

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## DEVELOPMENT COMMITTEE

**Monday, January 11, 2016  
7:00 P.M. - Council Chambers**

### AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
  - A. November 9, 2015
  - B. December 14, 2015
3. Public Participation
4. Items for Consent
  - A. DuPage Airport Authority – Amendment to Section 10.5 of the Zoning Code - Text Amendment
  - B. CenterPoint Properties – 2500 Enterprise Circle – Variances
  - C. DS Container – 2500 Enterprise Circle - Phase II Final Development Plan Approval
  - D. Westgo Properties – 909 W. Washington Street – Resubdivision
  - E. David Rauchus – 121 W. Lester Street - Resubdivision
  - F. American Highway – 1401 Harvester Road – Special Use Amendment
5. Items for Discussion
  - A. Forming America – 1200 N. Prince Crossing Road – Site Improvement Status Update
  - B. Kuhn Property – 1100 E. North Ave. – Conceptual Review
6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment

## **MINUTES**

### **DEVELOPMENT COMMITTEE**

**November 9, 2015, 7:00 P.M.**

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

Alderman Beifuss called the meeting to order at 7:00 p.m.

Roll call found Aldermen John Banas, James Beifuss, Melissa Birch, Jayme Sheahan and John Smith, present. Laura Grodoski arrived at 7:03 pm.

Also in attendance were Director of Community Development, John Said and City Attorney, Keith Letsche.

**2. Approval of Minutes.**

**A. October 12, 2015**

**Alderman Smith made a motion to approve the minutes with changes, which was seconded by Alderman Banas. All remaining members agreed and the motion carried.**

**3. Public Participation.**

See Agenda Item 5 where Public Participation was combined with each of the Items for Discussion.

**4. Items for Consent.**

**A. Simpson Strong-Tie Final Development Plan Approval – 2505 Enterprise Circle.**

John Said provided an item summary.

**Alderman Birch motioned first to recommend approval for a final development plan, which was seconded by Alderman Smith, and with all remaining members in agreement, the motion carried.**

**5. Items for Discussion.**

**A. City of West Chicago – Annexation & rezoning – Area 1 – Smith Road & Powis Road.**

Dante Domenella of 4N325 Powis stated his objection to the proposed annexation of this area, expressing that no City services are currently provided here and that his taxes would be increased. He inquired about the City's plans for economic growth in the community at large, given the vacant buildings within the City limits. He also asked how the County's designation would be applied once this area is part of the City. He expressed his concerns about the property values of these parcels with no City services.

Alderman Beifuss asked for a motion to approve the annexation, but Alderman Banas requested a summary be provided first. Community Development Director, John Said, showed the area to be annexed on an overhead map and also indicated which area within it would be rezoned to Manufacturing (M). He commented that staff reviewed this and each of the proposed parcels for annexations by applying criteria such as land use designation and surrounding zoning. Mr. Said also stated that the Plan Commission/Zoning Board of Appeals (PC/ZBA) has already recommended their approval of the rezoning of this area.

Alderman Smith asked if this area would ever have the potential to receive City water and sewer and John Said replied that the possibility exists, but that the extension of utilities to this area has not yet been proposed. Alderman Smith also asked about Mr. Domenella's remark about having to pay for services that are not currently provided and Mr. Said indicated that they would not be required to do so. Alderman Banas asked about the fees associated with providing City services and Mr. Said explained that each circumstance is different and that that direction would need to come from the City Council. Alderman Smith also inquired about the number of parcels annexed to the City that do not receive City services.

Alderman Beifuss questioned if City services, such as police services and plowing, are provided to any of the unincorporated areas of the City, but for which the City does not receive payment and John Said concurred that that is probably the case, especially in the case of services like First Responders. Alderman Beifuss then asked if water and sewer services can be received if a property is outside of the City limits and John Said confirmed that it is not possible. Alderman Beifuss asked about City taxes levied and Mr. Said replied that the City receives \$.05 per every tax dollar received.

**Alderman Banas made a motion to recommend annexation of this area, which was seconded by Alderman Birch. Alderman Banas voted no, with all remaining members abstaining and the motion did not carry.**

Alderman Beifuss asked the Committee for any further motions and Alderman Birch responded that she wanted to re-open the discussion once again.

**Alderman Banas made a motion to reconsider Item 5A and Alderman Birch seconded the motion.**

A conversation followed whereby Alderman Smith commented that he would like to have a meeting to discuss each of the proposed annexations prior to the Committee's vote for recommendation. Alderman Grodoski agreed that more discussion was warranted. Alderman Banas also agreed stating that a clear picture of the advantages and disadvantages is needed.

Attorney Keith Letsche discussed the various options available to the Aldermen about how to best proceed. Alderman Banas urged the Committee to agree to reconsider the matter and Alderman Smith agreed.

**Voting Aye: Aldermen Banas, Beifuss, Birch, Grodoski, Sheahan and Smith. Voting Nay: 0. Motion carried.**

A discussion ensued among the Committee members, John Said and Keith Letsche about how the appropriate public notice was handled and also the options for a next step. Generally, the Aldermen expressed interest in learning more about the advantages for each of the proposed annexations and postponing the discussion to a later date. John Said offered to respond to the aldermen's requests for more information at that moment, while Keith Letsche remarked about the members of the public in attendance to voice their concerns. The Aldermen agreed upon their desire to allow for the public's input.

**Alderman Banas motioned first to table the reconsideration of Item 5A, with Alderman Smith offering to second it. All remaining members agreed and the motion carried.**

**B. City of West Chicago – Annexation & rezoning – Area 2 – Powis Road.**

Barry Segal, owner of St. Charles Scrap spoke first. He asked about the City's reasons for annexing property. In the case of his particular property, the current land use designation is not consistent with the proposed zoning of manufacturing. He remarked on the potential of a forced sale of this area to the nearby DuPage Airport Authority and

asked about any changes to his current burglar alarm services with the County or to the inspections and/or services provided by the West Chicago Fire Department. Mr. Segal stated that public perception is that the City desires additional revenue and expressed his understanding about why the Committee is seeking to learn more. He also commented on the potential advantage of being annexed and then being allowed to receive City water and sewer. He wondered who would pay for bringing those services and if property taxes would be increased.

John Said showed Area 2 on the map and provided a summary of this area's proposed zoning, which was approved unanimously by the PC/ZBA. Mr. Said then spoke in regards to Mr. Segal's comments and to the general advantages of these annexations. He also talked about the potential change in emergency response agreements with the County and added that the DuPage Airport Authority (DAA) is a separate body from the City and as such, the City cannot regulate the DAA's property acquisition. Finally, Mr. Said addressed the questions about water and sewer expenses and tax revenue, stating the unlikelihood of the City's 5% share changing. A brief discussion followed about the DAA and their potential rights to purchase property for its purposes.

#### **C. City of West Chicago – Annexation & rezoning – Area 3 – North Avenue & Powis Road.**

Ann Roth, landowner on Powis Road, expressed her concern over not having the benefit of City infrastructure while being taxed for it. She also stated that she was told that there would be no guarantees regarding the possibility of penalties for her non-conforming property. Ms. Roth remarked that doing business in DuPage is expensive enough and to have another tax presents a hardship for her. She concluded that she objects to the annexation as it does not provide her with any benefits.

