

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017

Alderman J. Beifuss	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman Ferguson	_____
Alderman Birch Ferguson	_____	Alderman S. Dimas	_____
Alderman K. Meissner	_____	Alderman J.C. Smith, Jr.	_____
Alderman R. Stout	_____	Alderman G. Garcia	_____
Alderman N. Ligino-Kubinski	_____	Alderman B. Gagliardi	_____

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2017

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

ATTEST:

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

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

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

#### **PARCEL 1:**

THE EAST 150 FEET OF LOT "A" IN PETER GEIKENS SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1952 AS DOCUMENT 649765, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-316-035.

#### **PARCEL 2:**

THE NORTH 165 FEET OF THAT PART OF SECTIONS 3 AND 10, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF CEMETERY STREET (OR THAT STREET RUNNING FROM NORTH STREET TO THE CEMETERY) AND THE NORTH LINE OF NORTH STREET; THENCE IN A WESTERLY DIRECTION, ALONG THE NORTH LINE OF NORTH STREET, 36 RODS FOR A POINT OF BEGINNING; THENCE IN A NORTHERLY DIRECTION, AND IN A LINE PERPENDICULAR TO SAID NORTH STREET, 20 RODS; THENCE IN AN EASTERLY DIRECTION AND PARALLEL TO SAID NORTH STREET, 8 RODS; THENCE IN A NORTHERLY DIRECTION AND IN A LINE PERPENDICULAR TO SAID NORTH STREET, 10 RODS; THENCE IN A WESTERLY DIRECTION AND IN A LINE PARALLEL WITH SAID NORTH STREET, 16 RODS; THENCE SOUTHERLY, IN A LINE PERPENDICULAR TO SAID NORTH STREET, 30 RODS; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID NORTH STREET, 8 RODS TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-316-036.

#### **PARCEL 3:**

LOTS 5, 6 AND 7 AND THE VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOTS, IN BLOCK 6 IN J. T. HOSFORD'S SECOND ADDITION TO THE TOWN OF TURNER, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4 AND PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 9, EP, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 17, 1893 AS DOCUMENT 53168, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-316-038, 04-03-316-039, AND 04-03-316-040.

#### **PARCEL 4:**

LOT 8 AND THE VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT, IN BLOCK 6 IN J. T. HOSFORD'S SECOND ADDITION TO THE TOWN OF TURNER, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4 AND PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 9, EP, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 17, 1893 AS DOCUMENT 53168, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-316-041.



PARCEL 5:

LOT 5 (EXCEPT THE EASTERLY 1 FOOT THEREOF) AND ALL LOT 6 IN BLOCK 1 AND THE SOUTH HALF OF VACATED ALLEY LYING NORTH OF AND ADJOINING SAID LOTS, IN VIRGIE'S ADDITION TO TURNER, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 7, 1893 AS DOCUMENT 52495, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-319-018 AND 04-03-319-019.

PARCELS 6 THRU 9:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF YORK AVENUE WITH THE EAST LINE OF GARDEN STREET; THENCE SOUTH 01 DEGREE 33 MINUTES 13 SECONDS WEST, ALONG THE EAST LINE OF GARDEN STREET, 390.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 11 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF YORK AVENUE, 198.11 FEET (RECORD BEING 198.00 FEET) TO THE WEST LINE OF OAKWOOD AVENUE; THENCE NORTH 01 DEGREE 33 MINUTES 13 SECONDS EAST, ALONG SAID WEST LINE AND PARALLEL WITH EAST LINE OF GARDEN STREET, 390.00 FEET TO THE SOUTH LINE OF YORK AVENUE; THENCE SOUTH 89 DEGREES 46 MINUTES 11 SECONDS WEST, ALONG SAID SOUTH LINE, 198.11 FEET (RECORD BEING 198.00 FEET) TO THE POINT OF BEGINNING, BEING SITUATED IN THE CITY OF WEST CHICAGO, DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-318-001, 04-03-318-002, 04-03-318-003, 04-03-318-004, AND 04-03-318-005.

PARCEL 10:

LOT 5 EXCEPT THE EASTERLY 1 FOOT THEREOF AND LOT 6 IN BLOCK 2 OF VIRGIE'S ADDITION TO TURNER, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 7, 1893 AS DOCUMENT 52495, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-320-001 AND 04-03-320-002.

PARCEL 11:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 AND OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 4.14 CHAINS NORTH OF THE SOUTHWEST CORNER THEREOF AND RUNNING THENCE EAST 2.81 CHAINS FOR A PLACE OF BEGINNING; THENCE EAST 2.98 CHAINS; THENCE SOUTH 4 DEGREES EAST 7.25 CHAINS TO CENTER OF HIGHWAY; THENCE SOUTH 88-1/2 DEGREES WEST 2.98 CHAINS ALONG CENTER OF HIGHWAY; THENCE NORTH 4 DEGREES WEST 7.30 CHAINS TO PLACE OF BEGINNING, (EXCEPT THAT PART THEREOF CONVEYED BY DOCUMENTS 52956, 376538 AND 376539), IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-320-012 AND 04-10-103-005.

