

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## DEVELOPMENT COMMITTEE

**Monday, February 8, 2016  
7:00 P.M. - Council Chambers**

### AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
  - A. January 11, 2016
3. Public Participation
4. Items for Consent
5. Items for Discussion
  - A. Arts & Economic Development Presentation – Future of 200 Main Street
  - B. Forming America – 1200 N. Prince Crossing Road – Site Improvement Status Update
  - C. Amendment to the City Code Relating to Certificate of Appropriateness Regulations
6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment

## **MINUTES**

### **DEVELOPMENT COMMITTEE**

**January 11, 2016, 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 Ferguson, Laura Grodoski, Jayme Sheahan, John Smith and Rebecca Stout, present.

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

**2. Approval of Minutes.**

**A. November 9, 2015**

**B. December 14, 2015**

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

**3. Public Participation.**

Alderman Stout stated that Public Participation would be moved to after Agenda Item 4, Items for Consent.

**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.**

**Alderman Ferguson motioned to recommend that these items be moved forward, which was then seconded by Alderman Smith. Roll call found all remaining members in agreement and the motion carried.**

**5. Items for Discussion.**

**B. Kuhn Property – 1100 E. North Ave. – Conceptual Review.**

Alderman Stout stated that Agenda Item 5B would be discussed before Item 5A. She then granted Alderman Smith the opportunity to speak first.

Alderman Smith made comments stating his objection to the proposed project due to the housing developments near the subject property and urged his fellow Aldermen to oppose it. Alderman Smith then departed at 7:05 P.M.

John Said summarized the purpose of a conceptual review at the Development Committee level and noted the option for the public of obtaining additional information by submitting a Freedom of Information Act request to do so. Alderman Stout opened the floor to her fellow Committee members.

Alderman Beifuss echoed Alderman Smith's earlier remarks and reiterated his comments from the December meeting, stating his objections about the negative impact on the quality of life for nearby residents and his concerns about the zoning, the comprehensive plan usage and the intensive truck traffic for this location.

Alderman Ferguson agreed with Aldermen Smith and Beifuss and reiterated the concerns she had raised at the December meeting about traffic.

Alderman Banas stated that it is not a good idea for the residents.

Alderman Grodoski stated that she also does not support the facility at this location.

Alderman Stout concluded that it was the opinion of the Committee that the project should not move forward. She thanked the members of the public who had attended.

**A. Forming America – 1200 N. Prince Crossing Road – Site Improvement Status Update.**

John Said summarized the history of this site improvement and its delays and asked the Committee to consider the applicant's current status.



Benjamin Start, representative of Forming America, was in attendance. He remarked on the status of the paving to date and John Said helped to clarify the matter.

Alderman Beifuss made comments regarding a particular delay being tied to DuPage County and John Said clarified that that was true in the past, but not for the past year.

Alderman Beifuss asked the applicant about the reason for the delay and Mr. Start replied that his company spent a considerable amount of money on paving last year and that they are trying to budget and plant for the remaining areas to be completed.

Further discussion ensued about future deadlines being met. Mr. Start stated that he preferred to defer the matter to Mr. James Langkamp, Forming America's President, who was not present. Alderman Banas made comments about when the special use was first approved for this company and he requested they provide a plan about how they intend to meet the requirements. Upon request from Committee members, Mr. Said outlined options for completion of this project. Alderman Stout reminded the Committee to consider the best option, which would be discussed at the next Development Committee meeting in February.

Alderman Grodoski suggested that requesting updates every six months is perhaps too long and recommended shorter time spans. Mr. Said commented that the updates were specified in the ordinance and Alderman Stout pointed out that the terms could be modified going forward when a new special use is renegotiated. Alderman Stout recapped for the applicant what the Committee would like to see completed by the next meeting.

**6. Unfinished Business.** None.

**7. New Business.** None.

**8. Reports from Staff.**

John Said noted that demolition is progressing for the construction of the new Thornton's gas station at 1330 S. Neltnor.

Mr. Said also noted that due to the State budget problems, the funding for the study "Homes for a Changing Region" might be impacted. He promised to keep the Committee apprised of any further developments.

