

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## DEVELOPMENT COMMITTEE

**Monday, April 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. March 14, 2016
3. Public Participation
4. Items for Consent
  - A. Charles Murphy - 1185 W. Washington Street – Special Uses
  - B. Forming America - 1200 N. Prince Crossing Road – Special Use Amendment
  - C. Miguel Romero - Banquet Facilities Text Amendment
5. Items for Discussion
6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment

## MINUTES

### DEVELOPMENT COMMITTEE

**March 14, 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. February 8, 2016**

John Said distributed a revised version of the minutes to the Committee members and read the changes aloud.

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

**3. Public Participation. None.**

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

**5. Items for Discussion.**

**A. Northeast Corner of Powis Road and North Avenue Consolidated Rezoning from ORI to Manufacturing - Conceptual Review.**

John Said summarized this agenda item, explaining the current property owners of this area are interested in pursuing rezoning from their current designation of Office, Research and Light Industrial (ORI) district to that of Manufacturing (M). Some



discussion followed among the aldermen and Mr. Said regarding the proximity of this area to residents and schools, outside storage and examples of the potential businesses allowed in the aforementioned zoning classifications, as well as some historical perspective on the ORI zoning of this area.

Alderman Beifuss requested more information from the property owners about their desire to make this area more marketable. Representing the northerly parcel owner of this area, K. Hoving Recycling & Disposal, Inc., was attorney Gerald Callaghan. Mr. Callaghan provided a history of zoning at the Hoving property, which is now for sale, and stated the difficulty in marketing this parcel with an ORI designation. He further stated that in his dealings with the four remaining property owners of this area, all have expressed interest in rezoning to M, providing reasons such as it is not situated near a residential area, it is near the DuPage airport and it borders the railroad. He suggested the notion of creating a hybrid zoning for this area.

Alderman Banas expressed willingness to explore this option, but also questioned the need to change the current zoning if the businesses are legal, non-conforming. Alderman Smith agreed. Alderman Beifuss pointed out that ORI zoning is a hybrid in nature in that it permits light industrial while upgrading the value of the area, but that he was not averse to hearing about hybrid ideas. Mr. Callaghan responded that ORI zoning does not allow for outside storage and that Hoving was granted a special use for outside storage, given their construction and demolition debris recycling operations. John Said stated that the City currently has a lot of property zoned for Manufacturing and that there were concerns about outside storage in this particular area given the view from the overpass. Alderman Banas stated that it does not make sense to consider rezoning until there is a bona fide interest in doing so.

Dean White, owner of Peerless Fence, spoke to the members. He said that this area is at least one mile away from the nearby school and expressed dissatisfaction with the current zoning and recent annexation of his property, which is also located in the area in question. He pointed out that, if there are no options to sell the properties and consequently upgrade them, the current uses will continue. Mr. White also stated he felt it unlikely someone would put offices in this area with its ORI zoning and that the spirit of M zoning is more in line with the current business uses already there. He urged the Committee members to consider his point of view.

Additional discussion followed, with Alderman Grodoski expressing her understanding of the owners' request for a zoning change, yet wanting to have additional information. Mr. Said replied that only speculation is possible at this point and Alderman Stout indicated that future uses similar in nature would be grandfathered in, which would not require the imposition of higher standards. Alderman Banas expressed his willingness to

look at a hybrid option, but restated the lack of a current impetus to change the status quo.

Clarification on the next best course of action ensued, with Alderman Smith stating that the only way to really consider their zoning request is to have something before the Committee. Mr. Said reminded the members that if the properties in this area choose to pursue this matter any further, they would need to submit a formal application for a rezoning request.

Alderman Stout concluded that the Committee could review a formal rezoning application in the future, should these properties decide to submit one.

**B. Historical Preservation Commission Review of Proposed Right-of-Way Improvements in Historic Districts.**

John Said summarized the resolution draft and proposed ordinance brought before the Committee. Alderman Stout stated that the resolution is a good compromise for the situation as it addresses the concerns of both the Historical Preservation Commission (HPC) and the Development Committee about public improvements made in the City rights-of-way. Aldermen Banas, Beifuss and Ferguson agreed.

**Alderman Banas motioned to approve the resolution draft and ordinance and Alderman Smith seconded the motion. Voting Aye: Chairman Stout, Alderman Banas, Beifuss, Ferguson, Grodoski, Sheahan, Smith and Stout. Voting Nay: 0. Motion carried.**

**6. Unfinished Business.** None.

**7. New Business.** None.

**8. Reports from Staff.**

John Said announced that plans for upcoming City events are underway--Blooming Fest is on May 21st and Mexican Independence Day is planned for September 18<sup>th</sup> and 19<sup>th</sup>. The new coordinator for these events is Mr. Luis Martinez, who began working for the City on February 29, 2016. His role is that of Business Development and Special Event Coordinator.