Joh Said referred to the map to illustrate the area of this proposed annexation, indicating the northern area proposed Office, Research and Light Industrial (ORI) zoning and the southern area proposed for M zoning; area 3 zoning was also reviewed and approved unanimously by the PC/ZBA. Mr. Said addressed Ms. Roth's comments by pointing out that City infrastructure is currently present along Powis Road and that with annexation, the right to tie in to City services would exist. He apologized for any previous uncertainty with regards to non-conforming properties in manufacturing districts and read a portion from Article 8 of the Zoning Ordinance to clarify the matter. Alderman Beifuss requested clarification regarding the uses in ORI zoning, which Mr. Said then explained.

#### **D. City of West Chicago – Annexation & rezoning – Area 4 – Powis Road.**

John Said read a letter from Attorney Marc Porter of Figliulo and Silverman, who is

representing Rossi Contractors, Inc. The letter served to outline their comments and objections to the annexation of Area 4. Mr. Said responded discredited to the claim that their property is not wholly bounded by the City and explained the reasoning that would allow the City to legally annex this area. Mr. Said then showed this area on the overhead map and summarized the existing zoning of the surrounding areas and the proposed zoning.

**E. City of West Chicago – Annexation – Area 5 – Lee Road.**

The item was requested to be reviewed at a later date by the City Administrator.

**F. City of West Chicago – Annexation & rezoning – Area 6 – Roosevelt Road.**

John Said again used the map to illustrate this area's geographical location and summarize its key features and proposed ORI zoning. Alderman Banas asked about the advantages for the City and Mr. Said described the ability for the City to round out its boundaries and to unify zoning for surrounding, unincorporated areas as the key benefits.

**G. City of West Chicago – Annexation & rezoning – Area 7 – Roosevelt Road & Town Road.**

Pat Casey, a business owner in this area, spoke and explained that there will never be City water and sewer to this property without the erection of a lift station, due to the depth of a creek that runs through the property. He noted the only possible advantage for his business is to have the streets plowed by the City, but that he sees no advantage for the City to annex this property.

Bob Funk also voiced his opinions. He asked whether staff had assessed the condition of the bridge on Town Road and the costs to possibly replace or keep it up. The costs, he felt, would greatly exceed any future revenue generated from the annexation of these parcels.

John Said used the map to show the location of Area 7 and summarized its proposed zoning of ORI and M in differing locations. Mr. Said commented on Mr. Casey's observations, in particular as they related to road plowing and creek elevations, which would impact the ability to tie into City services. Mr. Said also addressed Mr. Funk's question, replying that staff had not previously considered the condition of the bridge or its costs to repair, but asserted that the proposed annexations are not for revenue generation, but rather for long-term City functioning and control over land uses.

Discussion continued among the Aldermen, Keith Letsche and John Said regarding the impact of both the creek and the bridge concerns raised by Mr. Casey and Mr. Funk respectively. Alderman Banas inquired about the practicality of annexing the parcels where the creek is located and how possible repair for the Town Road bridge would be paid for. Alderman Smith asked what would happen if an incorporated property's well runs dry and would it be the responsibility of the City to then provide water. John Said mentioned staff's willingness to view Mr. Casey's properties and to look into the matter of water supply further.

#### **H. City of West Chicago – Annexation & rezoning – Area 8 – Roosevelt Road.**

Mr. Casey inquired about a specific area north of Roosevelt Road and Mr. Said replied that it is not part of the annexation of this area and went on to review the parcels involved with the proposed annexation of Area 8 on the map. The proposed zoning is for B-2 General Business District (to the north) and ORI (to the south), both of which were already unanimously approved by PC/ZBA.

**Alderman Banas motioned first to remove Item 5A off the table, which was seconded by Alderman Grodoski. All remaining members were in agreement and the motion passed.**

**Alderman Banas made a motion first to postpone the recommendations of the annexations, which Alderman Smith then seconded. Alderman Banas motioned to amend his motion, in order to postpone the recommendations of the annexations until the December 14 meeting of the Development Committee, which was also seconded by Alderman Smith and approved by all members, so that the motion (to amend the original motion) carried. The amended motion was then approved unanimously by all members, and the motion carried.**

Mr. Said asked Committee members to provide any additional comments promptly, so that City staff has time to respond. Alderman Smith asked for further information about water services, based on the discussion about Area 7, which Mr. Said agreed to follow up on.

#### **6. Unfinished Business.**

None.

#### **7. New Business.**

Alderman Beifuss brought up the notion of adding framed signage along the bike path in order to provide maps and points of interest in the downtown area.

**8. Reports from Staff.**

John Said reported that the Chicago Metropolitan Agency for Planning (CMAP) would be holding a workshop on November 17<sup>th</sup>, 2015 in City Council Chambers at 7:00 pm and he invited all to attend and to encourage others to do so as well. The workshop will provide information about current housing trends as well as seek input from the public.

Mr. Said also informed the Committee that he would be hosting a group of Australian students who are learning about the challenges of infill development.

**9. Adjournment.**

**Alderman Grodoski made a motion, seconded by Alderman Sheahan, to adjourn the Development Committee meeting at 8:52 p.m. The Committee members unanimously agreed and the motion carried.**

Respectfully submitted,

Jane Burke  
Executive Secretary

## **MINUTES**

### **DEVELOPMENT COMMITTEE**

**December 14, 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, Jayme Sheahan and Rebecca Stout, present.

Also in attendance were Director of Community Development, John Said and City Attorney, Keith Letsche.

**2. Approval of Minutes.**

**A. November 9, 2015**

**Alderman Banas made a motion to approve the minutes, which was seconded by Alderman Beifuss. Alderman Beifuss suggested that the tape recording be reviewed for procedural accuracy. Alderman Banas withdrew his earlier motion as did Alderman Beifuss. Alderman Beifuss then motioned to defer action on the minutes until the next meeting and Alderman Banas seconded the motion. All remaining members agreed and the motion carried.**

**3. Public Participation.**

Alderman Stout reviewed the nature and purpose of the Development Committee and its meetings along with the rules for public comments.

Ann Roth, of 3N361Powis Road, stated her objection to being annexed into West Chicago, specifying that it will add another tax to doing business in DuPage County and that there is no need for it nor benefit received from it. She also objected to the proposed rezoning as it could hurt her land value.

Marcia Casey, property owner on Town Road, Area 7, stated her objection to the proposed annexation and that there is no reason for the City of West Chicago to forcibly annex her property and that she is happy in DuPage County.

**4. Items for Consent.**

- A. Franciscan Way and St. Andrews Square – Plats of Easement and Abrogation.**
- B. Menards – 220 W. North Avenue – Final PUD Amendment.**

**Alderman Birch motioned to recommend that these two items be moved forward, which was then seconded by Alderman Banas.**

At the request of Alderman Beifuss, John Said provided an item summary for 4B, identifying that a small building addition on the southeast corner of the existing Menards building is being proposed for special order merchandise for customers. The addition will be constructed of the same building materials as the current building, and it will match its appearance. The Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of this proposed amendment at their December 1<sup>st</sup> meeting.

**Roll call found all remaining members in agreement and the motion carried.**

**5. Items for Discussion.**

- A. City of West Chicago – Annexation & rezoning – Area 1 – Smith Road & Powis Road.**

Community Development Director, John Said, showed the area to be annexed on an overhead map and also indicated the area's current types of zoning—industrial and residential—and boundaries. Mr. Said provided a general summary of the benefits of the proposed annexation, stating that properties in this area would gain City services such as public safety and code enforcement. These services would also benefit the adjacent properties already located within the City. He mentioned that the City has received complaints of noise associated with industrial businesses and abandoned vehicles in this area and he added that more enforcement in this area would help benefit other City properties and residents. Mr. Said also pointed out that traffic generated by these properties use City streets, but tax dollars are not collected to help maintain these streets. The proposed annexations, he furthered, would allow for more equity among existing taxpayers in terms of sharing the responsibility for the upkeep of those streets. Finally, Mr. Said pointed out that the City has had a long history of trying to have the State's rules for annexation altered, given West Chicago's unique challenges of having many railroad rights-of-way and Fermilab as a boundary property.

