\_\_

**COMMITTEE AGENDA DATE:** Nov. 9, 2015

**COUNCIL AGENDA DATE:** \_\_\_\_\_

**STAFF REVIEW:** John D. Said

**SIGNATURE** 

**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman

**SIGNATURE** \_\_\_\_\_

**ITEM SUMMARY:**

In accordance with City Council direction, City staff initiated annexation proceedings for certain properties on Jenlor Court, Powis Road, and Smith Road that are eligible to be annexed to the City of West Chicago under State Statutes. Per Article 6.5 of the City's Zoning Code annexed parcels are automatically zoned to the least intensive zoning district, which is the ER-1, Estate Residential District. As part of this annexation process, staff also reviewed each subject parcel to determine if it would be appropriate to rezone the subject parcel from the ER-1 zoning district to a more appropriate City zoning district upon annexation. The factors staff evaluated in the rezoning determination were: the similarity of the proposed zoning to the subject parcel's current unincorporated zoning; the subject parcel's land use designation on the City's Comprehensive Plan; and zoning(s) of surrounding properties currently within the City limits.

At its November 3, 2015 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) conducted a public hearing to consider the proposed rezoning of certain properties located within Area 1 on the south side of Smith Road and the east side of Powis Road to the M, Manufacturing District upon annexation. The proposed rezoning did NOT include the existing residential properties on the west side of Powis Road and on Jenlor Court within Area 1, as these properties are proposed to retain the ER-1 zoning designation given to them upon annexation.

At the PC/ZBA meeting the property owner of 4N325 and 4N328 Powis Road, Dante Domenella, had questions and concerns regarding the long-term legal non-conforming status of his properties. These questions and concerns were addressed by the PC/ZBA and City staff. Staff also informed Mr. Domenella that he could also express his concerns at the Development Committee and City Council meetings.

The PC/ZBA unanimously recommended approval of the proposed rezoning of certain property located on the south side of Smith Road and the east side of Powis Road from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation by a (5-0) vote. Their recommendation is included as Exhibit "B" of the attached rezoning ordinance.

**ACTIONS PROPOSED:**

Consideration of annexation of certain property located on Jenlor Court, Powis Road, and Smith Road. Also, consideration of the rezoning of certain property located on the south side of Smith Road and the east side of Powis Road from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation.

**COMMITTEE RECOMMENDATION:**



## **ORDINANCE NO. 15-O-0039**

### **AN ORDINANCE OF THE CITY OF WEST CHICAGO, ILLINOIS, PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED ON JENLOR COURT, POWIS ROAD, AND SMITH ROAD**

WHEREAS, 65 ILCS 5/7-1 of the Illinois Revised Statutes, as amended, provides for the annexation of any unincorporated territory containing sixty (60) acres or less by the passage of an ordinance to that effect after notice is given in accordance with said State Statutes; and

WHEREAS, the subject territory, as hereinafter described, is not within the corporate limits of any municipality and meets the State Statute requirements for annexation into the corporate limits of the City of West Chicago; and

WHEREAS, legal notices regarding the intention of the City of West Chicago to annex the subject territory have been sent by certified mail to the Wayne Township Supervisor and taxpayer(s) of record required to receive such notice by State Statute; and

WHEREAS, notice of the intended passage of this annexation ordinance was duly published in the Daily Herald, a newspaper of general circulation within the territory to be annexed, on November 1, 2015, all as required by the ordinances of the City of West Chicago, DuPage County and the State Statutes; and

WHEREAS, the City of West Chicago City Council considered the annexation of the subject territory commencing on November 16, 2015, pursuant to the required notices; and

WHEREAS, it is in the best interest of the City of West Chicago that said territory be annexed thereto into the corporate limits of the City of West Chicago.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, in regular session assembled:

Section 1. The subject territory legally described in Exhibit "A" being indicated on the Plat of Annexation to the City of West Chicago, which is appended to and made part of this ordinance, is hereby annexed to the City of West Chicago, County of DuPage, and State of Illinois.

Section 2. The City Clerk is hereby directed to record with the DuPage County Recorder and to file with the DuPage County Clerk a certified copy of this ordinance, together with the Plat of Annexation, appended to this Ordinance.

Section 3. All ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed.