PARCEL 12:

LOTS 6 AND 7 IN VERGIE'S TRIANGLE ADDITION TO WEST CHICAGO, A SUBDIVISION OF LOT 1 IN BLOCK 1 IN VERGIE'S ADDITION TO TURNER, IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO

THE PLAT THEREOF RECORDED NOVEMBER 22, 1922 IN BOOK 10 OF PLATS, PAGE 26 AS DOCUMENT 160877, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 04-03-319-012 AND 04-03-319-013.



## **EXHIBIT “B”**

RECOMMENDATION NO. 2017-RC-0008

TO: The Honorable Mayor and City Council

SUBJECT: PC 16-14  
Special Use for a House of Worship  
Zoning Variations  
Deviation for Storm Water Storage Depth  
St. Mary’s Church, 140 N. Oakwood

DATE: July 5, 2017

DECISION: The Plan Commission/Zoning Board recommended approval of the special use for a house of worship, zoning variations and a deviation for storm water storage depth for the SUBJECT REALTY.

### RECOMMENDATION

After review of the requested special use for a house of worship, zoning variations for building setbacks and parking, and a deviation for storm water storage depth for the SUBJECT REALTY, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of the special use, variations and deviation based on the following findings of fact.

The deviation Findings of Fact were approved as follows:

Special Use Findings of Fact:

- (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).

St. Mary’s Parish and all of its various components have been an established use in the community for decades. Expansion of the main campus area is considered to be an asset to the community and the Parish has the space available to expand without negatively affecting the surrounding neighborhood.

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

St. Mary’s Parish main campus is located in an established single family residential neighborhood and is the proposed expansion is designed to help mitigate any existing adverse impacts on the public health, safety and welfare of the community by providing more off-street parking and providing larger church facilities to more comfortably accommodate the Parish’s existing congregation.

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

The Parish's various religious uses/activities should not have a negative impact on the surrounding neighborhood in which it is located due to the fact that the parish and all of its various components have existed on the subject property for decades.

- (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 place of worship is listed as a special use, per the R-5 district regulations established in Section 9.6-4 (B) of the Zoning Code.

The Special Use Findings of Fact were approved unanimously by a 7-0 vote as follows:

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Dettman			
Devitt			
Faught			
Hale			
Kasprak			
Schafer			

Variance Findings of Fact:

- (1) The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or loss of revenue, if the strict letter of the regulations were carried out:

The presence of floodplain on the Garden Street parcel is limiting the design of the proposed parking lot improvements on the parcel. Strict adherence to the regulations would result in a significant loss of off-street parking.

The existing church building was constructed in 1894, which is well before the existence of any of the City's setback regulations. Strict adherence to the setback regulations would result in either the church not being able to expand or result in the existing church building being removed in order to comply with the current setback requirements.

- (2) The condition upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification:

The requested variances would not typically be applicable to other property in the same zoning classification because the subject property is residentially zoned, but is a non-residential use. Furthermore, the Parish's



campus consists of multiple properties situated over a several block area of the neighborhood, which is a very unique situation.

- (3) The alleged difficulty or hardship has not been created by any person presently having an interest in the property:

The Diocese did not construct any of the existing improvements on the subject property that necessitate zoning relief to alter or expand the improvements.

- (4) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located:

The granting of the variances should not be expected to be detrimental to the public welfare or surrounding neighborhood because St. Mary's Parish and all of its various components have been an established use in the community for decades. Expansion of the main campus area is considered to be an asset to the community and the Parish has the space available to expand without negatively affecting the surrounding neighborhood.

- (5) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values within the neighborhood:

The requested variances will not result in the negative effects listed above.

- (6) The proposed variance complies with the spirit and intent of the restrictions imposed by this code:

The requested variances comply with the intent of the Code to regulate development and expansion to existing developments in a sound manner that does not negatively impact the surrounding community.

The zoning variations Findings of Fact were approved unanimously by a 7-0 vote as follows:

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Dettman			
Devitt			
Faught			
Hale			
Kasprak			
Schafer			

Deviation Findings of Fact:

- (1) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land.

It would not be possible for the applicant to install the proposed parking lot in compliance with the City and County's stormwater regulations due to the existing floodplain elevation on the subject property itself.

- (2) That the deviations are necessary for the preservation and enjoyment of a substantial property right of the applicant.

The applicant has a need for additional parking on-site and cannot install the desired number of parking spaces within the proposed parking lot unless the deviation is granted.

- (3) That the granting of the deviations will not be detrimental to the public welfare or injurious to other property in the area in which said property is located.

The applicant has designed the proposed parking lot to ensure that the excessive depth of the stormwater will not negatively affect any other property in the area surrounding the proposed parking lot.