**9. Adjournment.**



**Alderman Banas made a motion, seconded by Alderman Grodoski, to adjourn the Development Committee meeting at 8:13 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:**

Special Uses for a Self-Storage Facility and Retail Sales  
Ancillary to an Outside Storage Yard  
1185 W. Washington Street  
Charles Murphy

Ordinance No. 16-O-0020

AGENDA ITEM NUMBER: 4.A.

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

COMMITTEE AGENDA DATE: April 11, 2016

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

STAFF REVIEW: John D. Said

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE \_\_\_\_\_

**ITEM SUMMARY:**

The applicant and property owner, Charles Murphy of Midwest Compost, is requesting the approval of special uses for retail sales ancillary to an outside storage yard and a special use for a self-storage facility at 1185 W. Washington Street. The subject property is one acre in area and is located off of a shared private drive on the north side of West Washington Street.

The subject property has an existing "L" shaped building on-site that is 6,000 square feet in area and is internally partitioned into six units (four 925 sq. ft. units and two 1,130 sq. ft. units). The subject property and all properties in the immediately vicinity are zoned Manufacturing District. The subject property is one of five parcels that are aligned perpendicular to Washington Street. Access to Washington Street is obtained via an existing twenty foot wide access easement that contains a common private drive along their west property lines. The four northernmost parcels are legal non-conforming because they lack direct frontage on a street (Washington Street in this case), which is a City Code requirement.

The applicant also owns the adjacent parcel to the north (1195 W. Washington Street) of the subject property, where he operates a landscape waste transfer facility. In addition to the transfer facility operations, he also sells bulk landscape materials (mulch). As part of the zoning approval for the subject property the applicant is requesting approval of special uses for retail sales ancillary to an outside storage yard. These special uses, if approved, would allow the applicant to place the bulk material sales operations within the outdoor storage yard on the subject property. The special uses would also allow him to expand the quantity, type, and variety of landscape materials for sale. The applicant intends on selling several varieties of mulch and gravel, as well as sand and topsoil. The applicant is proposing to install nine concrete block bunkers, 11' (wide) x 24' (deep) x 6' (high) in area, to storage the bulk materials in. The applicant will also have one concrete block bunker, 11' (wide) x 16' (deep) x 6' (high) in area. The reduced area of the last bunker is to adequately accommodate vehicular access at the southeast corner of the site.

The proposed outdoor storage yard will be 141' x 136' in area and consists of the portion of the site that is north and east of the existing building on-site. The yard area is currently gravel, but as part of the conditions of approval the applicant will be required to pave the yard (as well as the other portions



of the site that are also currently gravel) prior to utilizing the yard space. The subject property has an existing six foot tall chain link fence around its perimeter. The applicant will be installing new six foot tall chain link fencing and gates north and east of the existing building to fully enclose the yard, as required by City Code.

The applicant is also requesting approval of a special use for a self-storage facility. The applicant desires to pursue this zoning approval because the existing layout of the building naturally lends itself to this type of use. The applicant would rent or lease out the six units. Each unit has an overhead door and an entry door that are not restricted by the proposed storage yard on-site. The applicant is proposing to install eight striped parking spaces located outside of the storage yard for use by the storage unit tenants. These spaces are located on-site so that they do not block or hinder access to the storage units or any designated fire lanes, or restrict access to the storage yard. To further reinforce the Code requirement to have all fire lanes unhindered City staff is recommending a condition of approval that "no parking" signage and pavement striping be incorporated into the site improvements. Lastly, the applicant is also striping eight parking spaces within the storage yard for the long-term parking of any oversized vehicles, such as boats, trailers or recreational vehicles associated with the self-storage facility use. These spaces will be located on the north side of the existing building.

At its April 5, 2016 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of the special uses for retail sales ancillary to an outside storage yard and a special use for a self-storage facility at 1185 W. Washington Street as presented by a (5-0) vote. Its recommendation is included as Exhibit "B" of the attached ordinance.

**ACTIONS PROPOSED:**

Consideration of special uses for retail sales ancillary to an outside storage yard and a special use for a self-storage facility at 1185 W. Washington Street.

**COMMITTEE RECOMMENDATION:**

## **ORDINANCE NO. 16-O-0020**

### **AN ORDINANCE APPROVING SPECIAL USES FOR A SELF-STORAGE FACILITY AND RETAIL SALES ANCILLARY TO AN OUTSIDE STORAGE YARD AT 1185 W. WASHINGTON STREET**

WHEREAS, on or about January 25, 2016, Charles Murphy (the "APPLICANT"), filed an application for special uses for a self-storage facility and retail sales ancillary to an outside storage yard, with respect to the property legally described on Exhibit "A" attached hereto and incorporated herein (the "SUBJECT REALTY"); and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about March 21, 2016, 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 April 5, 2016, 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.16-RC-0008, 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 special uses for a self-storage facility and retail sales ancillary to an outside storage yard in conformance with Section 5.5 and Sections 11.2-4 (T)(V)(W) of the Zoning Ordinance is hereby granted on the SUBJECT REALTY, subject to the following conditions:

1. The subject realty shall be developed in substantial compliance with the Site Plan prepared by CB&I Environmental & Infrastructure, Inc., dated March of 2016, a copy of which is attached hereto and incorporated herein as Exhibit "C".
2. The applicant shall not utilize the outside storage yard until all of the unpaved areas of the subject realty, as depicted on the Site Plan, are paved in accordance with City standards and the storage yard is fully enclosed with the chain link fencing, as depicted on the Site Plan.
3. The applicant shall not install the concrete bunkers located within the storage yard, as depicted on the Site Plan, until the storage yard is paved in accordance with City standards.