Section 4. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2015.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman D. Earley	_____	Alderman J. Sheahan	_____
Alderman L. Grodoski	_____	Alderman A. Hallett	_____
Alderman S. Dimas	_____	Alderman M. Birch	_____
Alderman J.C. Smith, Jr.	_____	Alderman K. Meissner	_____
Alderman M. Edwalds	_____	Alderman R. Stout	_____
Alderman J. Banas	_____	Alderman N. Ligino-Kubinski	_____

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mayor, Ruben Pineda

ATTEST:

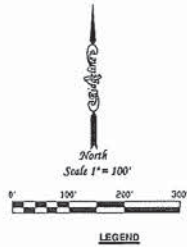
\_\_\_\_\_  
City Clerk, Nancy M. Smith

PUBLISHED: \_\_\_\_\_

## **EXHIBIT “A”**

(Attach the Plat of Annexation here)

# PLAT OF ANNEXATION TO THE CITY OF WEST CHICAGO



LEGEND

--- BOUNDARY OF AREA HEREBY ANNEXED

////// EXISTING CORPORATE LIMITS OF THE CITY OF WEST CHICAGO

## AREA TO BE ANNEXED

PRIVATE PROPERTY: 1324103.1 SQ. FT. OR 3.01 ACRES  
RIGHT-OF-WAY: 107106.5 SQ. FT. OR 2.46 ACRES  
TOTAL: 1331209.6 SQ. FT. OR 30.58 ACRES

## SUBMITTED BY RETURN TO:

CITY OF WEST CHICAGO  
475 MAIN STREET  
WEST CHICAGO, IL 60185

## LEGAL DESCRIPTION OF AREA 1:

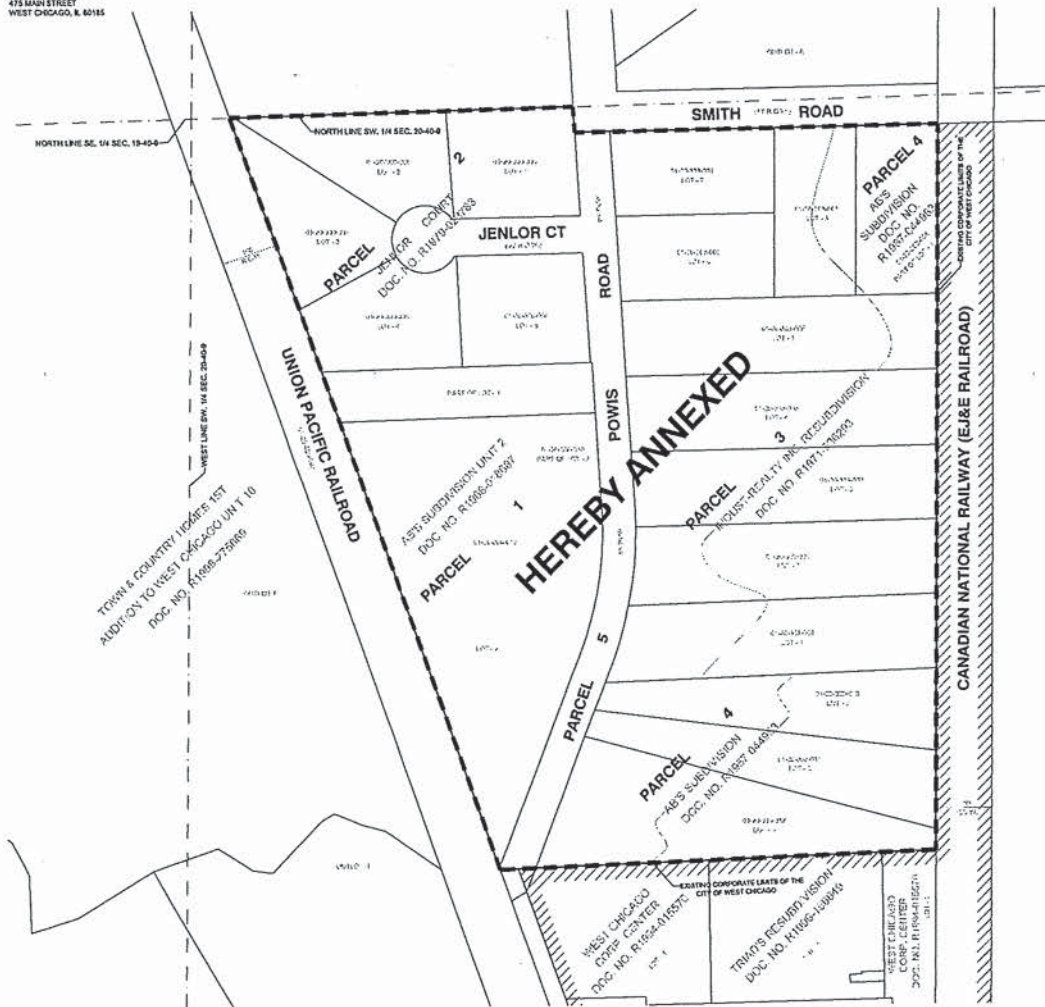
PARCEL 1: LOT 1 AND 2 IN AB'S SUBDIVISION UNIT NO. 2, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 10, 1968 AS DOCUMENT R04-1887 EXCEPT ALL THAT PART OF LOT 1 FALLING WITHIN JENLOR COURT SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED MARCH 26, 1979 AS DOCUMENT R04-23783, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: LOTS 1, 2, 3, 4, 5 AND 6 IN JENLOR COURT ROAD LYING WEST OF POWIS ROAD IN JENLOR COURT SUBDIVISION, BEING A SUBDIVISION OF PART OF LOT 1 IN AB'S SUBDIVISION UNIT 2, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 26, 1979 AS DOCUMENT R04-23783, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: LOTS 1, 2, 3, 4, 5, 6, 7, AND 8 IN INDUSTRIALITY, INC. RE-SUBDIVISION OF THAT PART OF LOT 1 IN AB'S SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 28, 1971 AS DOCUMENT NUMBER R01-34293, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: LOTS 1, 2, 3, 4 AND 4 IN AB'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 1967 AS DOCUMENT R04-1887, EXCEPT ALL THAT PART THEREOF FALLING WITHIN INDUSTRIALITY, INC. RE-SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JULY 28, 1971 AS DOCUMENT NUMBER R01-34293, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: ALL THAT PART OF POWIS ROAD LYING NORTH OF THE SOUTH LINE OF LOT 4 IN AB'S SUBDIVISION EXTENDED WEST, AND LYING SOUTH OF THE SOUTH LINE OF SIXTH ROAD, IN DUPAGE COUNTY, ILLINOIS.