**9. Adjournment.**

**Alderman Banas made a motion, seconded by Alderman Ferguson, to adjourn the Development Committee meeting at 7:38 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:**

Site Improvement Progress Report  
1200 N. Prince Crossing Road  
Forming America

**AGENDA ITEM NUMBER:** 5.B.**FILE NUMBER:** \_\_\_\_\_**COMMITTEE AGENDA DATE:** Jan. 11, 2015**COUNCIL AGENDA DATE:** \_\_\_\_\_**STAFF REVIEW:** John D. Said**SIGNATURE** **APPROVED BY CITY ADMINISTRATOR:** Michael Guttman **SIGNATURE** \_\_\_\_\_**ITEM SUMMARY:**

The owner of Forming America, LTD., James Langkamp, received approval of his original special use for an outside storage yard in August of 2007. That special use approval entailed several site improvements to be completed by specific dates. Mr. Langkamp did not meet many of those original deadlines, mostly relating to paving the existing gravel storage yard, which necessitated a first amendment to the special use to adopt new completion deadlines. The first amendment was approved in December of 2011.

Mr. Langkamp failed to meet the revised site improvement completion deadlines established in the first amendment to his special use, and a second amendment was approved in July of 2014 establishing a revised set of compliance deadlines. The second amendment ordinance with the revised deadlines is attached for your review. All of the ordinances also require the owner to provide bi-annual progress reports to the Development Committee. The last progress report was presented to the Development Committee in January of 2016.

The most prominent incomplete site improvement is the paving of the existing gravel storage yard. The current site improvement deadlines, per condition # 9 under Section 1 of the attached ordinance, require the Phase I paving to be completed by October 31, 2014, the Phase II paving to be completed by October 31, 2015 and the Phase III paving to be completed by December 31, 2015. To date the applicant has completed the majority of Phase I, but has not completed any of Phases II and III, and therefore is non-compliant with respect to those deadlines.

The City has previously provided significant latitude for Forming America in the completion of the paving for this project. At the January 2016 meeting, the Development Committee discussed the non-compliance issues and requested Mr. Langkamp attend the February meeting with a clear and concise plan to rectify the situation.

Since the January Development Committee meeting, Mr. Langkamp met with staff and has prepared the attached information that outlines a new 3 year pavement completion phasing schedule for the Committee to evaluate. If the Development Committee finds Mr. Langkamp's revised phasing schedule acceptable he will then formally apply for a third amendment to his existing special use for City Council consideration.

<b>ACTIONS PROPOSED:</b>
Review of Forming America's current site improvement status and consideration of new site improvement completion deadlines.
<b>COMMITTEE RECOMMENDATION:</b>



## Jeff Harris

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**From:** James Langkamp <jlangkamp@formingamerica.com>  
**Sent:** Friday, January 29, 2016 3:55 PM  
**To:** Jeff Harris  
**Cc:** John Said  
**Subject:** 2016 Paving Plan  
**Attachments:** 2016 Paving Plan.pdf; Paving Map.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Jeff,

We appreciate you and John taking the time with us yesterday to review and discuss the Forming America paving project. As we presented at that time, we are requesting consideration for an adjusted paving program. We are presenting a plan that takes into account the capital requirements, the scheduling limitations due to weather and the challenge of operating the business while undergoing a construction project. Attached, you will find a site paving plan broken up into 8 zones. Additionally, you will find a detail sheet showing the square footage and associated costs with paving each area. Finally, you will find on the same sheet our requested time frame to get the work done. Please note that we did complete all of the external paving (everything on the public side of our fencing) in 2015, at a cost of \$103,000. We are increasing our 2016 budget to \$142,000 as our business is continuing to improve. 2017 at \$200,000 will not be a problem because our last payment for back taxes (IRS) is in the 4th quarter of 2016 and we will have officially recovered from the recession. 2018 at \$150,000 to finish the project. We have secured the bid for Zone 1 with one of our paving contractors and he is prepared to get started early this Spring. He will also be doing Zone 5 next year (if our plan is acceptable to the city) and we have discussed a price freeze for the contracted work and he has agreed to our terms. We expect to get the same guarantees from our other contractors who are bidding the concrete, etc. Repairs on the main slab will continue as soon as weather permits. West Suburban Bank has issued an irrevocable letter of credit on behalf of Forming America in the amount of \$151,545 (City of West Chicago- Beneficiary) to guarantee the project's completion which we believe covers both the public and private improvements.