4. All of the required pavement improvements, as depicted on the Site Plan, shall be completed by September 1, 2016.
5. The City shall not issue a certificate of occupancy to utilize any of the storage units on the subject realty until all of the parking spaces, as depicted on the Site Plan, have been striped on the pavement and all of the required "no parking" improvements, per Note 6 on the Site Plan, have been installed.
6. The storage yard shall only contain items that are directly related to the retail sales operations or self-storage facility businesses occupying the subject realty.
7. No items stored within the storage yard on the subject realty, other than vehicles, shall exceed the height of the storage yard fence.
8. No outside storage on the subject realty shall block, hinder, restrict, or render unusable any required fire lanes.
9. The applicant agrees to the City of West Chicago, at its sole expense, installing a new b-box onto the existing water service line that serves the subject realty and lies within the water line easement recorded in the DuPage County Recorder's Office as Document No. R1976-086341. The new b-box shall be located, at the City's discretion, within the Washington Street right-of-way. Once installed, the applicant acknowledges that the City shall only be responsible for maintenance of that portion of the water service line that is located between the water main and the new b-box, including said new b-box, per City Code. The old b-box located in the southeast corner of the subject realty may remain in place and may be used by the applicant, but shall not be maintained or utilized by the City.

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 \_\_\_\_ day of \_\_\_\_\_ 2016.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
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VACANT – Ward 2		Alderman J. Sheahan	_____
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Alderman L. Grodoski	_____	Alderman A. Hallett	_____
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Alderman S. Dimas	_____	Alderman M. Ferguson	_____
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Alderman J.C. Smith, Jr.	_____	Alderman K. Meissner	_____
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Alderman M. Edwalds	_____	Alderman R. Stout	_____
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Alderman J.F. Banas	_____	Alderman N. Ligino-Kubinski	_____
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APPROVED as to form: \_\_\_\_\_  
City Attorney

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

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

ATTEST:

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

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



## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

The south 198.0 feet of the north 396.8 feet of that part of the Northeast Quarter of Section 8, Township 39 North, Range 9, East of the Third Principal Meridian, described as follows: Beginning at a point in the south line of the Chicago and Northwestern Railway lands, 213.28 feet westerly from the east line of said Section 8; thence south parallel with the east line of said Section 8, 1,047.58 feet to the centerline of Washington Street (formerly known as Geneva Road); thence south 75 degrees 84 minutes west on the centerline of Washington Street 227.58 feet; thence north parallel with the east line of said Section 8, 1,101.33 feet to the south line of said Railway lands; thence north 88 degrees 45 minutes east along the south line of said Railway lands 220.0 feet to the place of beginning, in DuPage County, Illinois.

P.I.N.: 04-08-201-011

## **EXHIBIT “B”**

### **RECOMMENDATION # 16-RC-0008**

TO: The Honorable Mayor and City Council

SUBJECT: PC 16-06  
Special uses for a self-storage facility and retail sales ancillary to an outside storage yard  
1185 W. Washington Street  
Charles Murphy

DATE: April 5, 2016

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

#### RECOMMENDATION

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

1. The subject realty shall be developed in substantial compliance with the Site Plan prepared by CB&I Environmental & Infrastructure, Inc., dated March of 2016, a copy of which is attached hereto and incorporated herein as Exhibit “C”.
2. The applicant shall not utilize the outside storage yard until all of the unpaved areas of the subject realty, as depicted on the Site Plan, are paved in accordance with City standards and the storage yard is fully enclosed with the chain link fencing, as depicted on the Site Plan.
3. The applicant shall not install the concrete bunkers located within the storage yard, as depicted on the Site Plan, until the storage yard is paved in accordance with City standards.
4. All of the required pavement improvements, as depicted on the Site Plan, shall be completed by September 1, 2016.
5. The City shall not issue a certificate of occupancy to utilize any of the storage units on the subject realty until all of the parking spaces, as depicted on the Site Plan, have been striped on the pavement and all of the required “no parking” improvements, per Note 6 on the Site Plan, have been installed.
6. The storage yard shall only contain items that are directly related to the retail sales operations or self-storage facility businesses occupying the subject realty.
7. No items stored within the storage yard on the subject realty, other than vehicles, shall exceed the height of the storage yard fence.



