

EXHIBIT "B"

RECOMMENDATION NO. 2015-RC-0021

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-15 Area # 6
Rezoning from ER-1 to ORI
The south side of Roosevelt Road between Commerce Drive and Town 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 is owned by ComEd and is currently used for the large overhead transmission lines that run north-south through the entire City. The City is proposing ORI zoning to give the subject area the most compatible zoning with the adjacent properties to the west along Roosevelt Road.

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 is predominantly zoned ORI to the west. The proposed ORI zoning is therefore consistent with the existing zoning of the adjacent properties to the west.

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

The ORI zoning district allows for typical light industrial, commercial and office uses. The subject area is currently owned by ComEd and is currently used for the large overhead transmission lines that run north-south through the entire City.

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

There is no proposed use at this time. The subject area is currently owned by ComEd and is currently used for the large overhead transmission lines that run north-south through the entire City.

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

The development trend in the vicinity is transitioning from existing industrial and residential uses along Roosevelt Road to light industrial, commercial and office uses that are more in harmony with the City's development goals for the Roosevelt Road corridor.

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

The City's Comprehensive Plan designates the subject area as Transportation/Communication/Utilities. This unique land use designation does not comport with any particular zoning district in the City and was designed for land that is privately owned and developed with some sort of public infrastructure or use. The proposed ORI zoning is consistent with the Comprehensive Plan designation for the adjacent properties surrounding the subject area.

7. *Impact on the surrounding properties.*

The proposed ORI zoning should not have an impact on the surrounding properties given that the surrounding properties to the west are currently developed with light industrial and commercial uses and are currently zoned ORI.

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

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

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 7
Roosevelt Road and Town Road

Annexation Ordinance No. 15-O-0054
ORI Rezoning Ordinance No. 15-O-0055
M Rezoning Ordinance No. 15-O-0056

AGENDA ITEM NUMBER: 5. G.

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 at the southeast corner of Roosevelt Road and Town 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 on the south side of Roosevelt Road within Area 7 to the ORI, Office, Research, and Light Industrial District and the properties located on the east side of Town Road to the M, Manufacturing District upon annexation. The PC/ZBA recommended approval of the proposed rezoning of the properties located on the south side of Roosevelt Road from the ER-1, Estate Residential District to the ORI, Office, Research, and Light Industrial District upon annexation by a (4-0-1) vote. Their recommendation is included as Exhibit "B" of the attached ORI rezoning ordinance. The PC/ZBA also recommended approval of the proposed rezoning of the properties located on the east side of Town Road from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation by a (4-0-1) vote. Their recommendation is included as Exhibit "B" of the attached M rezoning ordinance. Commissioner Dettmann abstained from voting on this area because this Area contains the Winfield Township Highway Department and she is employed with the Winfield Township Assessor's Office, thus she did not want there to be any perceived conflict of interest.

ACTIONS PROPOSED:

Consideration of annexation of certain properties at the southeast corner of Roosevelt Road and Town Road. Also, consideration of the rezoning of certain properties located on the south side of Roosevelt Road 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 properties located on the east side of Town Road from the ER-1, Estate Residential District to the M, Manufacturing District upon annexation.

COMMITTEE RECOMMENDATION:

ORDINANCE NO. 15-O-0054

AN ORDINANCE OF THE CITY OF WEST CHICAGO, ILLINOIS, PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED ON THE SOUTH SIDE OF ROOSEVELT ROAD AND THE EAST SIDE OF TOWN 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 Winfield 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. Ligin-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)

ORDINANCE NO. 15-O-0055

AN ORDINANCE REZONING LAND FROM THE ER-1, ESTATE RESIDENTIAL DISTRICT TO THE ORI, OFFICE, RESEARCH AND LIGHT INDUSTRIAL DISTRICT - THE SOUTH SIDE OF ROOSEVELT ROAD BETWEEN TOWN ROAD AND KRESS CREEK DRIVE

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-0022, 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 ORI, Office, Research and Light Industrial 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 18, 19 AND 20 IN WEST PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1946 AS DOCUMENT NUMBER 493483, TOGETHER WITH ALL OF THAT PART OF TOWN ROAD LYING NORTH OF THE SOUTH LINE OF SAID LOT 20 EXTENDED WESTERLY AND SOUTH OF THE NORTHERLY LINE OF PROPERTY CONVEYED TO THE UNITED STATES OF AMERICA BY DOCUMENT NUMBER R73-1695 AND THE EASTERLY EXTENSION THEREOF, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-16-103-003 AND 04-16-103-010.