## RECORDER'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF DUPAGE } SS

THIS INSTRUMENT WAS FILED FOR RECORD IN THE  
RECORDERS OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE  
DAY OF A.D., 20 AT O'CLOCK A.M.

DUPAGE COUNTY RECORDER

## CITY OF WEST CHICAGO CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF DUPAGE } SS

MAYOR AND CITY COUNCIL OF THE CITY OF WEST CHICAGO, COUNTY OF DUPAGE, STATE  
OF ILLINOIS, HEREBY CERTIFY THAT THE SAID COUNCIL HAS DULY APPROVED THIS PLAT OF  
ANNEXATION ATTACHED HERETO BY ORDINANCE NO. \_\_\_\_\_ DULY  
AUTHENTICATED AS PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

MAYOR

ATTEST: CITY CLERK

## SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF DUPAGE } SS

WE, RIDGE LINE CONSULTANTS, LLC, ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-04786,  
CERTIFY THAT WE HAVE PREPARED THE PLAT OF ANNEXATION OF THE ABOVE DESCRIBED  
PROPERTY PER OFFICIAL RECORDS FOR THE PURPOSE OF ANNEXING INTO THE CITY OF  
WEST CHICAGO AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID  
ANNEXATION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

EDWARD A. HEDGE  
P.L.S. NO. 031-003076  
EXPIRES 11/09/2018

Page 1 of 1



EDWARD A. HEDGE P.L.S. 031-003076 EXPIRATION DATE 11/09/2018  
EDWARD A. HEDGE P.L.S. 031-003076 EXPIRATION DATE 11/09/2018  
EDWARD A. HEDGE P.L.S. 031-003076 EXPIRATION DATE 11/09/2018  
PROFESSIONAL DESIGN FIRM NO. 184-04786

1841 JENLOR ROAD  
JENLOR, ILLINOIS 60150  
PHONE 848-0171 FAX 848-0171

Rev.	Date	Description
001	01/01/2014	ISSUED FOR RECORD
002	01/01/2014	ISSUED FOR RECORD
003	01/01/2014	ISSUED FOR RECORD
004	01/01/2014	ISSUED FOR RECORD
005	01/01/2014	ISSUED FOR RECORD
006	01/01/2014	ISSUED FOR RECORD
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099	01/01/2014	ISSUED FOR RECORD
100	01/01/2014	ISSUED FOR RECORD



## **ORDINANCE NO. 15-O-0043**

### **AN ORDINANCE REZONING LAND FROM THE ER-1, ESTATE RESIDENTIAL DISTRICT TO THE M, MANUFACTURING DISTRICT - THE SOUTH SIDE OF SMITH ROAD AND THE EAST SIDE OF POWIS ROAD**

WHEREAS, The City of West Chicago (the "CITY") is petitioning for the rezoning of property legally described on Exhibit "A", attached hereto and incorporated herein (the "SUBJECT REALTY"); and,

WHEREAS, A notice of public hearing (the "NOTICE") on the proposed rezoning of the SUBJECT REALTY was published in the Daily Herald on October 19, 2015, all as required by the ordinances of the CITY and the statutes of the State of Illinois; and,

WHEREAS, all other notices required by law have been given; and,

WHEREAS, a public hearing was conducted by the Plan Commission/Zoning Board of Appeals of the CITY commencing on November 3, 2015, pursuant to said NOTICE; and,

WHEREAS, the corporate authorities of the CITY have received the recommendation of the Plan Commission/Zoning Board of Appeals, which contains specific findings of fact, pursuant to Recommendation No. 2015-RC-0016, a copy of which is attached hereto and incorporated herein as Exhibit "B".