**Alderman Banas made a motion to recommend annexation and rezoning of this area, which was seconded by Alderman Beifuss. All remaining members in attendance agreed and the motion carried.**

**B. City of West Chicago – Annexation & rezoning – Area 2 – Powis Road.**

John Said showed Area 2 on the map and provided a summary of this area's proposed zoning and its current boundaries. He stated that the circumstances and comments for this area are similar to those of Area 1.

**Alderman Banas made a motion to recommend annexation and rezoning of this area, which was seconded by Alderman Beifuss.**

Alderman Beifuss stated that the parcels in this area use City streets, which are cleaned and maintained by the City, and that there are also mutual aid agreements with first responders to provide services if needed. He also added that anyone who is adjacent to City water and sewer has an opportunity to connect to them. Alderman Beifuss said that the City is looking to collect its fair share of taxes for the services that they provide. Alderman Banas thanked staff for their efforts in providing this information.

**All remaining members in attendance agreed in a roll call and the motion carried.**

**C. City of West Chicago – Annexation & rezoning – Area 3 – North Avenue & Powis Road.**

John Said again referred to the map to illustrate the area of this proposed annexation, remarking that his comments are much the same as for the previous areas, but also adding the fact that the proposed ORI zoning would provide an opportunity for the City to guide future land uses of the North Avenue frontage. He also made mention of the debris and mud left by truck traffic on some streets in this area, which has been kept clean and made safe by City crews.

**Alderman Banas motioned to recommend annexation and rezoning of this area, which was seconded by Alderman Birch.**

Alderman Banas commented that this area is within his ward and he concurred that debris-laden condition of Powis Road is at times awful and this is one of the reasons he supports the annexation of this area. Alderman Beifuss asked about what used to be located on the now vacant parcel 2 of this area and if the City would now control future uses on this corner and Mr. Said responded affirmatively.

**A roll call of all remaining members found all to be in agreement and the motion indeed carried.**

**D. City of West Chicago – Annexation & rezoning – Area 4 – Powis Road.**

Mr. Said showed this area on the overhead map and summarized its current boundaries and proposed zoning of manufacturing, which is consistent with adjacent properties and which would guide future land uses for this vacant area.

**Alderman Birch made a motion to recommend annexation and rezoning of this area, which was seconded by Alderman Banas. All remaining members agreed and the motion passed.**

**E. City of West Chicago – Annexation – Area 5 – Lee Road.**

Mr. Said illustrated the location of this area on the overhead map, informing that it is part of the West Chicago Prairie Forest Preserve and that no significant land use changes are expected in the future. Mr. Said also mentioned that the City Attorney has advised that this property may be annexed at the City's discretion due to the City's home-rule designation. Mr. Said concluded there would be no future tax revenue from as the Forest Preserve is a government taxing body.

**Alderman Beifuss motioned first to recommend annexation and rezoning of this area, which Alderman Birch seconded.**

Alderman Banas asked whether code enforcement could be exerted over this area given it being part of the Forest Preserve and Mr. Letsche responded that it would be possible due to the City's home-rule status.

**All remaining members were in agreement and the motion carried.**

**F. City of West Chicago – Annexation & rezoning – Area 6 – Roosevelt Road.**

John Said used the map to illustrate this area's location, pointing out that Commonwealth Edison high-tension wires run north and south on this area and that it is bounded on three sides by incorporated property and to the south by Fermilab. Mr. Said summarized the proposed annexation would provide for more coterminous boundaries in this area and that no significant land uses changes are expected here in the future. The proposed zoning is ORI.

**Alderman Banas first motioned to recommend annexation and rezoning of this area, which was seconded by Alderman Sheahan. All remaining members agreed and the motion carried.**

**G. City of West Chicago – Annexation & rezoning – Area 7 – Roosevelt Road & Town Road.**

John Said displayed the location of Area 7 on the overhead map and summarized its proposed zoning of ORI and M, stating that staff has made an effort to maintain consistency with adjacent zoning and land uses. The Winfield Township Garage is also located in this area. Mr. Said indicated there had been previous discussion with regard to the road's Kress Creek crossing. Upon further examination, what was mentioned as being a full bridge is, in reality, a culvert and so no usual road maintenance difficulties are expected in the future. An intergovernmental agreement with the Township is also expected to share responsibility for Town Road.

Alderman Beifuss inquired about the responsibilities of road maintenance and upkeep of Town Road and Mr. Said replied and that there are some efficiencies in terms of service delivery, which happen to be the case for many of these areas. Alderman Beifuss commented on the issues of mutual aid agreements and code enforcement in this area, which would benefit adjacent property owners already within the City as well.

Alderman Beifuss then asked about the issue of water services for these areas. Mr. Said commented on the topic of utility services, stating that property owners are required to make any necessary improvements, regardless of whether they are in an incorporated area or not; one cannot occupy a building without water and sewer services. In the case where a property owner in an incorporated area wishes to connect to City utilities, he/she has the right to do so if available, but that the City does not have the obligation to extend services. Alderman Beifuss asked if the same requirements (water and sewer) apply for buildings if they are in the County and Mr. Said replied yes. Alderman Beifuss then questioned if there is an instance in which one is required to connect to City water and sewer and Mr. Said replied that he did not believe so unless they have no other alternatives and wish to continue use/occupation of their buildings. City Administrator Michael Guttman stated that the County Health Department can require that someone abandon a septic field or cap a well and connect to utilities if they are adjacent or close to the property, but that staff does not make this determination.

**Alderman Banas motioned to recommend annexation and rezoning of this area and Alderman Beifuss seconded the motion. All remaining members agreed and the motion carried.**

**H. City of West Chicago – Annexation & rezoning – Area 8 – Roosevelt Road.**

Mr. Said reviewed the parcels of Area 8 on the map and spoke of its existing boundaries and its current and proposed zoning, adding no further comments other than to reiterate the reasons and support already provided for the other proposed annexations.

**Alderman Banas motioned first to recommend annexation and rezoning of this area and Alderman Birch seconded the motion. All remaining members were in agreement and the motion carried.**

#### **I. Mazza Property – W. Roosevelt Road – Conceptual Review.**

John Said summarized this agenda item. The concept is for a 100-room, full service hotel and a two-story, 450+ unit, multi-building, climate controlled, indoor self-storage facility with on-site watchman's dwelling quarters. The end users for these proposed developments are not known at this time. A proposed detention basin and conservation of an existing wetland are proposed to meet City and County requirements. A private road with a cul-de-sac terminus is also proposed. Mr. Said also mentioned that the applicant is interested in obtaining the Committee's comments and direction. Alderman Beifuss asked for clarification on the location, which Mr. Said provided by using the map.