8. No outside storage on the subject realty shall block, hinder, restrict, or render unusable any required fire lanes.
9. The applicant agrees to the City of West Chicago, at its sole expense, installing a new b-box onto the existing water service line that serves the subject realty and lies within the water line easement recorded in the DuPage County Recorder's Office as Document No. R1976-086341. The new b-box shall be located, at the City's discretion, within the Washington Street right-of-way. Once installed, the applicant acknowledges that the City shall only be responsible for maintenance of that portion of the water service line that is located between the water main and the new b-box, including said new b-box, per City Code. The old b-box located in the southeast corner of the subject realty may remain in place and may be used by the applicant, but shall not be maintained or utilized by the City.

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 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 non-conforming 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 requested special uses are designed enhance the site and to bring the subject property 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 retail sales ancillary to an outside 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. The proposed self-storage facility is designed to protect the public's health, safety and welfare by repurposing the existing building with a use that naturally lends itself to the existing internal layout of the building.

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

The proposed retail sales ancillary to an outside storage yard and self-storage facility uses should not have a negative impact on the surrounding neighborhood in which it is located given that the former use of the site was a large degree of unregulated outside storage and the proposed use is a much less intense and more controlled environment that should lend itself to maintaining or enhancing the property's value and the value of the surrounding properties.

(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 Manufacturing District regulations established in Section 11.2-4 (T) of the Zoning Code. The proposed retail sales ancillary to a special use is listed as a special use, per the Manufacturing District regulations established in Section 11.2-4 (V) of the Zoning Code. The proposed self-storage facility is listed as a special use, per the Manufacturing District regulations established in Section 11.2-4 (W) of the Zoning Code.