Again, we would like to express our appreciation to the staff and Development Board of West Chicago for working with us through what many have said has been the worst construction downturn since the great depression. I would greatly appreciate your support for our plan and I can assure you we will meet our deadlines if we are given the opportunity to move forward as proposed.

Sincerely,

Jim Langkamp



## Forming America Paving Project

	Square feet	Cost of paving
2015 Completed Paving	20,012	\$103,000.00
Zone 1	6,164	\$18,492.00
Zone 2	2,914	\$17,046.90
Zone 3	18,958	\$56,874.00
Zone 4	47,377	\$50,000.00
Zone 5	16,166	\$48,498.00
Zone 6	16,169	\$94,588.65
Zone 7	43,308	\$61,497.36
Zone 8	110,516	\$156,932.72
Total square feet	281,584	

### TOTAL PAVING & REPAIRS

All external drives, walkways and parking lot

2015 Total \$103,000.00

Zone 1

Zone 2

Zone 3

Zone 4

2016 Total \$142,412.90

Zone 5

Zone 6

Zone 7

2017 Total \$204,584.01

Zone 8

2018 Total \$156,932.72

**PROJECT TOTAL \$606,929.63**

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CHICAGO AND NORTHWESTERN  
(GREAT WESTERN TRAIL)

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RAILROAD CROSSING

PRINCE GEORGE ROAD

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ONE M (Manufacturing)

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**PARKING & STORAGE  
YARD IMPROVEMENT**

*Regional Fair*

**FORMING AMERICA**  
JAMIE LANGKAMP  
1700 Prince Georges Road



**CITY OF WEST CHICAGO**

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**ORDINANCE NO. 14-O-0023**

**AN ORDINANCE APPROVING A SECOND AMENDMENT TO THE  
OUTSIDE STORAGE SPECIAL USE FOR 1200 N. PRINCE CROSSING ROAD -  
FORMING AMERICA, LTD.**

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**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF WEST CHICAGO  
July 21, 2014**

Published in pamphlet form by the authority of the City Council of the City of West Chicago,  
DuPage County, Illinois, on the 22<sup>nd</sup> day of July 2014.



## **ORDINANCE NO. 14-O-0023**

### **AN ORDINANCE APPROVING A SECOND AMENDMENT TO THE OUTSIDE STORAGE SPECIAL USE FOR 1200 N. PRINCE CROSSING ROAD - FORMING AMERICA, LTD.**

WHEREAS, on or about May 16, 2014, James Langkamp of Forming America, LTD. (the "APPLICANT"), filed an application for a second amendment to the previously approved special use permit for an outside storage yard, with respect to the property legally described on Exhibit "A" attached hereto and incorporated herein (the "SUBJECT REALTY"); and,

WHEREAS, the corporate authorities of the City of West Chicago granted the original special use by Ordinance 07-O-0049 on August 20, 2007; and,

WHEREAS, the corporate authorities of the City of West Chicago granted a first amendment to the special use by Ordinance 11-O-0069 on December 19, 2011; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about July 13, 2014, 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 July 1, 2014, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of its 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.14-RC-0013, a copy of which is attached hereto as Exhibit "B" which is, by this reference, incorporated herein.

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 a second amendment to the special use permit for an outside storage yard in conformance with Section 5.5 and Section 11.2-4 (T) of the Zoning Ordinance is hereby granted on the SUBJECT REALTY, subject to the following conditions:

1. The applicant shall only utilize those areas of the subject realty for outside storage that have been improved according to the approved Site and Engineering Plans.
2. The buildings and the storage yard on the subject realty shall only be utilized by Forming America, LTD. or its successors.