Mr. Dave Gravel, a landscape architect, representing the owners of Kress Creek Holdings LLC, provided a conceptual review of this property with exhibits, explaining the development of this 10-acre site would include a hotel adjacent to Roosevelt Road side and a storage facility on the back lot. The hotel would provide standard conference space and breakfast and perhaps swimming facilities. He mentioned that as for the storage facility, they are considering an all interior access for it. Furthermore, their marketing research has revealed interest in vehicular parking and the storage facility would provide for that, but with diminished visibility given its location on the property. He also commented on what has been identified as a farm wetland in the southeastern portion of the property and that they have ascertained that any work would fall under the jurisdiction of the County.

Alderman Beifuss asked why this is a good location for a hotel. Mr. Gravel responded that one reason is the amount of traffic on Roosevelt Road and that there are also potential opportunities related to Fermilab, the DuPage Airport and other facilities. Alderman Beifuss also asked what the staging would be for the two different types of businesses and Mr. Gravel responded that there is the consideration of doing the hotel component before the self-storage, or the two simultaneously.

Alderman Banas stated that this is a great idea and that it is the type of business the City needs to attract, albeit he would have preferred an office situation over self-storage. Alderman Beifuss mentioned that they have been looking to add a hotel and this would

prove beneficial. Alderman Banas expressed interest in capturing business from the proximity of the airport.

Mr. Gravel also mentioned that he hopes that the City would support the idea of creating a TIF district for this area and for the road component. He also expressed interest in serving as a draw for commercial businesses in the area.

Alderman Stout stated that this could be a great start and anchor for potential growth in this area, such as restaurants and other businesses. She expressed that it is a great opportunity and she would like to see it continue on. Based on comments and discussion about this proposal, she concluded that the Committee is in favor of it.

#### **J. Kuhn Property – 1100 E. North Avenue – Conceptual Review.**

John Said summarized this agenda item and began by describing its location as well as the existing businesses located here. The site would include a large-scale paved parking/storage area for semi-trucks/tractor-trailers and a truck maintenance facility. The North Avenue frontage area would be made up of an office building, restaurant, fueling center and convenience mart and a multi-tenant retail building. There are four new full-access driveways being proposed as well. Mr. Said concluded that approvals such as rezoning, PUD, etc. would be required and that staff has identified concerns related to truck traffic on Prince Crossing Road, for which a traffic study would be needed, and the provision of water and sewer services. Finally, Mr. Said mentioned that previous City Council direction has been that the North Avenue frontage be developed at the same time as any property in the back and accordingly, staff would search for a mechanism to ensure simultaneous development.

Alderman Banas asked if the current businesses located here are amenable to the development of this site and John Said replied that that is his understanding.

Tom Dulian, President and CEO of Exporior Logistic Group, thanked the Committee for the opportunity to present and introduced his Vice President, Norbert Loszewski and architect, Chuck Smith, of Arete Design Studio, who were also in attendance. Mr. Dulian went on to say that his company is prepared to invest 20 million dollars in the community and bring jobs and tax revenue to the City of West Chicago. He summarized the company's history and business model and informed that the logistics center they are proposing for the City would be the company's second and it would provide a properly designed and secure facility to house the vehicles of logistics companies. The parking facility would require a signed lease from a tenant for use. He also emphasized the company's belief in the future success of this location along North Avenue, the good-faith negotiations already taking place with the existing businesses in this area and finally, his company's commitment to construct all of the aforementioned developments

in this site in one phase. His development, he furthered, would provide consistent tax revenue compared to the current seasonal use. Mr. Dulian stated his company's willingness to invest \$1 million in bringing utility infrastructure to this area and to enhance the landscaping to legal and environmental standards. He indicated the potential for as many as 250 jobs of differing types offered at this site, while also pointing out that there would be less intensive truck use than for some other businesses, with increased commercial activity from the addition of new employees in the City. Finally, he provided estimates for the revenue that would stem from the sales of gasoline and biodiesel, retail sales from the convenience store, restaurant and parts sales and other retail sales.

Charles Smith, architect and planner for the proposed Exporior site, spoke next. He first provided an overview of the existing area while displaying visuals on the overhead screens and then proceeded to display conceptual architectural renderings of each of the proposed structures making up the proposed site. He explained that the unique design of the site would feature the newly relocated Scooby's and convenience market (C-Mart) at the forefront of the intersection, with the fueling station and canopy behind it. He also showed various other renderings of four-sided elevations, noting again, that special attention was given to beautify the frontage along North Avenue. Mr. Smith also provided illustrations of the interior views of the restaurant, the office building and the retail center, among others. He stressed that the development and construction of all of these structures would happen simultaneously, which, he conveyed, is necessary for the concept to work. He talked about and showed the design features and landscaping used to mitigate truck queuing on Prince Crossing and viewing parked trucks from Prince Crossing respectively. Truck fleets would enter into a long-term lease for parking with Exporior, he said, and that each is assigned a parking space. Also, he informed that most drivers tend to live in the area and operate from 7 or 8 am to 6 to 9 pm, with a total truck turnover rate of 1 to 1 ½ times per week. In addition, Mr. Smith conveyed that best management practices for storm water management would be used, such as porous concrete, for example, in an attempt to be innovative about storm water management.

Mr. Smith provided an overview of the truck traffic coming on and off site, asserting that it would be substantially less than a warehouse distribution center and especially less than a big-box retailer. He went on to discuss the traffic distribution in the area and related that it was found that the majority of the truck traffic leaving this site would move east to 355, and then north or south as he displayed a map of the traffic density. He concluded that if the City were to grant them approval to move forward with this development, they would work very closely with the City staff to make sure that this works.

Alderman Banas thanked the Exporior representatives for the thoroughness of their presentation and asked what is not to like except for the potential loss of Cascade Drive-In. He then asked about the truck traffic south of this property on Prince Crossing, expressing concern for the residential area nearby. Mr. Smith replied that they looked

into this issue, and while there may an exception or two, their opinion is that most over-the-road haulers go to 355 or go south on Route 59 to Highway 88. Alderman Banas stated that he is absolutely in favor and that it holds a dichotomy of differing types of businesses, which the City should be seeking.

Alderman Beifuss stated that it was a well put-together presentation with a lot of details. He then inquired about where the arriving truck drivers park and Mr. Smith responded that they would park in their space as each space is assigned. Alderman Beifuss asked about the number of acres for the parking area and Mr. Smith estimated that there would be about 22 to 25 paved acres and he also talked about the porous cement that would be used for this paved area. Alderman Beifuss asked about the types of loads of the trailers and Mr. Dulian replied that most of their company's customers have box trucks with enclosed loads, but occasionally, they have flatbeds. Alderman Beifuss also asked about any refrigerated trucks that might be idling overnight and Mr. Dulian answered that there would be a designated area for idling, adding that with whisper technology, the noise of these idling trucks is almost imperceptible. Alderman Beifuss also asked if trucks might be loaded while at the site and Mr. Dulian replied that this could happen.

Alderman Beifuss then asked about the volume of truck traffic and at what times of day it occurs. Mr. Smith replied that the truck volume would turn over approximately 1 ½ times per week, which would equate to about 200 to 250 trucks per day over a ten hour period, beginning at 7 or 8 am. Mr. Dulian added that there are some long-haulers, who would be gone for an extended time. Alderman Beifuss also asked about the existence of team drivers, whose home is in their truck and Mr. Dulian answered that most drivers utilizing the parking live in the area. When Alderman Beifuss asked if they would be allowed to spend the night, Mr. Dulian said they would be, but that that has not been the company's experience.

Alderman Beifuss asked staff about the zoning for this area and what the comprehensive plan shows. Mr. Said replied that most of the area is zoned ER-1, with a small area zoned commercial along North Avenue. Mr. Said offered to check the plan map and report back momentarily.