Respectfully submitted,

Barbara Laimins  
Chairman

**VOTE:**

For

D. Kasprak  
R. Mireault  
B. Laimins  
C. Dettmann  
M. Schafer

Against

Abstain

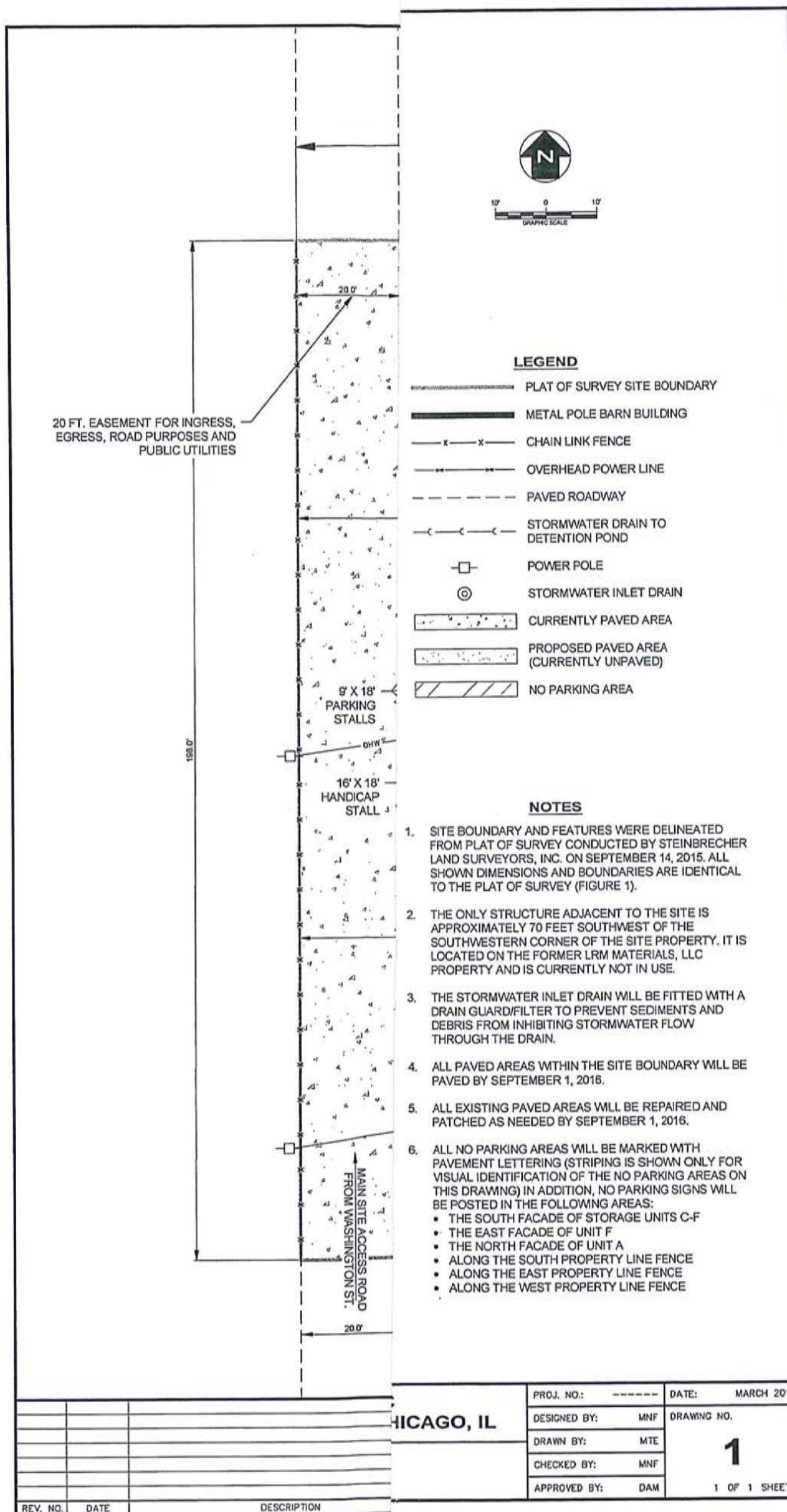
Absent

S. Hale  
D. Faught



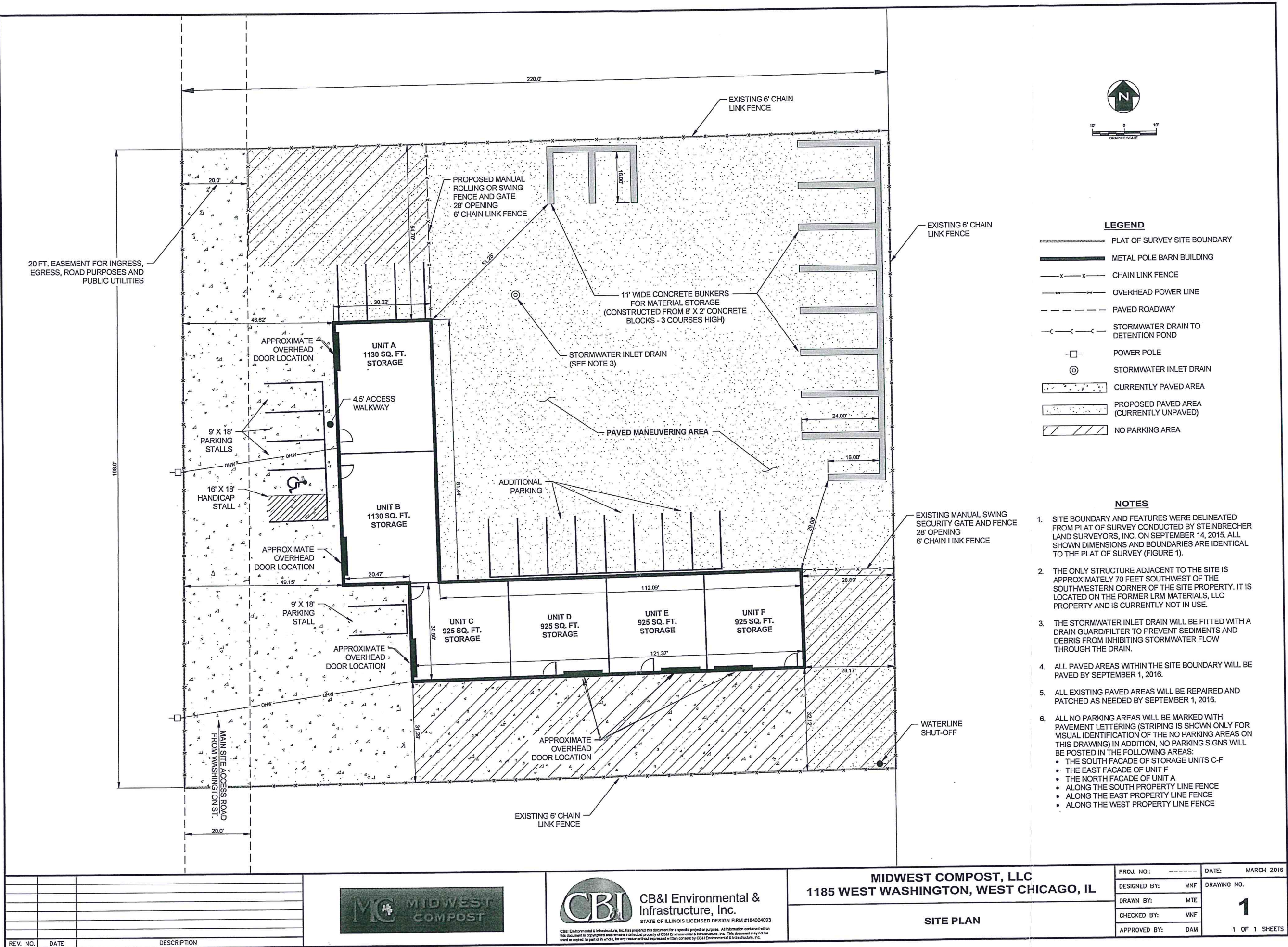
## **EXHIBIT “C”**

(insert Site Plan here)