- (4) That the alleged hardship has not been created by any person having a present proprietary interest in the property.

The applicant has created the hardship by virtue of proposing the parking lot improvements. However, the deviation being requested is considered a benefit to the applicant's proposed campus improvements plans as a whole and is therefore considered acceptable.

The deviation Findings of Fact were approved as follows:

Finding of Fact (1) was approved by a 5-2 vote.

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins	Kasprak		
Dettman	Hale		
Devitt			
Faught			
Schafer			

Finding of Fact (2) was approved by a 7-0 vote.

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Dettman			
Devitt			
Faught			
Hale			
Kasprak			
Schafer			



Finding of Fact (3) was approved by a 4-3 vote.

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins	Kasprak		
Dettman	Hale		
Devitt	Schafer		
Faught			

Finding of Fact (4) was approved by a 7-0 vote.

**VOTE:**

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Dettman			
Devitt			
Faught			
Hale			
Kasprak			
Schafer			

Respectfully submitted,

Barbara Laimins  
Chair

## **EXHIBIT “C”**

(Insert the Site Development Plan, Landscape Plan, Exterior Building Elevations, Fueling Canopy Elevations, Trash Enclosure Elevations, Pavilion Elevations, and Site Signage Plans here)



July 3, 2017

West Chicago City Hall  
Community Development Department  
475 Main Street  
West Chicago, IL 60185

RECEIVED  
JUL 05 2017

BY: 

Re: Case #PC 16-14

St. Mary's Public Hearing

This letter expresses our concerns regarding St. Mary's request for several variances.

1. Sewer infrastructure on York Ave. and site-specific flood plain on Garden Street:

St. Mary's has requested a deviation to current codes to allow storm water depth greater than one foot on Garden St. parking lot. We strongly contest any deviation due to the fact of many flooding incidences these past few years. We have lived on the 300 block of York Ave. for almost 27 years. We have witnessed and aided neighbors dealing with substantial flooded basements. On July 18, 1996 and February 21, 1997 there was massive flooding and damage to multiple owners on the south side of the 300 block of York Ave. Several families were forced to evacuate their homes for days due to uninhabitable conditions. In the Report to the Plan Commission dated 7/5/17 PC 16-14, on page 4 under Deviation Analysis, St. Mary's patrons will be alerted by posted signs of potential of more than one foot of ponding water during a heavy rainfall event. Also, on page 8 of same report, St. Mary's has agreed to modify building usage in the event the parking lot is flooded. How can this be an asset to neighboring homeowners? (see page 6, same report).

2. Increased traffic patterns on York and Garden:

We can expect increased volumes of traffic and safety concerns as St. Mary's will increase the number of masses. Our local, narrow streets were not designed or intended for volumes of through traffic. Our local streets are intended to provide direct and full access to our private property.

3. St. Mary's new church expansion/variances is to promote comfortable accommodations for their parishioners but ignore the residents who live, work, and pay property taxes. Few parishioners live within this immediate area.

In closing, please vote NO to St. Mary's proposal due to said above concerns. Please value our rights to enjoy our homes, and not deal with flooding hardships, increased traffic, noise, and invasion of a blacktop jungle.

Sincerely,  
Dennis and Sharyl Swanner  
325 E. York Ave.  
West Chicago, IL 60185

July 5, 2017

Community Development  
Case # PC 16-14  
475 Main Street  
West Chicago, IL 60185



Re: St. Mary's Church Public Hearing

Dear Community Development:

I wish to express my concerns regarding the proposed new St. Mary's church and Garden street parking lot which are summarized below:

1. Site Access & Traffic Circulation

- a. Accidents are caused by moving vehicles, not parked ones. When a large assembly gathers in residential neighborhoods, traffic is a major concern. Traffic conditions on residential streets can greatly affect neighborhood livability and can result with safety hazards.
- b. The widths of streets in this neighborhood are appropriate to handle traffic patterns for residential family subdivisions accommodating low traffic volumes. The street width of York Avenue is about 24 feet; Garden and Oakwood are about 29 feet. These widths are defined as a "Minor Street", a narrower paved with street of limited continuity used primarily for access to abutting residential properties.<sup>1</sup> Minor streets are found only in residential neighborhoods and provide a high degree of access to individual properties. St. Mary's proposal is utilizing minor residential streets for large volumes of traffic.
- c. Adding a new curb cut on York Avenue will generate more traffic on the narrowest street adjacent to St. Mary's Church suggesting traffic congestion concerns.
- d. St. Mary's church is usually quiet during the work day, with most of the activities held during the evenings and weekends. This is the same time neighborhood families are home from work and wish to enjoy the tranquility of the neighborhood without traffic and safety concerns.
- e. The neighbors of St. Mary's live in their homes, the parishioners visit the neighborhood and then return to their homes. Parishioners do not need to live with any concerns or challenges of a large church in a residential neighborhood.