Alderman Banas asked about hazmat and security. Mr. Smith stated that there would be a manned guard house and an entry/exit gate and that there would be requirements and systems put in place for any type of hazmat use. Mr. Smith also expounded that the exhaust coming out of these trucks is scrubbed clean and breathable and again reiterated their intention to employ best management environmental for both storm water and air quality.

Mr. Said reported back that he confirmed B-3 commercial zoning along North Avenue and R-3 zoning for the Meadowview Crossing neighborhood and that the City's

comprehensive plan shows most of the subject property is designated for commercial with only the southern most part designated open space.

Alderman Banas asked for clarification on a buffer to the west for the residential area of Meadowview Crossing. Mr. Said replied that yes, there is surrounding property, some of which is wetlands and some of which is quasi commercial/industrial area. Mr. Smith stated that there have been several renditions of the site plan to consider maximum traffic maneuverability. Alderman Banas stated that Experiore seems to be interested in working with everyone and encouraged the members to consider it seriously.

Alderman Birch stated that while there is a buffer for the residential area, she is concerned about the impact of truck traffic on Prince Crossing as it is a busy street. Mr. Smith responded that truck access can be restricted by weight with the potential of tickets being issued. Alderman Stout agreed that restricting weight might be a way to handle this problem and Mr. Said commented that his research concluded that that section of Prince Crossing is a Class 2 truck route, which would allow for semi-trucks and tractor trailers. Again Mr. Smith offered their willingness to work with staff to establish weight limits.

Alderman Sheahan asked if a guard would be present 24 hours per day and Mr. Smith responded that one would.

Discussion followed among Alderman Beifuss, Mr. Smith and Mr. Said about the types of rezoning and variances required. Mr. Said stated that rezoning of M and probably B-3 would be required along with PUD and a plat of resubdivision, but that other approvals might be required contingent on the final proposal.

Alderman Beifuss expressed concerns about the level of truck traffic and its impact on the residential neighborhoods to the west and south. He also expressed concerns about the accessibility for the residents of Meadowview Crossing and the residents along Prince Crossing, especially in regard to quality of life and safety. He also pointed out that this proposed development is not something previously contemplated in the comprehensive plan.

Alderman Banas stated that there are solutions to those concerns, which are valid, but there seems to be a large buffer area for the residents and that truck traffic would most likely move to North Avenue as it is a quicker route. Furthermore, steps can be enacted to prevent trucks from travelling south with weight restrictions. And while this development might not be part of their comprehensive plan, he did not see any significant issues that cannot be solved.

Alderman Birch echoed the concerns of Alderman Beifuss about truck traffic in a residential neighborhood. Alderman Stout asked the Committee if their concerns would preclude their working with the applicant or if the issues raised could be further investigated. Alderman Birch asked for some data on the site at Alsip, such as daily truck traffic and if there have been any complaints. Chuck Smith responded that if approval were granted to move forward, they would do a very comprehensive truck analysis and that while the Aldermen's concerns are valid, he did not feel that they could not be resolved.

Alderman Sheahan expressed that the concept site seems like a good idea, but expressed sadness over the loss of Cascade Drive-In. Alderman Stout that while there are concerns about traffic, safety and quality of life for the current residents, it could breathe life into this area and with the commercial business attracted and expressed willingness to work with the applicant to resolve the issues and that she would like to see this proposal continue forward.

Alderman Beifuss pointed out that the two Aldermen were not present and that in particular, the Alderman from Ward 5 was not present. To clarify, he stated that he is leaning toward no. Alderman Banas stated that he is leaning toward yes. Alderman Birch agreed that she is also leaning toward no. Alderman Sheahan stated that she was unsure and while she likes the idea, she felt the community would be upset to see the movie theater go. Alderman Stout agreed, but pointed out that at some point, if Cascade were to close, they would have to cross this road. Alderman Birch also asked what would become of the site if Cascade were to close. Alderman Stout said that a huge void would be created and that this proposal seems to be a very well thought out and cohesive project. Chuck Smith suggested working closely if the project were to move forward through the Plan Commission stages and reminded the members that they are not asking for any money or TIF to construct this site.

Dave Sabathne, President and CEO of Western DuPage Chamber of Commerce, was recognized by the Committee members to speak. He stated that he has met with the applicant and had similar concerns. He pointed out that Prince Crossing is zoned B-3 and not residential. He also cited examples of where truck traffic has been restricted within the City. Mr. Sabathne emphasized that the site would not be transient traffic from out of state, but rather local drivers and the Committee should not have to worry about this issue. He mentioned that a truck stop, however, would not be the right project for West Chicago.

Alderman Stout asked for the Committee's direction. She also stated that she would like more information from the applicant, but that she would like to work with them. Alderman Birch concurred that she would also like more information. Mr. Smith offered again, that if there is a way to collaborate, they are willing to do so.

Mr. Said stated that the next stage is zoning and that the applicant has heard the Committee's concerns and that they now need to reflect on the information provided by the members and incorporate it should they go forward. Mr. Smith thanked the Committee for their time and input.

**6. Unfinished Business.**

None.

**7. New Business.**

Alderman Stout stated that there is a bike rack proposal for the downtown area that is currently being held up. John Said provided a summary of how the proposal was initiated and that during the latter stages of approval, it was supported by Cultural Arts Commission, but then later denied by the Historical Preservation Commission (HPC). Due to a section in the current code, the review of all construction in the Historic District, even in City rights-of-way, must be approved by the HPC. He mentioned that there are options that exist and that one would be a code amendment.

A discussion ensued among the aldermen and John Said in reviewing what happened and what options exist going forward, which included the number of votes needed for the HPC to approve proposals and the chronic problem of their not having full attendance of their members at their meetings and whether or not the Development Committee can recommend approval or appeal it. Mr. Said explained that the 30-day appeal time had passed and the inherent problems of re-starting the application process for this proposal. He explained the option of a minor amendment to the code concerning projects that are in the public right of way, such as trash receptacles, lights, bicycle racks, etc. Alderman Beifuss asked if the amendment would be limited to wheeled vehicles and Alderman Banas voiced that the Infrastructure Committee was in favor of the racks and the advantages of bicycle use.

More discussion followed among the Committee members and staff as to the procedure for drafting the code amendment wording, what, if any additional information would be needed and whether more time should be allotted. John Said clarified that changes of this type would source from the Development Committee and Alderman Stout explained that a motion would not come back for review before the Committee until the February meeting. She expressed her preference for taking action on this at the February meeting.

**Alderman Banas made a motion to have staff prepare a text amendment to the code concerning City projects on City rights-of-way in the Historic District, which was**

**seconded by Alderman Birch. Roll call found the remaining members all in agreement and the motion carried.**

**8. Reports from Staff.**

John Said noted the progress of Thornton's Gas Station and that 21 people attended the housing seminar. The results are posted on the project website if anyone is interested.

**9. Adjournment.**

**Alderman Banas made a motion, seconded by Alderman Birch, to adjourn the Development Committee meeting at 9:23 p.m. The Committee members unanimously agreed and the motion carried.**

Respectfully submitted,

Jane Burke  
Executive Secretary

## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Fifth Amendment to the IGA with the DAA and Text  
Amendments to Section 10.5 of the Zoning Regulations

*IGA Resolution No. 16-R-0004*  
*Text Amendment Ordinance No. 16-O-0003*

**AGENDA ITEM NUMBER:** 4. A.

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

**COMMITTEE AGENDA DATE:** Jan. 11, 2016

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

**STAFF REVIEW:** John D. Said

**SIGNATURE** 

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

**ITEM SUMMARY:**

Please note that a public hearing is required to be held at the City Council level for any amendments to the Intergovernmental Agreement between the City and the DuPage Airport Authority. That public hearing has been properly published in the Daily Herald, as required, and the public hearing has been scheduled for commencement at the January 18<sup>th</sup>, 2016 City Council meeting.