EXHIBIT “B”

RECOMMENDATION NO. 2015-RC-0022

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-15 Area # 7
Rezoning from ER-1 to ORI
The south side of Roosevelt Road between Town Road and Kress Creek Drive

DATE: November 3, 2015

DECISION: The motion to approve passed (4-0).

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 a mixture of existing uses (Winfield Township Highway Department facility and a single family residence) and is currently zoned R-3, Single Family Residential through DuPage County. The City’s proposed ORI zoning for this area will not be consistent with the properties’ current unincorporated R-3, Single Family Residential zoning designation. The existing uses would be considered legal non-conforming by the City’s ORI zoning district standards.

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 along an area of Roosevelt Road that transitions from ORI zoning to the west to B-2 and ORI zoning to the east.

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

The ORI zoning district allows for light industrial, commercial and office type uses. The existing uses along Roosevelt Road are not suitable for the proposed ORI zoning designation.

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

There are no proposed uses at this time. The existing uses are not suitable for the proposed ORI zoning designation.

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

The subject area is situated along an area of Roosevelt Road that transitions from ORI zoning to the west to B-2 and ORI zoning to the east. The development trend has been the conversion of the existing non-compatible uses along Roosevelt Road to uses that are more consistent with the existing zonings and in harmony with the City's vision for the Roosevelt Road corridor.

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

The City's Comprehensive Plan designates the subject area as Office Research and Light Industrial. The proposed ORI rezoning would be consistent with the Comprehensive Plan.

7. *Impact on the surrounding properties.*

The proposed ORI zoning should not have an immediate impact on the surrounding properties given that the subject area is currently developed with existing uses and no redevelopment is being proposed.

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

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

Respectfully submitted,

Robert Mireault
Vice Chairman

VOTE:

For

S. Hale
R. Mireault
M. Schafer
E. Van-Der-May

Against

Abstain

C. Dettmann

Absent

B. Laimins
D. Faught

ORDINANCE NO. 15-O-0056

AN ORDINANCE REZONING LAND FROM THE ER-1, ESTATE RESIDENTIAL DISTRICT TO THE M, MANUFACTURING DISTRICT - THE EAST SIDE OF TOWN ROAD AND SOUTH OF ROOSEVELT 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-0023, 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 15 AND 16 IN WEST PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1946 AS DOCUMENT NUMBER 493483, TOGETHER WITH ALL OF THAT PART OF TOWN ROAD LYING NORTH OF THE SOUTH LINE OF SAID LOT 15 EXTENDED WESTERLY AND SOUTH OF THE NORTHERLY LINE OF LOT 16 AND THE EASTERLY EXTENSION THEREOF, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-16-104-001 AND 04-16-104-002.

EXHIBIT "B"

RECOMMENDATION NO. 2015-RC-0023

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-15 Area # 7
Rezoning from ER-1 to M
The east side of Town Road and south of Roosevelt Road

DATE: November 3, 2015

DECISION: The motion to approve passed (4-0).

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 a mixture of existing uses (single family residences and an outdoor storage yard) and is currently zoned R-3, Single Family Residential through DuPage County. The City's proposed Manufacturing zoning for this area will not be consistent with the properties' current unincorporated R-3, Single Family Residential zoning designation. The existing uses would be considered legal non-conforming by the City's Manufacturing zoning district standards.

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 at the terminus of Town Road and adjacent to FermiLab.

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

The Manufacturing district allows for industrial uses. The existing single family residences are not 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 uses are not 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.*

The subject area is situated at the terminus of Town Road and adjacent to FermiLab. The development trend has been the conversion of the existing non-compatible uses along Roosevelt Road to uses that are more consistent with the existing zonings and in harmony with the City's vision for the Roosevelt Road corridor.