2. Parking - Proposed Garden Street Lot: 104 spaces

- a. This Garden street lot is a designated site-specific flood plain and is the proposed location for the majority of off-street parking requiring a storm water variance.
- b. Property owners adjacent to the proposed Garden Street parking lot would be devastated to have even one inch of storm water in their basements and certainly would feel the same seeing over a foot of storm water in an adjacent parking lot. Six additional inches of storm water depth does not sound minimal as that would be a total of eighteen inches of storm water which is about knee deep and will have an adverse effect on neighboring property values. Since St. Mary's is willing to turn the Queen Anne

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<sup>1</sup> <https://www.dupageco.org/EDP/Zoning/Docs/18546/>



home at 209 N. Oakwood Avenue<sup>2</sup> into a parking lot, are they also planning to turn the yellow ranch at 138 Garden into a parking lot as well? At the top of page 4 of the packet, under #1, it states that only the home at 209 N. Oakwood will become a parking lot.

- c. If the Garden Street parking lot were to be constructed entirely with "green" permeable pavers and a designed subbase that would absorb more storm water under the entire surface of the parking lot, not just the edges, would this design prevent any ponding of water, even in extreme rain events? In addition, the parking lot area closest to Garden Street could be designed with storm water drains to direct storm water to the infrastructure under Garden Street. This could prevent any ponding of water on the entire surface of the parking lot and, therefore, would not require a variance.

3. Parking concerns

- a. Will St. Mary's continue to allow overnight parking in their Garden Street parking lot?
- b. West Chicago Police Department has been helpful with traffic concerns on peak attendance events by providing signage with a gentle reminder regarding parking on Garden Street.
- c. The proposed parking lot on Garden does not seem to include a designated pedestrian walkway, an unmarked lane designated solely for pedestrian traffic and separated from motor vehicle lanes. For pedestrian safety, should a designated pedestrian walkway be included in the Garden Street parking lot directing pedestrian traffic safely to the crosswalk and again to the church entrance?

4. St. Mary's continues to exist as a valued component to West Chicago since its inception in the 1890's. St. Mary's Church and the city of West Chicago are not now what they once were back in the early 1900's. The church and city have changed and grown significantly since then. Expanding this church in a residential neighborhood that was platted out in the early 1870's will put a strain on the volume of traffic and current infrastructure.

I respectfully request a no vote to St. Mary's proposal primarily due to the requested storm water variance of the proposed parking lot on Garden Street and due to minor streets used to handle a large volume of traffic.

Respectfully Submitted,



Jan Hummer  
348 East York Avenue  
West Chicago, IL 60185

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<sup>2</sup> Hiram Virgie was a carpenter and joiner from Nova Scotia who arrived in West Chicago in 1870 to work on railroad bridges. Hiram and Isabella Virgie's Queen Anne home built circa 1890 still stands at 209 N. Oakwood.

















# BOUNDARY & TOPOGRAPHIC SURVEY

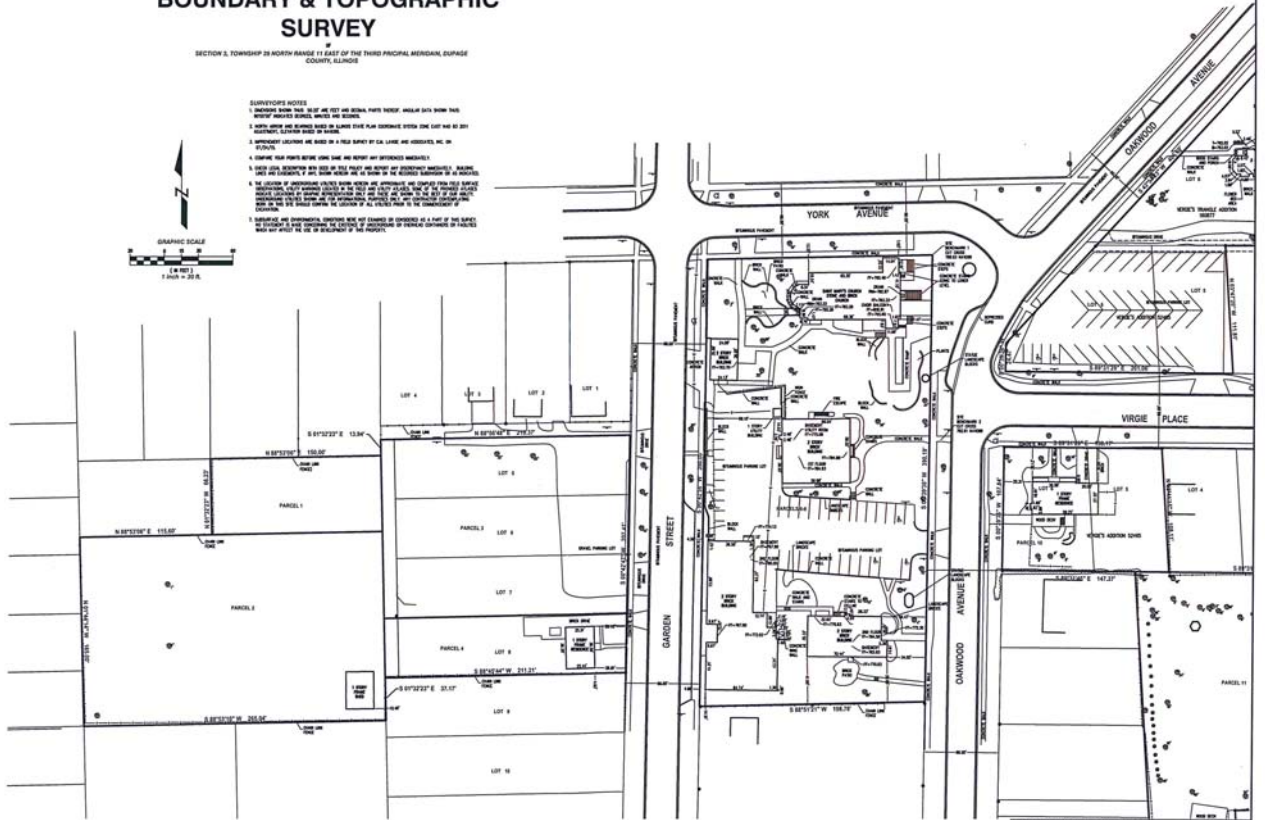
SECTION 2, TOWNSHIP 26 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS

## SURVEYOR'S NOTES

1. SURVEYING DONE THIS 10<sup>TH</sup> OF JULY AND 10<sup>TH</sup> OF AUGUST, 2010. THE SURVEY WAS DONE BY THE SURVEYOR, C.M. LAYOIE, AND HIS ASSISTANT, J. L. LAYOIE, JR.
2. THE SURVEY WAS DONE IN ACCORDANCE WITH THE ILLINOIS SURVEYING ACT, CH. 120, ILCS, AND THE ILLINOIS SURVEYING BOARD, 120 ILCS 10/1-10/10.
3. THE SURVEY WAS DONE IN ACCORDANCE WITH THE ILLINOIS SURVEYING ACT, CH. 120, ILCS, AND THE ILLINOIS SURVEYING BOARD, 120 ILCS 10/1-10/10.
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10. THE SURVEY WAS DONE IN ACCORDANCE WITH THE ILLINOIS SURVEYING ACT, CH. 120, ILCS, AND THE ILLINOIS SURVEYING BOARD, 120 ILCS 10/1-10/10.

## LEGEND

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## SAINT MARY'S PARISH

CHURCH OF THE HOLY SACRAMENT

WEST CHICAGO, ILL.

PLAT OF SURVEY

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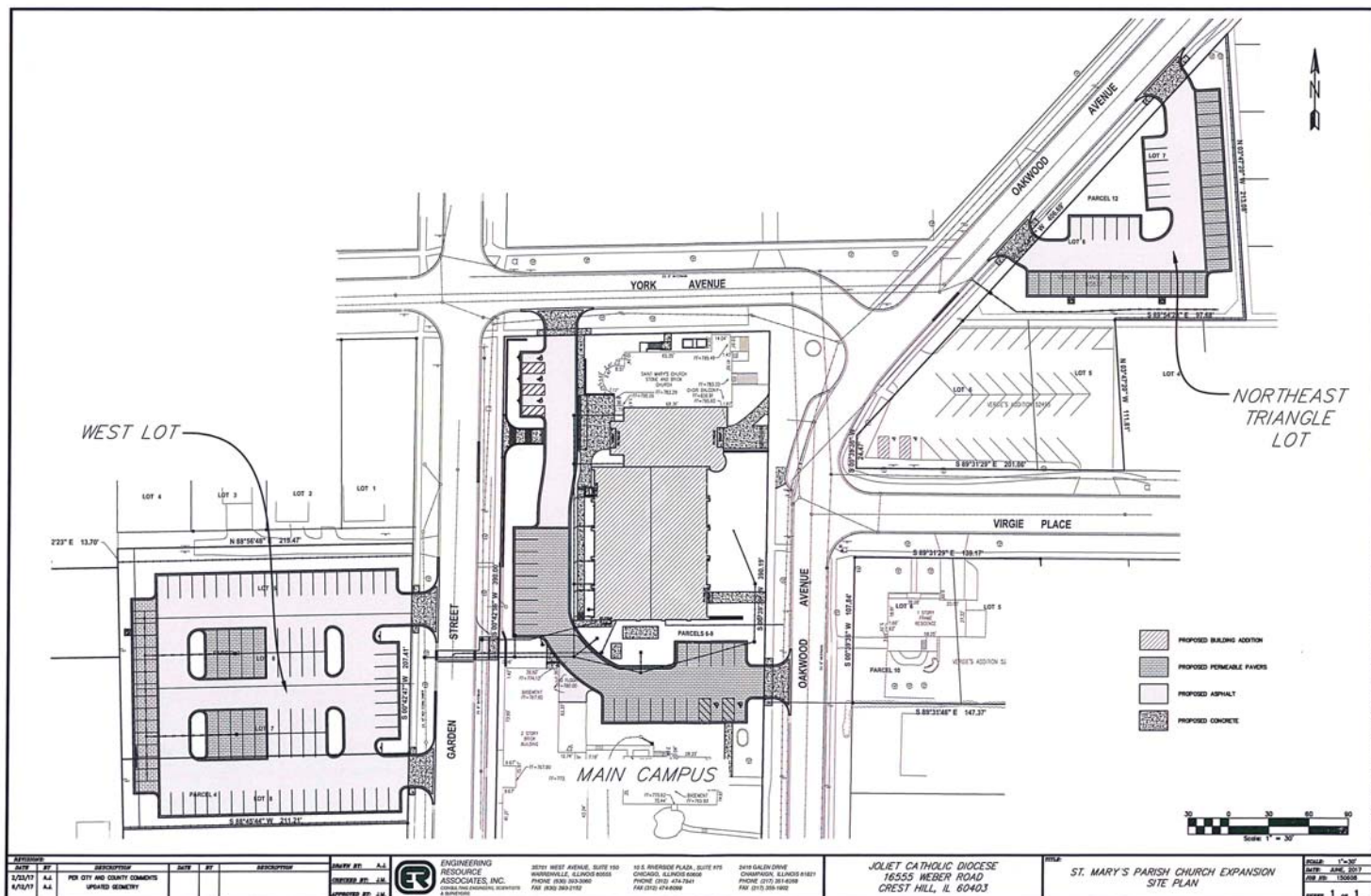
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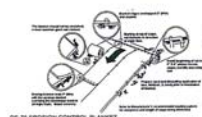