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, DuPage County, Illinois, in regular session assembled, as follows:

Section 1. That the SUBJECT REALTY legally described on Exhibit "A" is hereby rezoned from the ER-1, Estate Residential District to the M, Manufacturing District zoning classification.

Section 2. That the recommendation and findings of fact of the Plan Commission/Zoning Board of Appeals incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2015.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman D. Earley	_____	Alderman J. Sheahan	_____
Alderman L. Grodoski	_____	Alderman A. Hallett	_____
Alderman S. Dimas	_____	Alderman M. Birch	_____
Alderman J.C. Smith, Jr.	_____	Alderman K. Meissner	_____
Alderman M. Edwalds	_____	Alderman R. Stout	_____
Alderman J. Banas	_____	Alderman N. Ligino-Kubinski	_____

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mayor, Ruben Pineda

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy M. Smith

PUBLISHED: \_\_\_\_\_

## **EXHIBIT "A"**

### **SUBJECT REALTY LEGAL DESCRIPTION**

LOTS 1, 2, 3, 4, 5, 6, 7, AND 8 IN THE INDUST-REALTY, INC. RESUBDIVISION OF THAT PART OF LOT 1 IN AB'S SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 28, 1971 AS DOCUMENT NUMBER R71-36293, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 01-20-303-001 THROUGH -003 AND 01-20-303-005 THROUGH -009;

ALSO LOTS 1, 2, 3, AND 4 IN AB'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 1967 AS DOCUMENT R67-44983, EXCEPT ALL OF THAT PART THEREOF FALLING WITHIN INDUST-REALTY, INC. RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JULY 28, 1971 AS DOCUMENT NUMBER R71-36293, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 01-20-303-004 AND 01-20-303-010 THROUGH -012.



## EXHIBIT "B"

RECOMMENDATION NO. 2015-RC-0016

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-15 Area # 1  
Rezoning from ER-1 to M  
The south side of Smith Road and the east side of Powis Road

DATE: November 3, 2015

DECISION: The motion to approve passed (5-0).

### RECOMMENDATION

After review of the proposed rezoning, the Plan Commission/Zoning Board of Appeals recommends approval.

The recommendation is based on the following findings of fact:

*1. The existing uses and zoning of the property in question.*

The subject area currently has several industrial uses and is currently zoned I-1, Light Industrial through DuPage County. The City's proposed Manufacturing zoning would be consistent with the County's current I-1 zoning for the subject area. The existing uses are considered legally conforming by the County's zoning standards and will generally remain legally conforming under the City's proposed Manufacturing zoning, with some specific aspects of the properties within the subject area becoming legal non-conforming, such as unpaved or un-screened outdoor storage yards.

*2. The existing uses and zoning of other lots in the vicinity.*

See the "Adjacent Property Zoning & Land Use" Information. The subject area is situated in an area that transitions from single family residential uses and zonings to the north and west to industrial uses and zoning to the south. The proposed Manufacturing zoning is therefore consistent with the existing zoning of the adjacent properties to the south.

*3. Suitability of the property in question for uses already permitted under the existing regulations.*

The Manufacturing zoning district allows for typical industrial uses. The existing industrial uses are suitable for the proposed Manufacturing zoning designation.

*4. Suitability of the property in question for the proposed use.*

There are no proposed uses at this time. The existing industrial uses are suitable for the proposed Manufacturing zoning designation.

5. *The trend of development in the vicinity of the property in question, including any recent zoning activity.*

There is no development trend in the vicinity as the subject area is surrounded by established uses that are not likely subject to change in the near future. There has been no recent zoning activity in the area.

6. *The effect the proposed rezoning would have on implementation of the Comprehensive Plan.*

The City's Comprehensive Plan designates the subject area as Industrial and the proposed Manufacturing zoning is consistent with that Comprehensive Plan designation.

7. *Impact on the surrounding properties.*

The proposed Manufacturing zoning should not have an immediate impact on the surrounding properties given that the subject area is currently developed with industrial uses and the adjacent properties to the south are currently zoned Manufacturing. Also, the adjacent property to the east is an existing forest preserve and is therefore anticipated to remain as open space, thus limiting the potential impact the uses within the subject area would have on the adjacent properties.

8. *Impact on the health, safety, and welfare of the Community.*

The proposed rezoning to the City's Manufacturing zoning district should not have an adverse impact on the welfare of the adjacent properties and the community given that such zoning and industrial uses already exist within the subject area and no changes in use are proposed at this time.