The City and the DuPage Airport Authority (DAA) entered into an Intergovernmental Agreement (IGA) on March 22, 2001, which outlined the terms of development of land owned by the DAA and established the Airport Zoning District regulations. The IGA has been amended four times since its adoption. The DAA now desires to amend the IGA a fifth time to address a few zoning related amendments that are designed to encourage development within the DuPage Business Center (DBC). Specifically, the proposed amendments primarily affect the area of the Airport zoning district known as the Commercial Parcels Zone, which is the developable areas of the land owned by the DAA or commonly referred to as the DBC (formerly known as the DuPage National Technology Park). Overall the proposed amendments are considered to be minor in nature and are intended to increase the ability to further develop the DBC, clarify the development requirements, and streamline the development review and approval process. The bulk of the proposed amendments to the Commercial Parcels Zone requirements are proposed in Section 10.5-5, which are the landscape standards. The text amendments to the Airport Zoning District regulations are what is necessitating the fifth amendment to the IGA.

At its January 5, 2016 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of the requested Airport Zoning District text amendments by a (4-0) vote. Their recommendation is included as Exhibit A to the attached text amendment ordinance. The Plan Commission did not consider the amendment to the IGA because it is not part of the Commission's established purview.

## CITY OF WEST CHICAGO

**ACTION PROPOSED:**

Consideration of a fifth amendment to the IGA between the City and the DAA and consideration of text amendments to Section 10.5 (the Airport Zoning District) of the City's Zoning Code.

**COMMITTEE RECOMMENDATION:**

**RESOLUTION NO. 16-R-0004**

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION  
OF THE FIFTH AMENDMENT TO AN INTERGOVERNMENTAL  
AGREEMENT BETWEEN THE DUPAGE AIRPORT AUTHORITY AND THE  
CITY OF WEST CHICAGO**

WHEREAS, the CITY OF WEST CHICAGO is a municipal corporation established and existing as a body politic and corporation under the laws of the State of Illinois and governed pursuant to the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and,

WHEREAS, the DUPAGE AIRPORT AUTHORITY is a duly organized and existing body politic and corporate governed by the provisions of the Airport Authorities Act, (70 ILCS 5/1-1 *et seq.*); and,

WHEREAS, the PARTIES are "units of local government" as defined in Article VII, Section 1 of the Illinois Constitution of 1970, and, therefore, pursuant to Section 10 of Article VII, have the power to contract among themselves to obtain or share services and to exercise, combine or transfer any power or function in any manner not prohibited by law or ordinance; and,

WHEREAS, pursuant to the Intergovernmental Cooperation Act (5 ILCS 220/1 *et. seq.*), the PARTIES may contract with each other to perform any governmental service, activity or undertaking which either is authorized by law to perform, and may jointly exercise and enjoy any of their power or powers, privileges or authority; and,

WHEREAS, pursuant to the authority cited herein above, on March 12, 2001, the CITY OF WEST CHICAGO approved an Intergovernmental Agreement with the DUPAGE AIRPORT AUTHORITY, which was executed on March 22, 2001 as reflected in Ordinance No. 1603; and,

WHEREAS, the CITY OF WEST CHICAGO, on March 19, 2001, adopted a Zoning Text Amendment, Procedures relative to the zoning and procedures for the airport property, and Ordinance No. 4419; and,

WHEREAS, the CITY OF WEST CHICAGO, on December 17, 2001, approved the First Amendment to the Intergovernmental Agreement with the DUPAGE AIRPORT AUTHORITY pursuant to Resolution No. 01-R-0093; and,

WHEREAS, the CITY OF WEST CHICAGO, on August 15, 2005, approved the Second Amendment to the Intergovernmental Agreement with the DUPAGE AIRPORT AUTHORITY pursuant to Resolution No. 05-R-0092; and,

WHEREAS, the CITY OF WEST CHICAGO, on October 17, 2011, approved the Third Amendment to the Intergovernmental Agreement with the DUPAGE AIRPORT AUTHORITY pursuant to Resolution No. 11-R-0099; and,

WHEREAS, the CITY OF WEST CHICAGO, on January 5, 2015, approved the Fourth Amendment to the Intergovernmental Agreement with the DUPAGE AIRPORT AUTHORITY pursuant to Resolution No. 14-R-0083; and,

WHEREAS, on December 12, 2015, the DUPAGE AIRPORT AUTHORITY, acting through its Board, approved the Fifth Amendment to Intergovernmental Agreement which amends Exhibit "B" of the original Agreement as amended, amending Section 10.5 of the City's Zoning Code; and,

WHEREAS, the CITY OF WEST CHICAGO has determined it to be in the best interest of the residents of the CITY to consider the proposed Fifth Amendment to Intergovernmental Agreement to amend the Airport Zoning District regulations; and,

WHEREAS, the CITY OF WEST CHICAGO finds it reasonable and necessary to cooperate with the DUPAGE AIRPORT AUTHORITY to provide for the zoning and procedures relative to the development of the DUPAGE AIRPORT AUTHORITY property; and,

WHEREAS, the CITY OF WEST CHICAGO has determined that it is in the best interest of the residents of the CITY to undertake, in cooperation with the DUPAGE AIRPORT AUTHORITY, the Fifth Amendment to Intergovernmental Agreement under terms mutually acceptable to the PARTIES.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Chicago as follows:

Section 1. The recitals set forth above are incorporated herein and made a part hereof.

Section 2. A copy of the Fifth Amendment to Intergovernmental Agreement is attached hereto and incorporated herein by reference as Exhibit "A".

Section 3. The Mayor is authorized to execute Exhibit "A".

Section 4. The City Administrator is hereby authorized to take such action as is required and may be necessary to carry out the terms of the AGREEMENT, upon its execution.

Section 5. Upon its execution, the City Clerk is directed to transmit certified copies of this Resolution along with a fully executed copy of the AGREEMENT to the Mayor, the City Administrator, Corporation Counsel and the DuPage Airport Authority.

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2016.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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

ATTEST: \_\_\_\_\_  
City Clerk Nancy M. Smith

## **ORDINANCE NO. 16-O-0003**

### **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLE 10.5 OF THE ZONING CODE**

WHEREAS, The DuPage Airport Authority (the “APPLICANT”) proposes an amendment to Article 10.5 of the Zoning Code, which is Appendix A of the Code of Ordinances of the City of West Chicago to amend the Airport Zoning District regulations; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about December 21, 2015, all as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and,

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago, commencing on January 5, 2016, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of their application, and all interested parties had an opportunity to be heard; and,

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 16-RC-0005, a copy of which is attached hereto as Exhibit “A” which is, by this reference, made a part hereof.

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

Section 1. That Appendix A, Article 10, Section 10.5 of the Code of Ordinances of the City of West Chicago entitled “Airport Zoning District” is hereby deleted in its entirety and replaced with the language attached hereto as Exhibit “B”.

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 3. 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 \_\_\_\_\_ 2016.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman D. Earley	_____	Alderman J. Sheahan	_____
Alderman L. Grodoski	_____	Alderman A. Hallett	_____
Alderman S. Dimas	_____	Alderman M. Ferguson	_____
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 \_\_\_\_\_ 2016.