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

The City's Comprehensive Plan designates the subject area as Office Research and Light Industrial. The proposed Manufacturing zoning would not be consistent with the Comprehensive Plan. However, this deviation from the Comprehensive Plan for the subject area is considered favorable because they do not have frontage on Roosevelt Road; their only point of access is at the terminus of Town Road; they are set back behind other existing uses on Roosevelt Road that block the visibility of these properties from Roosevelt Road; and they are adjacent to the northern limits of FermiLab; all of which collectively result in a very unobtrusive and obscure setting for these properties.

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 existing uses and no redevelopment is being proposed.

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 industrial related uses already exist surrounding the subject area and no changes in use are proposed at this time for the subject area.

Respectfully submitted,

Robert Mireault
Vice Chairman

VOTE:

For

S. Hale
R. Mireault
M. Schafer
E. Van-Der-May

Against

Abstain

C. Dettmann

Absent

B. Laimins
D. Faught

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Annexation and Rezoning - Area 8
Roosevelt Road

Annexation Ordinance No. 15-O-0057
B-2 Rezoning Ordinance No. 15-O-0058
ORI Rezoning Ordinance No. 15-O-0059

AGENDA ITEM NUMBER: 5.H.

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 located on Roosevelt Road between Kress Creek Drive and Pearl 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 property located on the south side of Roosevelt Road within Area 8 to the ORI, Office, Research, and Light Industrial District and the property located on the north side of Roosevelt Road to the B-2, General Business District upon annexation. The PC/ZBA unanimously recommended approval of the proposed rezoning of the property located on the south side of Roosevelt Road 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 located on the north side of Roosevelt Road from the ER-1, Estate Residential District to the B-2, General Business District upon annexation by a (5-0) vote. Their recommendation is included as Exhibit "B" of the attached B-2 rezoning ordinance.

ACTIONS PROPOSED:

Consideration of annexation of certain properties located on Roosevelt Road between Kress Creek Drive and Pearl Road. Also, consideration of the rezoning of a certain property located on the south side of Roosevelt Road from the ER-1, Estate Residential District to the ORI, Office, Research, and Light Industrial District upon annexation. Lastly, consideration of the rezoning of a certain property located on the north side of Roosevelt Road from the ER-1, Estate Residential District to the B-2, General Business District upon annexation.

COMMITTEE RECOMMENDATION:

ORDINANCE NO. 15-O-0057

AN ORDINANCE OF THE CITY OF WEST CHICAGO, ILLINOIS, PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED ON ROOSEVELT ROAD BETWEEN KRESS CREEK DRIVE AND PEARL 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 Winfield 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