Respectfully submitted,

Robert Mireault  
Vice Chairman

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
C. Dettmann			B. Laimins
S. Hale			D. Faught
R. Mireault			
M. Schafer			
E. Van-Der-May			



## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Annexation and Rezoning - Area 2  
Powis Road

Annexation Ordinance No. 15-O-0044  
Rezoning Ordinance No. 15-O-0045

AGENDA ITEM NUMBER: 5.B.

FILE NUMBER: \_\_\_\_\_

COMMITTEE AGENDA DATE: Nov. 9, 2015

COUNCIL AGENDA DATE: \_\_\_\_\_

STAFF REVIEW: John D. Said

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman SIGNATURE \_\_\_\_\_

**ITEM SUMMARY:**

In accordance with City Council direction, City staff initiated annexation proceedings for certain properties on Powis Road that are eligible to be annexed to the City of West Chicago under State Statutes. Per Article 6.5 of the City's Zoning Code annexed parcels are automatically zoned to the least intensive zoning district, which is the ER-1, Estate Residential District. As part of this annexation process, staff also reviewed each subject parcel to determine if it would be appropriate to rezone the subject parcel from the ER-1 zoning district to a more appropriate City zoning district upon annexation. The factors staff evaluated in the rezoning determination were: the similarity of the proposed zoning to the subject parcel's current unincorporated zoning; the subject parcel's land use designation on the City's Comprehensive Plan; and zoning(s) of surrounding properties currently within the City limits.

At its November 3, 2015 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) conducted a public hearing to consider the proposed rezoning of the properties located within Area 2 to the M, Manufacturing District upon annexation. The PC/ZBA unanimously recommended approval of the proposed rezoning of these properties from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation by a (5-0) vote. Their recommendation is included as Exhibit "B" of the attached rezoning ordinance.

At the PC/ZBA meeting the property owner of 3N780 Powis Road (St. Charles Scrap), Barry Siegel, had questions and concerns regarding the enhancement and expansion of his business. These questions and concerns were addressed by the PC/ZBA and City staff. Staff also informed Mr. Siegel that he could also express his concerns at the Development Committee and City Council meetings.

**ACTIONS PROPOSED:**

Consideration of annexation of certain property located Powis Road. Also, consideration of the rezoning of certain property located on Powis Road from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation.



**COMMITTEE RECOMMENDATION:**

## **ORDINANCE NO. 15-O-0044**

### **AN ORDINANCE OF THE CITY OF WEST CHICAGO, ILLINOIS, PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED ON POWIS ROAD**

WHEREAS, 65 ILCS 5/7-1 of the Illinois Revised Statutes, as amended, provides for the annexation of any unincorporated territory containing sixty (60) acres or less by the passage of an ordinance to that effect after notice is given in accordance with said State Statutes; and

WHEREAS, the subject territory, as hereinafter described, is not within the corporate limits of any municipality and meets the State Statute requirements for annexation into the corporate limits of the City of West Chicago; and

WHEREAS, legal notices regarding the intention of the City of West Chicago to annex the subject territory have been sent by certified mail to the Wayne Township Supervisor and taxpayer(s) of record required to receive such notice by State Statute; and

WHEREAS, notice of the intended passage of this annexation ordinance was duly published in the Daily Herald, a newspaper of general circulation within the territory to be annexed, on November 1, 2015, all as required by the ordinances of the City of West Chicago, DuPage County and the State Statutes; and

WHEREAS, the City of West Chicago City Council considered the annexation of the subject territory commencing on November 16, 2015, pursuant to the required notices; and

WHEREAS, it is in the best interest of the City of West Chicago that said territory be annexed thereto into the corporate limits of the City of West Chicago.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, in regular session assembled:

Section 1. The subject territory legally described in Exhibit "A" being indicated on the Plat of Annexation to the City of West Chicago, which is appended to and made part of this ordinance, is hereby annexed to the City of West Chicago, County of DuPage, and State of Illinois.

Section 2. The City Clerk is hereby directed to record with the DuPage County Recorder and to file with the DuPage County Clerk a certified copy of this ordinance, together with the Plat of Annexation, appended to this Ordinance.

Section 3. All ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed.