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

ATTEST:

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

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

## EXHIBIT "A"

RECOMMENDATION # 16-RC-0005

TO: The Honorable Mayor and City Council

SUBJECT: PC 16-04  
Text Amendment  
Airport Zoning District

DATE: January 5, 2016

DECISION: The motion to approve the request was unanimously approved by a (4-0) vote.

After review of the proposed text amendment as presented, the Plan Commission/Zoning Board of Appeals finds that it does not pose a threat to the health, safety and welfare of the community. It is the Commission's opinion that the proposed amendments to the Airport Zoning District regulations will promote and encourage development in the DuPage Business Center in a manner that will protect the health, safety and welfare of the community and still attain the type of high quality development the City and DuPage Airport Authority desires within the park.

Respectfully submitted,

Christine Dettmann  
Commissioner

### VOTE:

For

M. Schafer  
C. Dettmann  
D. Kasprak  
S. Hale

Against

Abstain

Absent

R. Mireault  
D. Faught  
B. Laimins

## **EXHIBIT “B”**

(insert Section 10.5 language here)

## 10.5 - The Airport Zoning District.

### 10.5-1. - General regulations.

(A) *Title.* This document shall be known, and may be referred to, as the Airport Zoning District ordinance.

(B) *Authority and purpose.*

(1) There has been a legislative finding that it is in the best interest of the residents of the City of West Chicago that there be only one (1) airport within its corporate limits and that an airport known as the DuPage Airport has been established within the municipal boundaries of the City of West Chicago. It is the purpose of this District to establish a rational pattern of land uses and encourage the most appropriate use of individual parcels and land from time to time constituting the DuPage Airport, under the jurisdiction of the DuPage Airport Authority, will provide the following:

- (a) Protect the existing character, airport facilities and land uses;
- (b) Encourage compatibility among different land uses and develop architectural, landscape architectural and design standards to govern development;
- (c) Encourage and enhance the preservation of natural resources, aesthetic amenities and natural features;
- (d) Secure adequate natural light, clean air, privacy and a safe airport environment;
- (e) Promote and protect the public health, safety, morals and general welfare of the County of DuPage, the County of Kane, the City of West Chicago, surrounding communities and the DuPage Airport Authority;
- (f) Facilitate the most efficient use of existing and planned public facilities and utilities;
- (g) Protect existing public facilities and utilities from being overloaded due to excess development;
- (h) Reduce congestion and promote safety on streets and highways by limiting traffic generation through the control of land use intensity; and
- (i) Protect natural resources including vegetation.

(C) *Public infrastructure.*

- (1) *Utilities.* All utility lines shall be installed underground.
- (2) *Civil engineering.* It is anticipated that civil engineering plans including items such as regional detention facilities, mass grading plans, and preliminary utility layout will be created for the Airport Zoning District, and that development of each lot will occur in compliance with these master engineering plans.
- (3) *Stormwater management.* Development of each lot shall accommodate stormwater management requirements of the City of West Chicago on its own lot or as part of a regional stormwater management facility. If a development utilizes a regional facility, calculations shall be provided demonstrating the total capacity of the facility, the amount of capacity presently committed to existing development, the amount available for use, the amount needed for the proposed development and the remaining capacity available for future development.
- (4) *Right-of-way improvement.* Developers of individual parcels shall protect all improvements within the right-of-ways during property improvements. Any damage to any improvement shall be replaced with in-kind repair in accordance with the City of West Chicago Code.

(D) *Administration and standards.*

- (1) Protect and respect the justifiable reliance of existing residents, business people and taxpayers on the continuation of the DuPage Airport Authority;
- (2) Establish standards for the review of applications filed pursuant to this Airport Zoning District Ordinance; and
- (3) Protect and enhance the taxable value of land and buildings.

(E) *Development review procedure.* If property within the Airport Zoning District is classified as a planned unit development (PUD), an application for development approval shall follow the procedure as set forth in Article XV of the Zoning Ordinance of the City of West Chicago, Illinois. Development approval shall follow Exhibit "C" of the Intergovernmental Agreement between the City of West Chicago and the DuPage Airport Authority, entered into March 22, 2001, as amended.

(F) *Construction commencement.* If property within the Airport Zoning District is classified as a planned unit development (PUD), construction shall be commenced within one (1) year of approval of the final PUD, unless an extension is granted by the City of West Chicago.

10.5-2. - Definitions.

*Authority:* The DuPage Airport Authority.

*Botanical name:* The Latin scientific name of a plant, a binomial consisting of "genus" and "species"; each plant has a unique botanical name.

*Building height:* The vertical distance measured from the average grade at the front wall of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between two eaves and ridge for gable, hip or gambrel roofs. Chimneys, towers, cooling towers and any other projections shall not exceed 10 feet above the Building height.

*Center island:* A center island is created where two (2) rows of head-in parking are separated by a landscape island.

*City:* The City of West Chicago.

*Common name:* The English name of a plant; there is often more than one (1) common name to a plant, or one (1) common name shared by several plants.

*Deciduous:* Plants shedding or losing foliage at the end of the growing season.

*End island:* An end island is a landscaped island that terminates a row of parking.

*Fleet vehicles:* Automobiles and trucks (of Class D or less under the Illinois Motor Vehicle Code existing on June 1, 2005) owned or operated by an occupant of the building on the site where the storage will occur.

*Floor area ratio:* The gross floor area of the building or buildings on the zoning lot divided by the area of such zoning lot.

*Hardscape:* Exterior surface ground plane site improvement components of rigid construction (i.e.; roadways, curbs, walkways, parking areas, retaining walls).

*Groundcover:* A group of low-growing plants, usually no higher than twelve (12) or eighteen (18) inches.

*Ground plane:* The surface of the ground.

*Intermediate island:* An intermediate island is a landscaped island placed intermittently along a row of parking.

*In-kind:* Equal to in aesthetic, functionality, material used, and life cycle of the existing condition.

*Landscape setback:* An area designated for plant material between the right-of-way and parking lot, pavement, building or other accessory structure. Culverts, sewers, water mains and underground utility lines and facilities may be located within the landscape setback. Access driveways may cross the landscape setback.

*Landscaped area:* An area which is completely covered with grass, groundcover, shrubs, perennials, trees, or any other living plant material.

*Landscape bed:* An area composed of plant materials which is differentiated from adjacent landscaped area(s) or hardscape area(s) through a change in ground plane materials.

*Landscape bed edging:* A material or installation method used to delineate the perimeter of a landscape bed.

*Limited manufacturing and assembly:* Any production, fabrication, processing, cleaning, servicing, testing, repair, or storage of material, goods or products which shall conform to the performance standards set forth in Section 10.5-3(C)(1).

*Lot, or zoning lot:* A single tract of land having direct access to dedicated right-of-way which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control.

*Lot line, exterior side:* A lot line which abuts a street and which is not a front line or a rear lot line.

*Lot Line, front:* A lot line which abuts a street. On a lot abutting two (2) or more streets, the front lot line shall be the shortest lot line abutting a street.

*Lot line, interior side:* A lot line which abuts another lot and which is not a front lot line or a rear lot line.

*Lot line, rear:* A lot line or lot lines most distant from and most nearly parallel to the front lot line.

*Mulch:* Material placed on the surface encompassing plant material for the purposes of retaining soil moisture.