T:\AutoCAD\Projects\MidwestCompost\West Chicago Special Use Permit\SitePlan-2016-03-17.dwg, 3/17/2016 11:52:11 AM





## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Special Use Amendment  
1200 N. Prince Crossing Road  
Forming America

Ordinance No. 16-O-0019

**AGENDA ITEM NUMBER:** 4.B.

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

**COMMITTEE AGENDA DATE:** April 11, 2016

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

**STAFF REVIEW:** John D. Said

**SIGNATURE** JDS

**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman

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

**ITEM SUMMARY:**

The applicant, James Langkamp of Forming America, LTD., is requesting the approval of a third amendment to their special use for an outside storage yard at the existing facility located at 1200 N. Prince Crossing Road. The property is approximately 23 acres in area with approximately 13 of those acres within an existing wetland conservation easement. The subject property is located on the west side of North Prince Crossing Road immediately north of the Elgin Branch of the Illinois Prairie Path.

The special use amendment, as reflected in the new plan for the subject property, consists of eight (8) pavement areas to be completed in three (3) phases, with three (3) corresponding completion deadline dates. The pavement completion phases and deadline dates are outlined on the Paving and Layout Plan and Paving Completion date chart included as Exhibit "C" of the attached ordinance. The applicant revised the pavement phasing plan and deadlines that comprise the current request after discussion with the Development Committee at their February 2016 meeting.

The original special use for an outside storage yard was approved in August of 2007. The special use approval entailed several site improvements to be completed by specific dates. The applicant did not meet many of the site improvement deadlines established in the original special use permit and was granted a first amendment to the special use in December of 2011. The applicant also did not meet the site improvements deadlines established in the first amendment and was granted a second amendment in July of 2014. Since 2014 the applicant has completed some of the required site improvements, but is again in a situation where they are unable to comply with the established site paving improvement deadlines approved with the second amendment to the special use. The current site improvement deadlines required the Phase I and Phase II paving to be completed by July 31, 2014 and the Phase III paving to be completed by December 31, 2015, which were not done.

At its April 5, 2016 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of a third amendment to the outside storage yard special use for 1200 N. Prince Crossing Road as presented by a (5-0) vote. Its recommendation is included as Exhibit "B" of the attached ordinance.



**ACTIONS PROPOSED:**

Consideration of a third amendment to the outside storage yard special use for 1200 N. Prince Crossing Road.

**COMMITTEE RECOMMENDATION:**

## **ORDINANCE NO. 16-O-0019**

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

WHEREAS, on or about March 16, 2016, James Langkamp of Forming America, LTD. (the "APPLICANT"), filed an application for a third 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, the corporate authorities of the City of West Chicago granted a second amendment to the special use by Ordinance 14-O-0023 on July 21, 2014; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about March 21, 2016, 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 April 5, 2016, 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.16-RC-0007, 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 third 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 substantial compliance with the Paving & Layout Plan prepared by Webster, McGrath & Ahlberg, LTD., dated September 29, 2014, consisting of a final revision date of January 14, 2015 and in compliance with the pavement improvement completion deadlines identified on the 2016 Paving Plan - Yearly Completion Dates chart, copies of which are 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 \_\_\_\_ day of \_\_\_\_\_ 2016.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
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VACANT – Ward 2		Alderman J. Sheahan	_____
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Alderman L. Grodoski	_____	Alderman A. Hallett	_____
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Alderman S. Dimas	_____	Alderman M. Ferguson	_____
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Alderman J.C. Smith, Jr.	_____	Alderman K. Meissner	_____
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Alderman M. Edwalds	_____	Alderman R. Stout	_____
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Alderman J.F. Banas	_____	Alderman N. Ligino-Kubinski	_____
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APPROVED as to form: \_\_\_\_\_  
City Attorney

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

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

ATTEST:

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

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



## **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.: 01-34-403-003.

## **EXHIBIT “B”**

### **RECOMMENDATION # 16-RC-0007**

TO: The Honorable Mayor and City Council

SUBJECT: PC 16-07  
Special use amendment for an outside storage yard  
1200 N. Prince Crossing Road  
Forming America, LTD.

DATE: April 5, 2016

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

#### RECOMMENDATION

After review of the requested third 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 substantial compliance with the Paving & Layout Plan prepared by Webster, McGrath & Ahlberg, LTD., dated September 29, 2014, consisting of a final revision date of January 14, 2015 and in compliance with the pavement improvement completion deadlines identified on the 2016 Paving Plan - Yearly Completion Dates chart.
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 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,

Barbara Laimins  
Chairman

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
D. Kasprak			S. Hale
R. Mireault			D. Faught
B. Liamins			
C. Dettmann			
M. Schafer			

## **EXHIBIT “C”**

(insert Paving & Layout Plan and the 2016 Paving Plan - Yearly Completion Dates chart here)

