

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## DEVELOPMENT COMMITTEE

**Monday, March 14, 2016**  
**7:00 P.M. - Council Chambers**

### AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
  - A. February 8, 2016
3. Public Participation
4. Items for Consent
5. Items for Discussion
  - A. Northeast Corner of Powis Road and North Avenue Consolidated Rezoning from ORI to Manufacturing - Conceptual Review
  - B. Historical Preservation Commission Review of Proposed Right-of-Way Improvements in Historic Districts
6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment

## **MINUTES**

### **DEVELOPMENT COMMITTEE**

**February 8, 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, Laura Grodoski, Jayme Sheahan, John Smith and Rebecca Stout, present. Alderman Melissa Ferguson arrived just after roll had been taken.

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

**2. Approval of Minutes.**

**A. January 11, 2016**

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

**3. Public Participation.**

Historical Preservation Commission Chair Janet Hale expressed concerns about the proposed amendments to the Certificate of Appropriateness regulations, information contained in the meeting packets and maintaining a cohesive streetscape in the Historic District.

**4. Items for Consent. None.**

**5. Items for Discussion.**

**A. Arts & Economic Development Presentation – Future of 200 Main Street.**

People Made Visible, Inc. representative, Chris Grodoski, and Mexican Cultural Center DuPage representative, Fernando Ramirez, shared a presentation with the Committee

regarding the proposed development of 200 Main as a cultural arts center. City Administrator, Michael Guttman, provided some perspective regarding the City's acquisition of the building and stated that an architectural report and plans for the building will be brought before the Infrastructure Committee in March. Further discussion followed about the need for foot and vehicular traffic downtown.

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

John Said summarized this item according to the agenda and displayed an overhead map of the business site with a paving and layout plan. Discussion followed and Mr. James Langkamp, owner of Forming America, LTD., explained his company's plans to complete the paving projects in the next three years. He requested approval from the Committee to proceed.

A discussion ensued that included such matters as favorable support for the site development proposal, a financial guarantee and a schedule for requesting status updates and benchmarks. Direction was given to Mr. Langkamp to apply for an amendment to his existing special use.

**C. Amendment to the City Code Relating to Certificate of Appropriateness Regulations.**

John Said provided a summary of the item. Discussion among the Aldermen followed regarding the possible amendment language. Alderman Beifuss expressed his desire to gather the input of the Historical Preservation Commission (HPC) on public improvement work within any right-of-way. Alderman Banas stated his agreement about the advisory role of the HPC in these matters and Aldermen Stout and Smith generally concurred. Robert Flatter, Director of Public Works, requested clarification on the types of public improvements for which input would be sought. Staff was directed to prepare possible amendment language to be reviewed at the March meeting.

**6. Unfinished Business.** None.

**7. New Business.**

John Said requested the Committee's input on the notion of allowing for used car sales as a principal use; it is currently only allowed as an accessory use. Comments were made regarding the possible support of this use, but with the imposition of physical standards, such as those so associated with national chains, and the potential for image problems. The need to know how other communities regulate this use was also expressed.

Alderman Beifuss commented on current zoning restrictions, which have helped to make progress in controlling development.

8. **Reports from Staff.** None.

9. **Adjournment.**

**Alderman Banas made a motion, seconded by Alderman Ferguson, to adjourn the Development Committee meeting at 8:38 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:**

Conceptual review of a consolidated rezoning of the properties located at the northeast corner of Powis Road and North Avenue from ORI to Manufacturing

**AGENDA ITEM NUMBER:** 5.A.**FILE NUMBER:** \_\_\_\_\_**COMMITTEE AGENDA DATE:** Mar. 14, 2016**COUNCIL AGENDA DATE:** \_\_\_\_\_**STAFF REVIEW:** John D. Said**SIGNATURE**  \_\_\_\_\_**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman **SIGNATURE** \_\_\_\_\_**ITEM SUMMARY:**

The five properties owners of the 17 acre triangular area of land bound by North Avenue to the south, Powis Road to the west, and the Union Pacific and Wisconsin Central Railroads (map attached) to the east recently contacted City staff regarding a possible rezoning of this area from the ORI, Office Research and Light Industrial zoning district to the M, Manufacturing zoning district. The attached letter from Gerald Callaghan, the attorney representing the property owners, summarizes the request.

All of the existing uses in this area are industrial in nature consisting primarily of large outside storage yards. The northernmost property (Hoving at 2351 Powis Rd.) was voluntarily annexed into the City in 2005, given ORI zoning upon annexation, and was granted zoning approval as a legally conforming use (demolition debris and recycling facility) in the ORI zoning district. The remaining four properties (31W576 North Ave., 3N361, 3N381, and 3N471 Powis Rd.) were forcibly annexed into the City in December of 2015 and given ORI zoning upon annexation.