Section 4. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2015.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman D. Earley	_____	Alderman J. Sheahan	_____
Alderman L. Grodoski	_____	Alderman A. Hallett	_____
Alderman S. Dimas	_____	Alderman M. Birch	_____
Alderman J.C. Smith, Jr.	_____	Alderman K. Meissner	_____
Alderman M. Edwalds	_____	Alderman R. Stout	_____
Alderman J. Banas	_____	Alderman N. Ligino-Kubinski	_____

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mayor, Ruben Pineda

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy M. Smith

PUBLISHED: \_\_\_\_\_



## **EXHIBIT “A”**

(Attach the Plat of Annexation here)

Form Code	Form Description
6710A	REMITTED FOR REVIEW
6710	REVIEW PERMITTED 6/26/13
2015.001	Comp. By: U
Drawn By: PJC	Checked By: EKV
Information: AREA 2	
Date: 6/15/13	
Client: CITY OF WEST CHICAGO-CITY PLANNER	
Project Number:	2015-0230

## **ORDINANCE NO. 15-O-0045**

### **AN ORDINANCE REZONING LAND FROM THE ER-1, ESTATE RESIDENTIAL DISTRICT TO THE M, MANUFACTURING DISTRICT - 3N775 & 3N780 POWIS ROAD**

WHEREAS, The City of West Chicago (the "CITY") is petitioning for the rezoning of property legally described on Exhibit "A", attached hereto and incorporated herein (the "SUBJECT REALTY"); and,

WHEREAS, A notice of public hearing (the "NOTICE") on the proposed rezoning of the SUBJECT REALTY was published in the Daily Herald on October 19, 2015, all as required by the ordinances of the CITY and the statutes of the State of Illinois; and,

WHEREAS, all other notices required by law have been given; and,

WHEREAS, a public hearing was conducted by the Plan Commission/Zoning Board of Appeals of the CITY commencing on November 3, 2015, pursuant to said NOTICE; and,

WHEREAS, the corporate authorities of the CITY have received the recommendation of the Plan Commission/Zoning Board of Appeals, which contains specific findings of fact, pursuant to Recommendation No. 2015-RC-0017, a copy of which is attached hereto and incorporated herein as Exhibit "B".

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, DuPage County, Illinois, in regular session assembled, as follows:

Section 1. That the SUBJECT REALTY legally described on Exhibit "A" is hereby rezoned from the ER-1, Estate Residential District to the M, Manufacturing District zoning classification.

Section 2. That the recommendation and findings of fact of the Plan Commission/Zoning Board of Appeals incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.



PASSED this \_\_\_\_ day of \_\_\_\_\_ 2015.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman D. Earley	_____	Alderman J. Sheahan	_____
Alderman L. Grodoski	_____	Alderman A. Hallett	_____
Alderman S. Dimas	_____	Alderman M. Birch	_____
Alderman J.C. Smith, Jr.	_____	Alderman K. Meissner	_____
Alderman M. Edwalds	_____	Alderman R. Stout	_____
Alderman J. Banas	_____	Alderman N. Ligino-Kubinski	_____

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mayor, Ruben Pineda

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy M. Smith

PUBLISHED: \_\_\_\_\_

## **EXHIBIT "A"**

### SUBJECT REALTY LEGAL DESCRIPTION

THE NORTH 100.00 FEET OF THE NORTHWEST QUARTER OF SECTION 29 LYING WEST OF THE WESTERLY LINE OF POWIS ROAD, EXCEPT THE WEST 447.25 FEET AS MEASURED ON THE NORTH LINE OF SAID SECTION 29, ALL IN TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 01-29-100-002;

ALSO THAT PART OF THE SOUTHWEST QUARTER OF SECTION 20 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 06 MINUTES 34 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1041.72 FEET TO THE EASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY LANDS FOR A POINT OF BEGINNING; THENCE SOUTH 19 DEGREES 25 MINUTES 53 SECONDS EAST ALONG SAID EASTERLY LINE, 832.70 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 36 MINUTES 17 SECONDS EAST ALONG SAID EAST LINE, 789.75 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 06 MINUTES 34 SECONDS EAST ALONG SAID NORTH LINE, 9.22 FEET TO THE WESTERLY LINE OF THE ELGIN, JOLIET AND EASTERN RAILROAD COMPANY LANDS; THENCE NORTH 00 DEGREES 41 MINUTES 00 SECONDS EAST ALONG SAID WESTERLY LINE, 301.20 FEET TO A POINT; THENCE SOUTH 89 DEGREES 06 MINUTES 34 SECONDS WEST 403.96 FEET TO THE EASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY LANDS; THENCE SOUTH 19 DEGREES 25 MINUTES 53 SECONDS EAST ALONG SAID EASTERLY LINE, 317.57 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS. P.I.N. 01-20-303-026, 01-20-303-027 AND 01-29-101-002;

ALSO ALL OF THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE EAST LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE CHICAGO AND NORTHWESTERN RAILROAD) LANDS AND WESTERLY OF THE WEST LINE OF THE WISCONSIN CENTRAL RAILROAD (FORMERLY THE ELGIN, JOLIET AND EASTERN RAILROAD) LANDS, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 01-29-101-003.