## 2016 Paving Plan - Yearly Completion Dates

### **Zone      To be completed by    Bi-Annual Progress Reports**

Zone 1	<b>October 31, 2016</b>	May 2016 Progress Report
Zone 2		
Zone 3		November 2016 Progress Report
Zone 4		

Zone 5	<b>October 31, 2017</b>	May 2017 Progress Report
Zone 6		November 2017 Progress Report
Zone 7		

Zone 8	<b>September 30, 2018</b>	May 2018 Progress Report
		November 2018 Progress Report



DATE: 09/29/2014  
DRAWN: RLS  
CHECKED: SAIR  
SCALE: 1" = 50'

EAST LINE OF LOT 6 IN PRINCE CROSSING ROAD ASSESSMENT PLAT PER DOCUMENT R82-47736  
R = 702.05  
M = 702.05  
N00°05'22"E  
N00°06'48"E

WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 34-40-9

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	
Total Disturbed Area = 7.16 Acre	
CN = 95	
Remaining Disturbed = 4.7 Acre	

SQUARE FOOTAGE	
COMPLETED: 20,012 SF	
ZONE 1: 6,164 SF	
ZONE 2: 2,914 SF	
ZONE 3: 18,958 SF	
ZONE 4: 47,377 SF	
ZONE 5: 16,166 SF	
ZONE 6: 16,169 SF	
ZONE 7: 43,308 SF	
ZONE 8: 110,516 SF	

CONSERVATION EASEMENT

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 = 20'	
Rear Yard Building Setback = 20'	

COMMONWEALTH EDISON COMPANY  
CHICAGO AND NORTHWESTERN RAILROAD  
(GREAT WESTERN TRAIL)

POSSIBLE FUTURE WAREHOUSE  
~25,000 SF

EXISTING WETLAND DETENTION BASIN  
NWL = 732.00  
100yr HWL = 737.21  
OVERFLOW = 737.33

R=1317.68  
M=1317.39

N83°57'12"W  
N83°57'05"W

ZONE M (Manufacturing)

FUTURE COVERED STORAGE  
~7,800 SF

ZONE 5  
16,166 SF

ZONE 7  
43,308 SF

ZONE 8  
110,516 SF

ZONE 2: 2,914 SF

ZONE 4  
47,377 SF

ZONE 3  
18,958 SF

ZONE 6  
16,169 SF

ZONE 1  
6,164 SF

PAVEMENT SECTIONS

DRIVEWAY APRONS  
8" CONCRETE - 4,000 PSI  
6" CA-6 COMPACTED BASE

CONCRETE STORAGE YARD PAVEMENT  
8" CONCRETE - 4,000 PSI min  
6" CA-6 COMPACTED BASE

BITUMINOUS PARKING LOT PAVEMENT  
2" BITUMINOUS SURFACE CL 1  
OVER TACK COAT  
2" BITUMINOUS BINDER CL 1  
OVER PRIME COAT  
10" AGGREGATE BASE (CA-6) TYPE B  
COMPACTED SUBGRADE

PARKING REQUIREMENTS  
1/1,000sf Warehouse \* 15,872sf = 16 spaces  
4/1,000sf Office \* 1,879sf = 7 spaces  
PARKING PROVIDED  
22 regular spaces + 2 handicap spaces

WEBSTER, MCGRATH & AHLBERG, LTD.  
LAND SURVEYING - CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE  
207 South Reynolds Road, Wheaton, Illinois 60177  
Ph: (630) 664-1003 Fax: (630) 664-1266  
Design Firm License No. 184-00101

FORMING AMERICA  
PARKING & STORAGE YARD IMPROVEMENTS

PAVING & LAYOUT PLAN

C-2



## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Zoning Code Text Amendment  
Banquet Halls

Ordinance No. 16-O-0018

**AGENDA ITEM NUMBER:** 4.C.

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

**COMMITTEE AGENDA DATE:** April 11, 2016

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

**STAFF REVIEW:** John D. Said

**SIGNATURE** 

**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman

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

**ITEM SUMMARY:**

The petitioner, Miguel Romero, is proposing a text amendment to the Zoning Code to add the definition of a banquet hall, to add banquet halls as a permitted use in the B-2 and B-3 zoning districts, and to add a minimum parking space requirement for banquet halls, as outlined in Sections 1-4 of the attached ordinance.

The City's Zoning Code does not currently define banquet halls. The Zoning Code has a regulation that allows the Zoning Administrator to make an interpretation to classify any undefined use by the next most similar use that is identified in the Zoning Code. In this situation, City staff felt the next most similar use was a restaurant. However, City staff felt a restaurant was too dissimilar of a use from a banquet hall based on how both types of uses generally function. Therefore, City staff recommended that the petitioner pursue an amendment to the Zoning Code to add the definition of a banquet hall. City staff drafted the proposed banquet hall definition by using a combination of existing definitions found in the City's liquor license regulations and in the American Planning Association's Planning Dictionary.