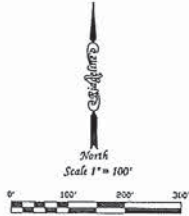
PUBLISHED: _____

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

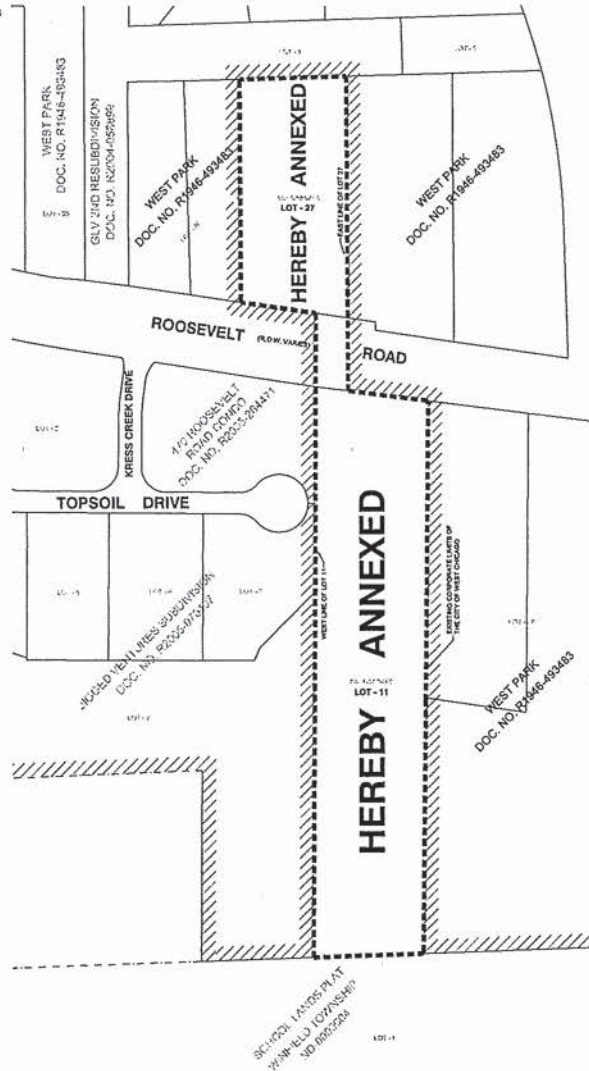
PRIVATE PROPERTY: 274684.7 SQ. FT. OR 6.31 ACRES
 RIGHT-OF-WAY: 7412.8 SQ. FT. OR 0.17 ACRES
 TOTAL: 282077.5 SQ. FT. OR 6.48 ACRES

SUBMITTED BY RETURN TO:

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

LEGAL DESCRIPTION

LOTS 11 AND 27 IN WEST PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 6, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1948 AS DOCUMENT NUMBER 493483, TOGETHER WITH ALL THAT PART OF ROOSEVELT ROAD LIVING EAST OF THE WEST LINE OF SAID LOT 11 EXTENDED NORTH AND WEST OF THE EAST LINE OF SAID LOT 27 EXTENDED SOUTH IN DUPAGE COUNTY, ILLINOIS.



RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF DUPAGE)

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

DUPAGE COUNTY RECORDER

CITY OF WEST CHICAGO CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF DUPAGE)

MAYOR AND CITY COUNCIL OF THE CITY OF WEST CHICAGO, COUNTY OF DUPAGE, STATE
 OF ILLINOIS, HEREBY CERTIFY THAT THE SAID COMRA HAS DULY APPROVED THIS PLAT OF
 ANNEXATION ATTACHED HERETO BY ORDINANCE NO. _____ DULY
 AUTHENTICATED AS PASSED THIS _____ DAY OF _____
 20____

MAYOR _____
 ATTEST: _____
 CITY CLERK

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF DUPAGE)

WE, ROOSEVELT CONSULTANTS, LLC, ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-004764,
 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
 PLS NO. 035-003026
 EXPIRES 11/20/2018



EDWARD A. HEDGE PLS NO. 035-003026 EXPIRATION DATE 11/20/2018
 EDWARD A. HEDGE PLS NO. 035-003026 EXPIRATION DATE 11/20/2018
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 PROFESSIONAL DESIGN FIRM NO. 184-004764

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ORDINANCE NO. 15-O-0058

AN ORDINANCE REZONING LAND FROM THE ER-1, ESTATE RESIDENTIAL DISTRICT TO THE B-2, GENERAL BUSINESS DISTRICT - THE NORTH SIDE OF ROOSEVELT ROAD BETWEEN KRESS CREEK DRIVE AND PEARL 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-0024, 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 B-2, General Business 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

LOT 27 IN WEST PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1946 AS DOCUMENT NUMBER 493483, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-16-200-016.

EXHIBIT "B"

RECOMMENDATION NO. 2015-RC-0024

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-15 Area # 8
Rezoning from ER-1 to B-2
The north side of Roosevelt Road between Kress Creek Drive and Pearl 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 a single family residence and is currently zoned R-3, Single Family Residential through DuPage County. The City's proposed B-2 zoning for this area will not be consistent with the property's current unincorporated R-3, Single Family Residential zoning designation. The existing use would be considered legal non-conforming by the City's B-2 zoning district standards.

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 along an area of Roosevelt Road that has B-2 zoning with commercial uses along the north side of the road and ORI zoning with light industrial and commercial uses along the south side of the road.