## EXHIBIT "B"

RECOMMENDATION NO. 2015-RC-0017

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-15 Area # 2  
Rezoning from ER-1 to M  
3N775 & 3N780 Powis Road

DATE: November 3, 2015

DECISION: The motion to approve passed (5-0).

### RECOMMENDATION

After review of the proposed rezoning, the Plan Commission/Zoning Board of Appeals recommends approval.

#### *1. The existing uses and zoning of the property in question.*

The subject area currently has two industrial uses and is currently zoned I-1, Light Industrial through DuPage County. The City's proposed Manufacturing zoning would be consistent with the County's current I-1 zoning for the subject area. The existing uses are considered legally conforming by the County's zoning standards and will generally remain legally conforming under the City's proposed Manufacturing zoning, with some specific aspects of the properties within the subject area becoming legal non-conforming, such as unpaved or un-screened outdoor storage yards.

#### *2. The existing uses and zoning of other lots in the vicinity.*

See the "Adjacent Property Zoning & Land Use" Information. The subject area is situated in an area that transitions from undeveloped land currently being farmed to the west to industrial uses and zoning to the north and south. The proposed Manufacturing zoning is therefore consistent with the existing zoning of the adjacent properties to the north on the east side of Powis Road.

#### *3. Suitability of the property in question for uses already permitted under the existing regulations.*

The Manufacturing zoning district allows for typical industrial uses. The existing industrial uses are suitable for the proposed Manufacturing zoning designation.

#### *4. Suitability of the property in question for the proposed use.*

There are no proposed uses at this time. The existing industrial uses are suitable for the proposed Manufacturing zoning designation.



*5. The trend of development in the vicinity of the property in question, including any recent zoning activity.*

There is no development trend in the vicinity as the subject area is surrounded by established uses that are not likely subject to change in the near future. There has been no recent zoning activity in the area.

*6. The effect the proposed rezoning would have on implementation of the Comprehensive Plan.*

The City's Comprehensive Plan designates the subject area on the east side of Powis Road as Industrial. The City's Comprehensive Plan designates the subject area on the west side of Powis Road as DuPage Airport. The proposed Manufacturing zoning is consistent with that Comprehensive Plan designation for the east side of Powis Road. The Airport land use designation for the west side of Powis Road is not necessarily consistent with the proposed Manufacturing zoning, but that is because only land owned by the DuPage Airport Authority can be zoned as Airport. Given the DuPage Airport Authority owns a majority of the land on the west side of Powis Road, it is not out of the realm of possibility that the subject property on the west side of Powis Road will also potentially be owned by the DuPage Airport Authority at some point in the future.

*7. Impact on the surrounding properties.*

The proposed Manufacturing zoning should not have an immediate impact on the surrounding properties given that the subject area is currently developed with industrial uses on the east side of Powis Road and the adjacent properties to the north are currently zoned Manufacturing. Also, the adjacent property to the east is an existing forest preserve and is therefore anticipated to remain as open space, thus limiting the potential impact the uses within the subject area would have on the adjacent properties.

*8. Impact on the health, safety, and welfare of the Community.*

The proposed rezoning to the City's Manufacturing zoning district should not have an adverse impact on the welfare of the adjacent properties and the community given that such zoning and industrial uses already exist within the subject area and no changes in use are proposed at this time.

Respectfully submitted,

Robert Mireault  
Vice Chairman

**VOTE:**

For

C. Dettmann

S. Hale

R. Mireault

M. Schafer

E. Van-Der-May

Against

Abstain

Absent

B. Laimins

D. Faught



## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Annexation and Rezoning - Area 3  
Powis Road and North Avenue

Annexation Ordinance No. 15-O-0046  
ORI Rezoning Ordinance No. 15-O-0047  
M Rezoning Ordinance No. 15-O-0048

**AGENDA ITEM NUMBER:** 5.C.

**FILE NUMBER:** \_\_\_\_\_

**COMMITTEE AGENDA DATE:** Nov. 9, 2015

**COUNCIL AGENDA DATE:** \_\_\_\_\_

**STAFF REVIEW:** John D. Said

**SIGNATURE** JDS

**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman **SIGNATURE** \_\_\_\_\_

**ITEM SUMMARY:**

In accordance with City Council direction, City staff initiated annexation proceedings for certain properties at the northeast and southeast corners of Powis Road and North Avenue that are eligible to be annexed to the City of West Chicago under State Statutes. Per Article 6.5 of the City's Zoning Code annexed parcels are automatically zoned to the least intensive zoning district, which is the ER-1, Estate Residential District. As part of this annexation process, staff also reviewed each subject parcel to determine if it would be appropriate to rezone the subject parcel from the ER-1 zoning district to a more appropriate City zoning district upon annexation. The factors staff evaluated in the rezoning determination were: the similarity of the proposed zoning to the subject parcel's current unincorporated zoning; the subject parcel's land use designation on the City's Comprehensive Plan; and zoning(s) of surrounding properties currently within the City limits.