The four recently annexed properties are all considered legal non-conforming (a.k.a. "grandfathered") uses because the existing uses do not comply with the City's ORI district requirements. The most prominent legal non-conformities consist of the following:

- Outside storage, which is prohibited in the ORI district.
- Unpaved storage yards and parking lots, which is prohibited in the City.
- Inadequately screened storage yards. City Code required a solid screen around all sides of a storage yard.
- Lack of a principal use and principal structure directly associated with the use of the property. Outside storage is permitted only as an ancillary use in the Manufacturing district (31W576 North Ave. and 3N361 Powis Rd. only).
- Use of construction trailers/temporary structures as permanent structures.
- Non-compliant building and storage yard setbacks from the property lines.



The City's Comprehensive Plan, which was last updated in 2006, designates the Hoving property as Industrial. The remaining four properties are designated Transportation/Communication/Utilities (TCU). The unique TCU land use designation was established because these four properties were previously identified as a potential train station location for the former Star Line commuter rail project that is now defunct.

Below are some of the pros and cons, as identified by City staff, associated with the proposed rezoning request:

Pros

- Establishing Manufacturing zoning in this area would bring the existing uses into greater compliance with the City's current zoning regulations. Please note that the rezoning would not bring the properties into full compliance though.
- It would make the properties more marketable for future uses based on the current uses of the properties. The Manufacturing zoning district is less restrictive with respect to allowable land uses than the ORI zoning district is.
- The area is isolated by undeveloped DuPage Airport Authority (DAA) owned lands to the west, unincorporated DuPage County Forest Preserve lands and railroad lands to the east, and existing incorporated industrial uses to the north and south. The DAA lands consist mostly of wetlands; therefore have a low likelihood for future development.
- The nearest existing residential uses (Elm Road) are approximately 2,000 feet (0.4 miles) away.
- The suitability of this area for uses currently allowed in the ORI zoning district is relatively low given the current market and development trends in the Chicagoland area.

Cons

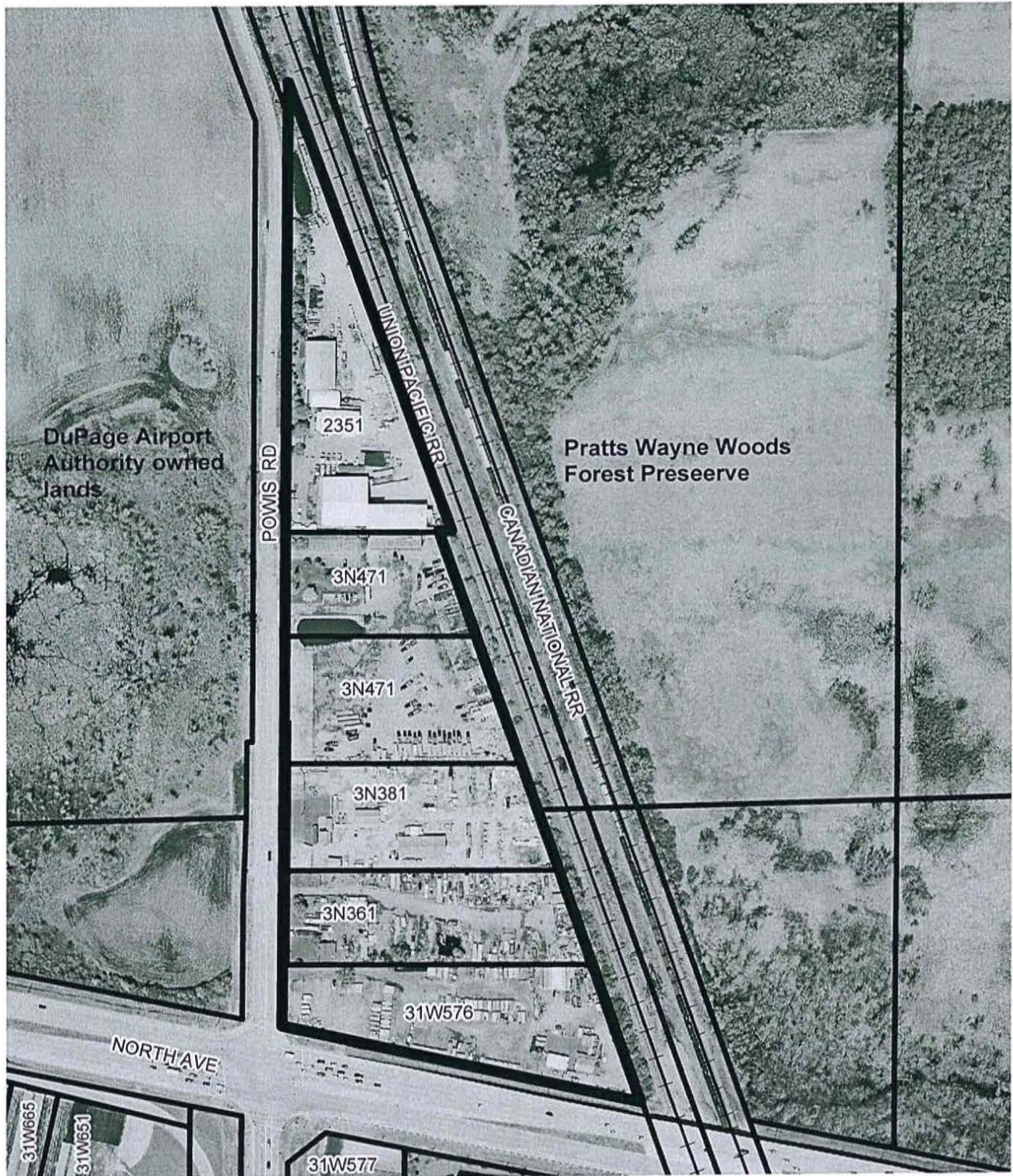
- The City's previously established long term goal of eliminating the non-compliant outside storage uses in this area in an effort to enhance the City's North Avenue corridor would be most appropriately served by ORI zoning.
- Establishing Manufacturing zoning could perpetuate the existence of the current undesirable outside storage uses in this area due to the Manufacturing zoning district's less restrictive land use standards compared to the ORI zoning district. The existing legal non-conforming uses can continue in perpetuity, subject to compliance with the City's legal non-conforming regulations.