3. The storage yard shall only contain items that are directly related to the operation of the business occupying the subject realty.
4. No items stored within the storage yard on the subject realty, other than vehicles, shall exceed the height of the storage yard fence such that they are visible from Prince Crossing Road.
5. No outside storage on the subject realty shall block, hinder, restrict, or render unusable any required parking spaces or fire lanes.
6. The landscaping on the subject realty shall be installed and maintained in compliance with the Landscape Plan prepared by Flamingo Landscape, Inc., consisting of one (1) sheet dated July 25, 2007, attached as Exhibit "C" of Ordinance 07-O-0049. All landscaping on the subject realty located within ten (10') feet of the perimeter of any proposed parking lot or storage yard pavement improvements shall be installed within thirty (30) days after the installation of the adjacent parking lot or storage yard pavement improvements.
7. The applicant shall submit revised as-built plans within three (3) months of the completion of each phase of the paving and City staff approval shall be obtained within eight (8) months of the revised submittal.
8. The applicant shall have all outside storage on the subject realty on a paved surface within one (1) year of the completion of the Phase I and II paving.
9. The subject realty shall be developed in compliance with the Site Plan prepared by Webster, McGrath & Ahlberg, LTD., dated January 31, 2006, as amended to include a new Phase I paving completion date of October 31, 2014; a new Phase II paving completion date of October 31, 2015; and a Phase III paving completion date of December 31, 2015, a copy of which is attached hereto as Exhibit "C" which is, by this reference, incorporated herein.
10. The petitioner shall provide bi-annual progress reports in person to the City's Development Committee verifying the status of the subject realty's compliance with the 10 conditions and restrictions set forth herein. The petitioner shall provide said progress reports until such time that all conditions have been satisfactorily met and the subject realty has been brought into compliance.

Section 2. That all ordinances and resolutions, or parts thereof, shall, to the extent not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.



PASSED this 11th day of July 2014.

Alderman J. Beifuss

Aye

Alderman L. Chassee

Aye

Alderman J. Smith

Aye

Alderman D. Earley

Aye

Alderman A. Hallett

Aye

Alderman L. Grodoski

Aye

Alderman A. Murphy

Aye

Alderman S. Dimas

Aye

Alderman K. Meissner

Aye

Alderman J.C. Smith, Jr.

Aye

Alderman R. Stout

Aye

Alderman M. Edwalds

Absent

Alderman M. Fuesting

Aye

Alderman J.F. Banas

Aye

APPROVED as to form:

[Signature]  
City Attorney

APPROVED this 11th day of July 2014.

[Signature]  
Mayor, Ruben Pineda

ATTEST:

[Signature]  
City Clerk, Nancy M. Smith

PUBLISHED: 7/22/14



## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND RUNNING THENCE SOUTH 00°21'51" EAST ON THE EAST LINE THEREOF, 870.30 FEET TO THE NORTHERLY LINE OF PROPERTY CONVEYED TO COMMONWEALTH EDISON COMPANY BY DOCUMENT R62-27934; THENCE NORTH 83°57'05" WEST ON SAID NORTHERLY LINE (BEING A LINE DRAWN PARALLEL WITH AND 50 FEET NORTHERLY OF THE NORTHERLY LINE OF THE FORMER CHICAGO GREAT WESTERN RAILROAD RIGHT OF WAY), 1317.39 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER OF SECTION 34; THENCE NORTH 00°05'22" EAST ON SAID WEST LINE, 702.05 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°42'25" EAST ON SAID NORTH LINE, 1303.76 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 01-34-403-002.

## **EXHIBIT "B"**

### **RECOMMENDATION # 14-RC-0013**

TO: The Honorable Mayor and City Council

SUBJECT: PC 14-11  
Special use amendment for an outside storage yard  
1200 N. Prince Crossing Road  
Forming America, LTD.

DATE: July 1, 2014

DECISION: The motion to approve the request unanimously passed (7-0).