#### PREMIUM BLUEGRASS MIX

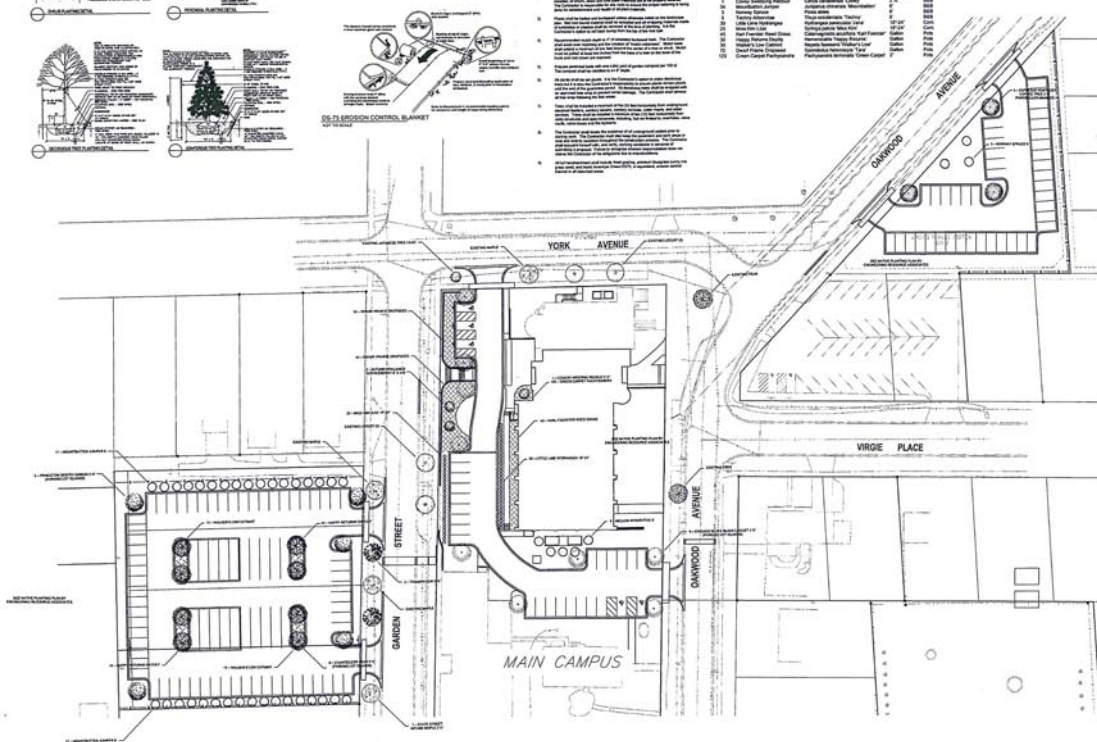
- 20% MIDWEST KENTUCKY BLUEGRASS
- 20% TEXAS KENTUCKY BLUEGRASS
- 20% ALABAMA KENTUCKY BLUEGRASS
- 20% BLUEGRASS KENTUCKY BLUEGRASS
- 20% PENNSYLVANIA BLUEGRASS
- 20% SLOAN'S PERENNIAL BLUEGRASS



- The landscape and site plan are based on the following assumptions:
  - 1. The site is a flat, open area with no existing structures or utilities.
  - 2. The site is a flat, open area with no existing structures or utilities.
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  - 10. The site is a flat, open area with no existing structures or utilities.