*North Park Area:* The portion of the commercial parcels zone lying north of Fabyan Parkway.

*Ornamental tree:* A deciduous tree, mature height less than thirty (30) feet, possessing qualities such as flowers and attractive foliage or shape.

*Park:* The DuPage Business Center under the authority of the DuPage Airport Authority.

*Parkway:* That portion of the public way between the street and the nearest parallel property line, including sidewalk area.

*Parkway planting area:* An area between the sidewalk or lot line and the back of curb used for landscaping.

*Parkway tree:* A permitted shade tree planted in the public parkway.

*Shade tree:* A large-scale deciduous tree with a mature height greater than thirty (30) feet generally having a single stem and planted primarily for shade.

*Shrub:* Small-scale plants, generally without a single stem, used as hedges, foundation planting, borders, and accents, possessing qualities such as flowers and attractive foliage or shape.

*Side yard:* An area between the side building facade and the side property line.

*South Park Area:* The portion of the commercial parcels zone lying south of Fabyan Parkway.

*Yard, exterior side:* A required yard adjoining a street which extends the full depth of a lot, along an exterior or side lot line, excluding the area within a front yard.

*Yard, front:* A required yard which extends the full width of a lot along a front lot line.

*Yard, interior side:* A required yard adjoining another lot which extends the full depth of a lot along an interior side lot line, excluding the areas within a front yard and/or rear yard.

*Yard, rear:* A required yard which extends the full width of a lot along a rear lot line. The exterior side yard requirements shall prevail over the rear yard requirements.

#### 10.5-3. - Sub planned unit development (PUD).

Within the Airport Zoning District there may be more than one (1) sub PUD. All land located within the Airport Zoning District shall be classified in one (1) of the following parcels which, in each case, shall conform to the regulations hereinafter set forth.

- (A) *Airport Parcels Zone.* Within the Airport Zoning District there shall be one (1) airport parcel or zoning lot which shall be developed as a PUD. Its principal use shall be a public airport together with all associated accessory uses and amenities, which are used for or useful as an aid to the landing, taking off, navigation, repair, maintenance or storage of aircraft, including, but not limited to, air traffic control towers, hangars, terminals, fuel farms, ground maintenance buildings, administrative offices, flight instruction buildings or offices, automobile rentals, food service, aircraft repair or maintenance buildings or offices, roads, parking, runways, taxiways, ramp areas, clear zones, noise impact areas and air space requirements areas.
- (B) *Golf Course Parcels Zone.* Within the Airport Zoning District there shall be not more than two (2) golf course parcels which shall be single zoning lots developed as PUDs. Their principal use shall be a golf course and the following accessory uses and amenities which are used or useful in the operation of the golf courses, including, but not limited to, maintenance and storage facilities, practice facilities, driving range, clubhouse, food and beverage facilities, swimming pools, tennis courts, other recreational facilities, hotels, cottages and other lodging facilities (not intended for permanent occupancy), facilities for meetings, benefits, banquets and the like held at the golf courses.
- (C) *Commercial Parcels Zone.*
  - (1) *Purpose.* The commercial parcels zone is intended to serve as a multi-use zone which may contain multiple PUDs on multiple zoning lots that incorporates business, research, recreational, technology, and light industrial uses. All or any portions of the commercial parcels zone may be classified and developed without PUDs. It is the intent of Section 10.5-3(C) to separate, where possible, uses which conflict with one another. As part of the site plan review process, the applicant will be encouraged to develop uses that are consistent in terms of character and function.

Any use that produces adverse effects upon the property in terms of public health, safety or welfare, or which may be harmful to the DuPage Airport, or which does not comply with the intent of the development plan shall be precluded. No use shall be permitted which does not comply with the performance standards of the City such as:

- (a) Noxious, toxic, or corrosive fumes, gases or discharge;
- (b) Smoke or radiation;
- (c) Ground conditions which produce dust;
- (d) Noises and/or vibration;
- (e) Intense glare or heat;
- (f) Any adverse environmental condition;
- (g) Any use which would adversely impact the safe operation of the DuPage Airport;
- (h) Air pollution;
- (i) Electromagnetic interference; and

- (j) Radio frequency interference.
- (2) *Permitted uses.* All permitted uses may include offices as accessory uses.
  - (a) *Office, research and technology.*
    - Corporate offices;
    - General offices;
    - Government offices, fire and police stations;
    - Medical and dental offices and clinics;
    - Professional offices;
    - Agricultural research;
    - Computer and data processing facilities;
    - Educational and/or training facilities;
    - Engineering and testing facilities;
    - Laboratories for professional, medical and scientific instruments, equipment and supplies;
    - Research and development operations;
    - Telemarketing operations;
    - Day care center as ancillary to another office, research and technology use;
  - (b) *Light industrial.*
    - Limited manufacturing and assembly;
    - Printing and publishing operation;
    - Public utilities;
    - Warehouse and distribution;
    - Day care center as ancillary to another light industrial use.
  - (c) *Commercial.*
    - Bank, savings and loan, credit union;
    - Beauty parlor and barber shop;
    - Car rental (excluding trucks over Class B license);
    - Catering facility;
    - Conference center;
    - Day care center;
    - Dry cleaning and laundry;

General recreation parks;  
Health clubs;  
Home improvement center;  
Hotel and convention center;  
House of worship;  
Museums;  
Passenger railroad station;  
Photography studio;  
Playgrounds and athletic areas;  
Printing, publishing, and blueprinting with retail sales;  
Public or private recreational facilities;  
Resorts;  
Restaurant, sit down;  
Retail and wholesale trade;  
Sod and crop farms;  
Swimming pools/ice skating rinks;  
Theater;  
Veterinarian clinic with no outside kennel;

(d) *Accessory uses.*

Accessory uses and accessory structures, as defined in Section 10.5-6.

(3) *Special uses.* (In accordance with Section 5.4-6 of the City's Zoning Code).

Alternative electric suppliers unless ancillary to a permitted or special use;  
Auto repair;  
Automobile service stations;  
Fuel sales and storage;  
Heliports;  
Outside storage;  
Public assembly;  
Restaurant (drive-through);  
Vehicle sales.

(4) Bulk, setbacks and yard requirements.

(a) *Maximum height.\**

Office, research and technology	55 feet or 3 stories, whichever is less
Light industrial	50 feet or 2 stories, whichever is less
Commercial	35 feet or 2 stories, whichever is less
	Except hotels, which may be 55 feet or 5 stories, whichever is less

\* Subject to Federal Aviation Administration (FAA) Regulations.

(b) *Minimum zoning lot area.*

Office, research and technology	2 acres
Light industrial	2 acres
Commercial	1 acre

(c) *Minimum zoning lot width.*

Office, research and technology	150 feet
Light industrial	200 feet
Commercial	150 feet

(d) *Minimum front and exterior side yard (building and paving).*

	Building	Paving
Office, research and technology	60 feet	40 feet

Light industrial	40 feet	20 feet
Commercial	50 feet	20 feet

(e) *Minimum interior side yard (building and paving).*

	Building	Paving
Office, research and technology	15 feet	10 feet
Light industrial	20 feet	15 feet
Commercial	25 feet	10 feet

(f) *Minimum rear yard (building and paving).*

	Building	Paving
Office, research and technology	15 feet	10 feet
Light industrial	20 feet	10 feet
Commercial	25 feet	10 feet

(g) *Maximum floor area ratio.\**

Office, research and technology	0.60
Light industrial	1.50
Commercial	0.25
Hotels and motels	1.00