At its November 3, 2015 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) conducted a public hearing to consider the proposed rezoning of the properties located within Area 3 to the ORI, Office, Research, and Light Industrial District and M, Manufacturing District upon annexation. The PC/ZBA unanimously recommended approval of the proposed rezoning of the property at the northeast corner of Powis Road and North Avenue from the ER-1, Estate Residential District to the ORI, Office, Research, and Light Industrial District upon annexation by a (5-0) vote. Their recommendation is included as Exhibit "B" of the attached ORI rezoning ordinance. The PC/ZBA also unanimously recommended approval of the proposed rezoning of the property at the southeast corner of Powis Road and North Avenue from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation by a (5-0) vote. Their recommendation is included as Exhibit "B" of the attached M rezoning ordinance.

**ACTIONS PROPOSED:**

Consideration of annexation of certain property located at the northeast and southeast corners of Powis Road and North Avenue. Also, consideration of the rezoning of certain property located at the northeast corner of Powis Road and North Avenue from the ER-1, Estate Residential District to the ORI, Office, Research, and Light Industrial District upon annexation. Lastly, consideration of the rezoning of certain property located at the southeast corner of Powis Road and North Avenue from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation.



**COMMITTEE RECOMMENDATION:**

## **ORDINANCE NO. 15-O-0046**

### **AN ORDINANCE OF THE CITY OF WEST CHICAGO, ILLINOIS, PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED ON THE EAST SIDE OF POWIS ROAD AT THE NORTHEAST AND SOUTHEAST CORNERS OF NORTH AVENUE**

WHEREAS, 65 ILCS 5/7-1 of the Illinois Revised Statutes, as amended, provides for the annexation of any unincorporated territory containing sixty (60) acres or less by the passage of an ordinance to that effect after notice is given in accordance with said State Statutes; and

WHEREAS, the subject territory, as hereinafter described, is not within the corporate limits of any municipality and meets the State Statute requirements for annexation into the corporate limits of the City of West Chicago; and

WHEREAS, legal notices regarding the intention of the City of West Chicago to annex the subject territory have been sent by certified mail to the Wayne Township Supervisor and taxpayer(s) of record required to receive such notice by State Statute; and

WHEREAS, notice of the intended passage of this annexation ordinance was duly published in the Daily Herald, a newspaper of general circulation within the territory to be annexed, on November 1, 2015, all as required by the ordinances of the City of West Chicago, DuPage County and the State Statutes; and

WHEREAS, the City of West Chicago City Council considered the annexation of the subject territory commencing on November 16, 2015, pursuant to the required notices; and

WHEREAS, it is in the best interest of the City of West Chicago that said territory be annexed thereto into the corporate limits of the City of West Chicago.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, in regular session assembled:

Section 1. The subject territory legally described in Exhibit "A" being indicated on the Plat of Annexation to the City of West Chicago, which is appended to and made part of this ordinance, is hereby annexed to the City of West Chicago, County of DuPage, and State of Illinois.

Section 2. The City Clerk is hereby directed to record with the DuPage County Recorder and to file with the DuPage County Clerk a certified copy of this ordinance, together with the Plat of Annexation, appended to this Ordinance.

Section 3. All ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed.

Section 4. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2015.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman D. Earley	_____	Alderman J. Sheahan	_____
Alderman L. Grodoski	_____	Alderman A. Hallett	_____
Alderman S. Dimas	_____	Alderman M. Birch	_____
Alderman J.C. Smith, Jr.	_____	Alderman K. Meissner	_____
Alderman M. Edwalds	_____	Alderman R. Stout	_____
Alderman J. Banas	_____	Alderman N. Ligino-Kubinski	_____

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mayor, Ruben Pineda

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy M. Smith

PUBLISHED: \_\_\_\_\_



## **EXHIBIT “A”**

(Attach the Plat of Annexation here)

PARCEL 2: LOT 1 IN KICKEL'S PLAT OF LOT ONE, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 18, 1960 AS DOCUMENT 858283, TOGETHER WITH ALL THAT PART OF ILLINOIS STATE ROUTE 84 LYING NORTH OF AND IN BETWEEN THE WEST AND EAST LINE OF LOT 1 EXTENDED NORTH, IN DUPAGE COUNTY, ILLINOIS.

Date	Rev.
8-15-10	SUBMITTED FOR REVIEW
8-9-10	SUBMIT IN LETTER #27673
Drawn By:	Proj. Mgr.: U
Checked By: T.C.	Checked By: S.Am
Reviewed: A/S(A)	
Date: 8/15/10	
CLARK CITY OF WEST CHICAGO-CITY PLANNER	
Project Number: 2015-0230	