#### PLANT LIST

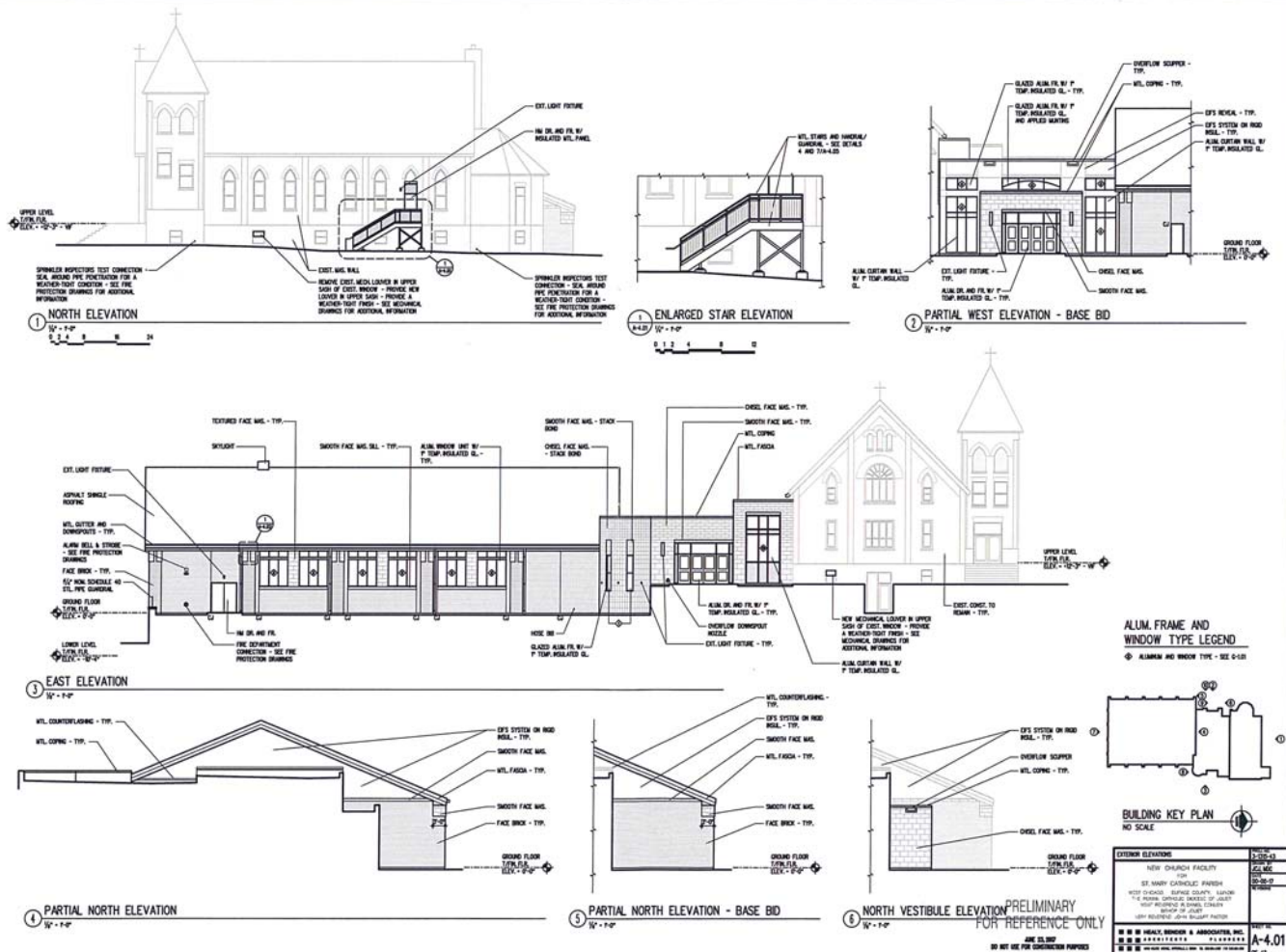
No.	Common Name	Botanical Name	Size	Quantity
1	Black Locust	<i>Rhus glabra</i>	12"	100
2	Black Locust	<i>Rhus glabra</i>	12"	100
3	Black Locust	<i>Rhus glabra</i>	12"	100
4	Black Locust	<i>Rhus glabra</i>	12"	100
5	Black Locust	<i>Rhus glabra</i>	12"	100
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7	Black Locust	<i>Rhus glabra</i>	12"	100
8	Black Locust	<i>Rhus glabra</i>	12"	100
9	Black Locust	<i>Rhus glabra</i>	12"	100
10	Black Locust	<i>Rhus glabra</i>	12"	100