**ACTIONS PROPOSED:**

Conceptual review and commentary of a consolidated rezoning of the properties located at the northeast corner of Powis Road and North Avenue from ORI to Manufacturing.

**COMMITTEE RECOMMENDATION:**





**Conceptual Review**  
**Rezoning of the northeast corner**  
**of Powis Rd. and North Ave.**



SUBJECT  
PROPERTIES







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March 7, 2016

Mr. John Said  
Director of Community Development  
City of West Chicago  
475 Main Street  
West Chicago, IL 60185

Re: North Powis Road Owners

Dear Mr. Said:

Thank you for meeting with the owners of the property located on the east side of Powis Road, north of North Avenue and south of the intersection of Powis Road and the railroad tracks ("North Powis Area"). The North Powis Area consists of five parcels, owned by separate owners and occupied by different businesses. All of the parcels are zoned ORI in the City of West Chicago. The northerly parcel, which is occupied by K. Hoving Recycling & Disposal, Inc. ("Hoving"), was annexed into the city in 2005. The remaining parcels were involuntarily annexed by the city earlier this year. All of the parcels are bounded on the east by two railroad lines and on the west by Powis Road. East of the railroad lines is a DuPage County Forest Preserve. West of Powis Road is unimproved property owned by the DuPage Airport Authority, which is largely wetlands. The North Powis Area is triangular in shape and isolated from other developable property.

This firm has represented Hoving for many years with regard to its property in West Chicago. Hoving recently acquired and developed more than 20 acres on Powis Road south of North Avenue. Hoving is in the process of moving its construction and demolition debris recycling facility from the North Powis Area to the new location south of North Avenue. However, Hoving continues to own the parcel in the North Powis Area. Hoving has concluded that its parcel in the North Powis Area is not suitable for the permitted and special uses in the ORI zone and that the permitted and special uses in the M zone are more suitable for that property.

At our meeting, all of the owners in the North Powis Area expressed interest in presenting to the Development Committee the concept of having the North Powis Area rezoned from the ORI zone to the M zone. If the owners receive positive feedback from the Development Committee, they will consider filing a joint application for rezoning to the M district.



The parcels in the North Powis Area are listed below from north to south and generally are used as follows:

Hoving - 2351 Powis Rd.

The Hoving parcel has been used as a construction and demolition debris recycling facility, including those ancillary uses described in the special use ordinance for the facility. The use is currently being transitioned to the property acquired by Hoving south of North Avenue.

Classis Landscape - 3N471 Powis Rd.

It is my understanding that Classic Landscape is a landscape contracting company with customary storage of landscape materials, equipment and trucks as well as parking for employees and customers.

Peerless Fence - 3N381 Powis Rd.

Peerless Fence provided the following description of its operations:

- retail sales of fencing and construction related materials and products;
- loading materials on installers' trucks;
- fabrication of fencing and construction related materials;
- material storage;
- housing trucks and equipment;
- yard space rental to contractors;
- wholesale material sales; and
- receipt, storage and delivery of construction debris to recycling company.