The City's Zoning Code does not currently list banquet halls as an allowable use in any zoning district. The Zoning Code also has a regulation that states that if a use is not specifically listed within the Zoning Code it is prohibited, unless said use is determined by the Zoning Administrator to be similar in nature to an existing use listed within the Zoning Code. In this situation, City staff felt the next most similar use was a restaurant, which is a permitted use in the B-1, B-2, B-3, and Airport zoning districts. Restaurants are also a special use in the ORI zoning district. However, with the dissimilarities between restaurants and banquet halls, City staff recommended that the petitioner pursue an amendment to the Zoning Code to add banquet halls as a permitted use in the B-2 and B-3 zoning districts. City staff is of the opinion that banquet halls are not appropriate uses in any of the City's other zoning districts based on the typical operation of such a use (i.e. primarily an evening and weekend use, high volume traffic generator and high occupant load when in use, large building size, etc.)

Lastly, City staff recommended that the petitioner pursue an amendment to the Zoning Code to add a minimum parking space requirement for banquet halls, which does not currently exist because the use itself does not exist in the Zoning Code. City staff is recommending a minimum parking space requirement of ten (10) spaces for every one thousand (1,000) square feet of the banquet hall's floor area based on a comparison of other existing Chicagoland municipalities parking regulations for such

a use. The proposed minimum parking space requirement is also the same requirement the City requires for restaurants.

At its April 5, 2016 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of a text amendment to the Zoning Code to add the definition of a banquet hall, to add banquet halls as a permitted use in the B-2 and B-3 zoning districts, and to add a minimum parking space requirement for banquet halls as presented, by a (4-1) vote. The Commission's recommendation is included as Exhibit "B" of the attached ordinance. Commissioner Schafer voted against the request because he felt that banquet halls should be a special use in the B-2 and B-3 zoning districts to aid the City in further regulating any potential adverse aspects of this type of use when proposed adjacent to residential uses. Commissioner Schafer also felt that the proposed minimum parking space requirement was too low for the proposed use.

**ACTIONS PROPOSED:**

Consideration of a text amendment to the Zoning Code to add the definition of a banquet hall, to add banquet halls as a permitted use in the B-2 and B-3 zoning districts, and to add a minimum parking space requirement for banquet halls.

**COMMITTEE RECOMMENDATION:**



## **ORDINANCE NO. 16-O-0018**

### **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLES 4, 10, AND 13 OF THE ZONING CODE RELATING TO BANQUET HALLS**

WHEREAS, Miguel Romero (the “APPLICANT”) proposes an amendment to Articles 4, 10, and 13 of the Zoning Code, which is Appendix A of the Code of Ordinances of the City of West Chicago to add the definition of a banquet hall, add banquet halls as permitted uses in the B-2 and B-3 zoning districts, and add a minimum off-street parking requirement for banquet halls; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about March 21, 2016, 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 April 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-0006, 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 4, Section 4.1 of the Code of Ordinances of the City of West Chicago entitled “Construction of terms” is hereby amended by adding the following definition in alphabetical order:

*“Banquet hall: A business whose primary activity is catering prearranged private events under the control of an individual or organization, including but not limited to, banquets, graduations, meetings, parties associated with service organizations, weddings, or similar events.”*

Section 2. That Appendix A, Article 10, Section 10.3-3 of the Code of Ordinances of the City of West Chicago entitled “Permitted uses” is hereby amended by adding the following the following language:

*“(C) Banquet halls.”*

Section 3. That Appendix A, Article 10, Section 10.4-4 of the Code of Ordinances of the City of West Chicago entitled “Permitted uses” is hereby amended by adding the following the following language:

“(B) Banquet halls.”

Section 4. That Appendix A, Article 13, Section 13.3(A)(2) of the Code of Ordinances of the City of West Chicago entitled “Commercial, Office, Service, Institutional, Educational, and Recreational Uses” is hereby amended by adding the following the following language:

“p. Banquet halls            10 spaces per every 1,000 sq. ft. of floor area.”

Section 5. 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 6. 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 \_\_\_\_\_

VACANT – Ward 2

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.F. 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-0006

TO: The Honorable Mayor and City Council

SUBJECT: PC 16-10  
Text Amendment  
Banquet Halls

DATE: April 5, 2016

DECISION: The motion to approve the request was approved by a (4-1) 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 Commission's opinion that adding the definition of a banquet hall, adding banquet halls as a permitted use in the B-2 and B-3 zoning districts, and adding a minimum parking space requirement for banquet halls would increase the types of uses allowed in the City's most prominent commercial zoning districts as well as create a definition and parking regulations that would adequately address all of the zoning aspects associated with a banquet hall use.

Respectfully submitted,

Barbara Laimins  
Chairman

### VOTE:

For  
D. Kasprak  
R. Mireault  
C. Dettmann  
B. Laimins

Against  
M. Schafer

Abstain

Absent  
S. Hale  
D. Faught