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

The B-2 zoning district allows for commercial and office uses. The existing single family residential use on the subject area is not suitable for the proposed B-2 zoning designation.

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

There are no proposed uses at this time. The existing single family residential use is not suitable for the proposed B-2 zoning designation.

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

The subject area is situated along an area of Roosevelt Road that has B-2 zoning with commercial uses along the north side of the road and ORI zoning with light industrial and commercial uses along the south side of the road. The development trend has been the conversion of the existing non-compatible uses along Roosevelt Road to uses that are more consistent with the existing zoning districts and with the City's vision for the Roosevelt Road corridor.

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

The City's Comprehensive Plan designates the subject area as Office Research and Light Industrial. The proposed B-2 zoning would not be consistent with the Comprehensive Plan. However, this deviation from the Comprehensive Plan for the B-2 zoned property is considered favorable because all of the surrounding properties on the north side of Roosevelt Road also have B-2 zoning and this property would most likely be redeveloped in conjunction with one of those adjacent properties, and not by itself.

7. *Impact on the surrounding properties.*

The proposed B-2 zoning should not have an immediate impact on the surrounding properties given that the subject area is currently developed with existing uses and no redevelopment is being proposed.

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

The proposed rezoning to the City's B-2 zoning district should not have an adverse impact on the welfare of the adjacent properties and the community given that commercial uses already exist surrounding the subject area and no changes in use are proposed at this time for the subject area.

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

ORDINANCE NO. 15-O-0059

AN ORDINANCE REZONING LAND FROM THE ER-1, ESTATE RESIDENTIAL DISTRICT TO THE ORI, OFFICE, RESEARCH AND LIGHT INDUSTRIAL DISTRICT - THE SOUTH SIDE OF ROOSEVELT ROAD BETWEEN KRESS CREEK DRIVE AND PEARL 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-0025, 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 ORI, Office, Research and Light Industrial 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

LOT 11 IN WEST PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1946 AS DOCUMENT NUMBER 493483, TOGETHER WITH ALL OF THAT PART OF STATE ROUTE 38 (ROOSEVELT ROAD) OR UNITED STATES HIGHWAY ALTERNATE ROUTE 30, LYING EAST OF THE WEST LINE OF SAID LOT 11 EXTENDED NORTHERLY AND WEST OF THE EAST LINE OF LOT 27 IN WEST PARK SUBDIVISION EXTENDED SOUTHERLY, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-16-203-002.

EXHIBIT "B"

RECOMMENDATION NO. 2015-RC-0025

TO: The Honorable Mayor and City Council

SUBJECT: PC 15-15 Area # 8
Rezoning from ER-1 to ORI
The south side of Roosevelt Road between Kress Creek Drive and Pearl 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 a single family residence and is currently zoned R-3, Single Family Residential through DuPage County. The City's proposed ORI zoning for this area will not be consistent with the property's current unincorporated R-3, Single Family Residential zoning designation. The existing use would be considered legal non-conforming by the City's ORI zoning district standards.

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 along an area of Roosevelt Road that has B-2 zoning with commercial uses along the north side of the road and ORI zoning with light industrial and commercial uses along the south side of the road.

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

The ORI zoning district allows for light industrial, commercial and office type uses. The existing single family residential use on the subject area is not suitable for the proposed ORI zoning designation.

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

There are no proposed uses at this time. The existing single family residential use is not suitable for the proposed ORI or zoning designation.

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

The subject area is situated along an area of Roosevelt Road that has B-2 zoning with commercial uses along the north side of the road and ORI zoning with light industrial and commercial uses along the south side of the road. The development trend has been the conversion of the existing non-compatible uses along Roosevelt Road to uses that are more consistent with the existing zoning districts and with the City's vision for the Roosevelt Road corridor.

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

The City's Comprehensive Plan designates the subject area as Office Research and Light Industrial. The proposed ORI rezoning would be consistent with the Comprehensive Plan.

7. *Impact on the surrounding properties.*

The proposed ORI zoning should not have an immediate impact on the surrounding properties given that the subject area is currently developed with existing uses and no redevelopment is being proposed.

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

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

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			