#### RECOMMENDATION

After review of the requested second amendment to the special use, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval, subject to the following conditions:

1. The applicant shall only utilize those areas of the subject realty for outside storage that have been improved according to the approved Site and Engineering Plans.
2. The buildings and the storage yard on the subject realty shall only be utilized by Forming America, LTD. or its successors.
3. The storage yard shall only contain items that are directly related to the operation of the business occupying the subject realty.
4. No items stored within the storage yard on the subject realty, other than vehicles, shall exceed the height of the storage yard fence such that they are visible from Prince Crossing Road.
5. No outside storage on the subject realty shall block, hinder, restrict, or render unusable any required parking spaces or fire lanes.
6. The landscaping on the subject realty shall be installed and maintained in compliance with the Landscape Plan prepared by Flamingo Landscape, Inc., consisting of one (1) sheet dated July 25, 2007, attached as Exhibit "C" of Ordinance 07-O-0049. All landscaping on the subject realty located within ten (10') feet of the perimeter of any proposed parking lot or storage yard pavement improvements shall be installed within thirty (30) days after the installation of the adjacent parking lot or storage yard pavement improvements.



7. The applicant shall submit revised as-built plans within three (3) months of the completion of each phase of the paving and City staff approval shall be obtained within eight (8) months of the revised submittal.
8. The applicant shall have all outside storage on the subject realty on a paved surface within one (1) year of the completion of the Phase I and II paving.
9. The subject realty shall be developed in compliance with the Site Plan prepared by Webster, McGrath & Ahlberg, LTD., dated January 31, 2006, as amended to include a new Phase I paving completion date of October 31, 2014; a new Phase II paving completion date of October 31, 2015; and a Phase III paving completion date of December 31, 2015.
10. The petitioner shall provide bi-annual progress reports in person to the City's Development Committee verifying the status of the subject realty's compliance with the 10 conditions and restrictions set forth herein. The petitioner shall provide said progress reports until such time that all conditions have been satisfactorily met and the subject realty has been brought into compliance.

The recommendation is based on the following standards stated under Section 5.5-4: The Plan Commission/Zoning Board of Appeals shall recommend a special use only if it shall make a findings of fact based upon evidence presented that the special use:

- (1) *Is necessary for the public convenience at that location or, the case of existing nonconforming uses, a special use permit will make the use more compatible with its surroundings:*

(This standard should be interpreted as indicating whether or not the proposed use is good for the public at that particular physical location, and not whether or not the use itself is *needed* there).

The proposed site improvements associated with the special use amendment request are designed to bring the subject property and the operation of business into compliance with current City regulations.

- (2) *Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:*

The proposed storage yard is designed to protect the public's health, safety and welfare by containing and screening the items within the yard from the adjacent properties.

- (3) *Will not cause substantial injury to the value of other property in the neighborhood in which it is located:*

The proposed use should not have a negative impact on the surrounding neighborhood in which it is located given that the site is currently being operated as such a use, however the site does have environmentally sensitive areas on-site that necessitate the required site restrictions to be followed.



(4) *The proposed special use is designated by this code as a listed special use in the zoning district in which the property in question is located:*

The proposed storage yard is listed as a special use, per the M, Manufacturing District regulations established in Section 11.2-4 (T) of the Zoning Code.

Respectfully submitted,

Erik Van-der-Mey  
Chairman

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
E. Van-der-Mey			
R. Mireault			
B. Liamins			
A. Hannemann			
C. Dettmann			
S. Hale			
M. Birch			

## **EXHIBIT “C”**

(insert Site Plan here)

# **PARKING REQUIREMENTS**

1/1000sf Warehouse • 15872sf • 16 spaces  
4/1000sf Office • 1079sf • 7 spaces

## **PARKING PROVIDED**

25 regular spaces • 2 handicap spaces  
(24 reg • 1 hc for optional warehouse)

## **PHASE I & II PAVING PLAN**

- Phase I - July 31st 2014 Completion
- Proposed Phase I - October 31st 2014 Completion
- Proposed Phase II - October 31st 2015 Completion

ZONE M (Manufacturing)