First Star Properties - 3N361 Powis Rd.

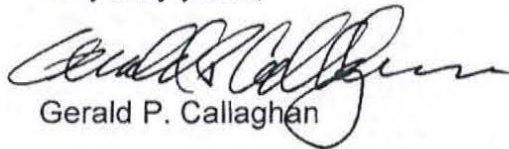
First Star provides outdoor storage rental for contractors.

Onsite Storage Systems - 31W576 North Ave.

Onsite Storage Systems is the southerly parcel in the North Powis Area, having North Avenue as its south boundary. It is a storage facility, providing storage containers and parking for small vehicles, trailers and equipment. The company serves local businesses, contractors and home homeowners.

Please let me know if I can provide additional information prior to the Development Committee meeting on March 14<sup>th</sup>. The owners will be present at the meeting to answer any questions committee members may have.

Very truly yours,



Gerald P. Callaghan

GPC



## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Advisory Review by Historical Preservation Commission  
Proposed Alterations and Improvements in City Rights-  
of-way in Locally Designated Historic Districts

Resolution No. 2016-R-0015  
Ordinance No. 2016-O-0007

**AGENDA ITEM NUMBER:** 5.B.

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

**COMMITTEE AGENDA DATE:** Mar. 14, 2016

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

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

**SIGNATURE** 

**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman

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

**ITEM SUMMARY:**

In December 2015, the Development Committee originally directed City staff 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. The February agenda item provided a brief history of those actions that transpired leading up to the Committee's direction to City staff.

At the February meeting, the Committee discussed various options associated with Historical Preservation Commission (HPC) review of proposed City right-of-way improvements in the City's historic districts. The Committee then identified specific components to be addressed in an amendment to the Municipal Code regarding such review, including the following:

- Ensuring an opportunity for advisory review by the HPC of specific types of proposed improvements, including: public seating/street furniture, bike racks, light posts/fixtures, trash receptacles, railings, the Main Street fountain and the Main Street clock;
- Timeliness of such review (30 days) to minimize unwarranted delays;
- Procedures for addressing possible differences in recommendations between the HPC and City staff; and
- Eliminating the requirement for a COA for any public improvements within City rights-of-way.

Upon further review by City staff, a determination was made that the most effective way to address this matter was two-fold via 1) an amendment to the City Code exempting public improvements in City right-of-way from the COA review process, as indicated in the attached Ordinance, and 2) a new City policy outlining advisory review by the HPC of certain public improvements in City right-of-way, as indicated in the attached Resolution. This is consistent with similar conditions that had arisen previously, where resolutions have been utilized to identify City policies associated with certain regulations in the City Code.

**ACTIONS PROPOSED:**

Consideration of a resolution pertaining to advisory HPC review of specific types of improvements in City rights-of-way within locally designated historic districts and consideration of an ordinance exempting public improvements in City right-of-way from the COA review process.

**COMMITTEE RECOMMENDATION:**



**RESOLUTION NO. 2016-R-0015**

**A RESOLUTION PROVIDING FOR ADVISORY REVIEW OF PROPOSED  
ALTERATIONS AND IMPROVEMENTS IN CITY RIGHTS-OF-WAY WITHIN  
LOCALLY DESIGNATED HISTORIC DISTRICTS BY THE HISTORICAL  
PRESERVATION COMMISSION**

WHEREAS, the West Chicago Historical Preservation Commission (herein after "Commission") is charged with advising the City Council on all matters of a historical nature; and

WHEREAS, the Commission has expertise that should be tapped when the City is making public improvements within its Historic Districts (hereinafter "Districts"); and

WHEREAS, staff and the City Council desire to get input from the Commission prior to the installation of public seating or other street furniture, bicycle parking racks, light posts and light fixtures, trash receptacles and railings to ensure it understands what is most desirable to maintain the integrity of the District.

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

- (1) City staff shall submit plans to the Commission prior to obtaining bids or quotes for work involving only the following items in its rights-of-way within the Districts: public seating or other street furniture, bicycle parking racks, light posts and light fixtures, trash receptacles, railings, the Main Street fountain, and the Main Street clock.
- (2) Within thirty (30) days of receiving the plans, the Commission shall make recommendations to City staff on what equipment and/or materials should be used to maintain the integrity of the Districts.
- (3) If City staff concurs with the recommendations, no further action is necessary.
- (4) If City staff do not concur with the recommendations, the purchase shall be submitted to the appropriate Standing Committee of the City Council for a final determination.
- (5) No Certificate of Appropriateness is required for any public improvements within the City's rights-of-way.

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

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

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

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

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

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

ATTEST:

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

DRAFT



**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: \_\_\_\_\_