CONSERVATION

EASEMENT

## **LAND AREA SUMMARY TABLE:**

Gross Site Area • 23.584 Acre  
Road Area • 0.658 Acre  
Net Site Area • 22.926 Acre  
Conservation Easement • 13.14 Acre

### **Phase 1:**

Disturbed Area • 2.590 Acre

### **Phase 2:**

Disturbed Area • 1.802 Acre

### **Phase 3:**

Disturbed Area • 2.768

Total Disturbed Area • 7.16 Acre

CN • 95

COMMONWEALTH

EDISON

COMPANY

CHICAGO

AND

NORTHWESTERN

(GREAT WESTERN TRAIL)

RAILROAD

ZONE M (Manufacturing)

ZONE M (Manufacturing)

ZONE M (Manufacturing)

Front Yard Parking Setback • 20'

Side Yard Parking Setback • 15'

Rear Yard Parking Setback • 15'

Front Yard Building Setback • 40'

Side Yard Building Setback • 30'

Rear Yard Building Setback • 20'



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1	11/11/11	ISSUED FOR PERMIT	MM	MM
2	11/11/11	REVISION	MM	MM
3	11/11/11	REVISION	MM	MM
4	11/11/11	REVISION	MM	MM
5	11/11/11	REVISION	MM	MM
6	11/11/11	REVISION	MM	MM
7	11/11/11	REVISION	MM	MM
8	11/11/11	REVISION	MM	MM
9	11/11/11	REVISION	MM	MM
10	11/11/11	REVISION	MM	MM

C-2



STATE OF ILLINOIS     )  
COUNTY OF DU PAGE    )

## ***CERTIFICATE***

I, Nancy Smith, Certify that I am the duly elected and acting City Clerk of the City of West Chicago, DuPage County, Illinois.

I further certify that on July 21, 2014 the Corporate Authorities of such municipality passed and approved Ordinance No. 14-O-0023 entitled:

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**AN ORDINANCE APPROVING A SECOND AMENDMENT TO THE  
OUTSIDE STORAGE SPECIAL USE FOR 1200 N. PRINCE CROSSING ROAD -  
FORMING AMERICA, LTD.**

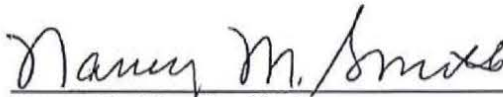
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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 14-O-0023 including the ordinance and a cover sheet hereof was prepared, and a copy of such ordinance posted in the municipal building, commencing on July 22, 2014 continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the Office of the City Clerk.

Dated at West Chicago, Illinois, this 21<sup>st</sup> of July 2014.

SEAL

  
\_\_\_\_\_  
Nancy Smith, City Clerk

## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

City Code Amendment  
Certificate of Appropriateness Regulations

Ordinance No. 16-O-0007

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

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

**COMMITTEE AGENDA DATE:** Feb. 8, 2016

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

**STAFF REVIEW:** John D. Said, AICP

**SIGNATURE** JDS

**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman

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

**ITEM SUMMARY:**

City staff was directed by the Development Committee at their December 14, 2015 meeting to prepare an amendment to the City Code pertaining to the types of items that require Certificate of Appropriateness (COA) review. This proposed amendment has emanated from the recent review of proposed bike racks throughout the downtown area, including the Turner Junction Historic District. Here is a brief history of the actions that have transpired to date leading up to the direction provided to City staff by the Development Committee to draft the proposed amendment:

- On October 5<sup>th</sup> the Infrastructure Committee approved the installation of bike racks throughout the City's downtown with the stipulation that consent also be obtained from the Historical Preservation Commission regarding the bike rack locations within the Turner Junction Historic District and consent from the Cultural Arts Commission regarding the proposed artwork on the bike racks.
- The Historical Preservation Commission denied the COA bike rack proposal at their October 27<sup>th</sup> meeting for a few reasons, including: no wanting artwork on the bike racks and a design that was not, in the Commission's view, complimentary to the City's other existing metal infrastructure improvements (i.e. tree grates, trash receptacles, street lights, stairway railings, etc.) located within the Turner Junction Historic District rights-of-way.
- The Cultural Arts Commission recommended approval of the artwork on the bike racks at their November 5<sup>th</sup> meeting.
- Because of the Historical Preservation Commission's COA denial, the matter was reevaluated by the Infrastructure Committee at their November 5<sup>th</sup> meeting where the Infrastructure Committee forwarded the matter to the Development Committee for further consideration.
- At their December 14<sup>th</sup> meeting, the Development Committee directed staff to pursue an amendment to the COA regulations to exempt public improvements in the right-of-way from the COA requirements. The Development Committee also directed staff to present this amendment to the Committee at their February 8<sup>th</sup> meeting.
- At their January 26<sup>th</sup> meeting, the Historical Preservation Commission reviewed the draft amendment language prepared by staff and provided the following comments:
  1. The Commission recommended that if any amendments are to be approved, they be approved as presented below.



2. Commissioner Hale does not support removing the Commission from any type of review or oversight of any type of improvement, including improvements in the right-of-way, in any designated historic district. She feels that the proposed amendments hinder the Commission's functions outlined in the City Code to oversee the preservation of the historic districts.
3. Commissioner Hale also recommended that new regulations and procedures be adopted that would allow the Commission to review public improvements in the right-of-way in lieu of the proposed amendments removing Commission review of public improvements in the right-of-way. Such regulations could be written to provide the Commission a degree of oversight and the ability to provide feedback, but to a lesser extent than the current COA requirements requiring approval or denial by the Commission.

The existing COA language is shown below along with the proposed amendments in bold face type. For the sake of review only those sections (or portions thereof) of the Code that are proposed to be amended or are pertinent to the proposed amendment are shown.

Chapter 4 - BUILDINGS AND BUILDING REGULATIONS  
ARTICLE V. - LANDMARK AND HISTORIC DISTRICT REGULATIONS

Sec. 4-94. - Alteration, construction and demolition of buildings in historic preservation district or with landmark status.

Work on property and improvements shall be regulated as follows:

- (1) *Landmarks*. No alterations, interior construction which affects structural members, exterior construction or exterior demolition may be performed on property and improvements which have been designated under this article as landmarks, except as shall be approved by a certificate of appropriateness.
- (2) *Historic districts*. No alterations, exterior construction or exterior demolition may be performed on property and improvements located within an area which has been designated under this article as an historical district, except as shall be approved by a certificate of appropriateness.
- (3) **All public improvement work within any right-of-way shall be exempt from the requirements of this subsection.**

Sec. 4-95. - Certificate of appropriateness, procedure.

- (a) *Generally*. A certificate of appropriateness shall be required before the following actions affecting the exterior architectural appearance of any landmark or property within a historic district may be undertaken:
  - (1) Any construction, alteration, removal or demolition requiring a building permit from the city.
  - (2) Any construction, alteration, removal or demolition affecting a significant exterior architectural feature as specified in this article designating the landmark or historic district.
  - (3) **All public improvement work within any right-of-way shall be exempt from the requirements of this subsection.**

**ACTIONS PROPOSED:**

Consideration of an amendment to the City Code pertaining to the types of items that require Certificate of Appropriateness review.

**COMMITTEE RECOMMENDATION:**



**ORDINANCE NO. 16-O-0007**

**AMENDMENTS TO CHAPTER 4, ARTICLE 5, SECTIONS 4-94 AND 4-95 OF  
THE CITY CODE REGARDING LANDMARK AND HISTORIC DISTRICT  
REGULATIONS**

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

Section 1. That Chapter 4, Article 5, Section 4-94 of the Code of Ordinances of the City of West Chicago is hereby amended by adding the following language:

“(3) All public improvement work within any right-of-way shall be exempt from the requirements of this subsection.”

Section 2. That Chapter 4, Article 5, Section 4-95 of the Code of Ordinances of the City of West Chicago is hereby amended by adding the following language:

“(3) All public improvement work within any right-of-way shall be exempt from the requirements of this subsection.”

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.

ADOPTED 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: \_\_\_\_\_