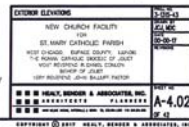
PREPARED BY: [Blank] CHECKED BY: [Blank] APPROVED BY: [Blank]	<b>Dowden Landscape Design</b> P.O. Box 414, Louisville, KY 40201 Phone: 502.451.1111 Email: dowden@downenlandscape.com	THE ROMAN CATHOLIC DIOCESE OF LOUISVILLE 16555 WEBER ROAD CREST HILL, KY 40013	NEW CHURCH FACILITY FOR ST. MARY CATHOLIC PARISH OVERALL MASTER PLAN	DRAWN: [Blank] DATE: 05/11/11 JOB NO.: [Blank] SHEET: 10007
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WEST ELEVATION

NEW CHURCH  
ST. MARY CATHOLIC CHURCH  
West Chicago, Illinois

HEALY  
BENDER

COPYRIGHT © 2017 HEALY, BENDER & ASSOCIATES, INC.





# EAST ELEVATION

NEW CHURCH  
ST. MARY CATHOLIC CHURCH  
West Chicago, Illinois

HEALY  
BENDER

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## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Request for Waiver of Appearance Code Requirements  
– Painting of the Exterior Masonry Façade at  
151 W. Washington Street

Ordinance No. 17-O-0024

**AGENDA ITEM NUMBER:**5.C.**FILE NUMBER:****COMMITTEE AGENDA DATE:** July 10, 2017**COUNCIL AGENDA DATE:****STAFF REVIEW:** John D. Said**SIGNATURE****APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE****ITEM SUMMARY:**

The applicant and building owner, the West Chicago Community Center, is requesting a waiver of the Appearance Code requirements to paint some of the exterior masonry façade elements on their building at located 151 W. Washington Street. The City acquired the property in 2011 to incorporate it into the West Washington Street Redevelopment Area. The City then sold the property to the applicant in 2013 with the stipulation that the applicant restore the property, which the applicant is still currently undertaking. Part of the applicant's desired restoration of the building is to paint the stone window and door accents, as well as the cinder block wall on the north façade of the addition at the rear of the building, white. There is evidence that the historic window and door masonry features were previously painted, but the vast majority of that paint has deteriorated and come off the stone due to poor maintenance by the property owner previous to the City. The cinder block wall was never painted and had its natural gray color. The applicant recently painted this block wall white to blend in with the existing white siding immediately above said block wall.

The applicable section of the Municipal Code is Section 7.13(C)(4), which is within the City's Appearance Code ("design standards and review") in Appendix A (Zoning). This Section, which prohibits any exterior brick or stone surfaces from being painted, is intended to prevent potential long-term maintenance and degradation issues associated with continual repainting of brick or stone exteriors. Generally, the Appearance Code regulations intend to promote high quality, cohesive developments that will enhance the overall appearance of the City. Paragraph (N) of the Appearance Code specifies that an appeal/waiver may be approved by the City Council.

At its June 27, 2017 meeting the Historical Preservation Commission recommended approval of the exterior masonry painting, subject to the conditions outlined in Section 1 of the attached Ordinance and on its Certificate of Appropriateness Approval Form, which is attached to said Ordinance as Exhibit B. The Commission and City staff agreed that while painting the building's masonry window and door features is not ideal, it is a better option than requiring the applicant to restore these historic masonry features to their natural state because the standard restoration techniques used for this type of application would cause significant and irreversible damage to these masonry features.



## CITY OF WEST CHICAGO

**ACTIONS PROPOSED:**

Consideration of a waiver of the Appearance Code requirements for painting certain exterior masonry façade elements on the building located at 151 W. Washington Street.

**COMMITTEE RECOMMENDATION:**

## **ORDINANCE NO. 17-O-0024**

### **AN ORDINANCE GRANTING A CERTAIN WAIVER TO SECTION 7.13(C)(4), DESIGN STANDARDS AND REVIEW, OF THE ZONING CODE FOR 151 W. WASHINGTON STREET**

WHEREAS, on or about May 31, 2017, the West Chicago Community Center, (the "APPLICANT"), filed a request for a certain waiver to Section 7.13(C)(4), Design Standards and Review of Appendix A of the Zoning Code, with respect to the property legally described on Exhibit "A" attached hereto and incorporated herein (the "SUBJECT REALTY"); and,

WHEREAS, the APPLICANT proposes to paint certain masonry exterior elements on the subject building located at 151 W. Washington Street, which is not permitted by Section 7.13(C)(4) of Appendix A of the Zoning Code; and,

WHEREAS, the existing exterior of the building is brick with masonry accents; and,

WHEREAS, the subject building on the SUBJECT REALTY is commonly known as the Joel Wiant House, is considered historically significant, and is a contributing structure to the Turner Junction Historic District; and,

WHEREAS, on June 27, 2017, the Historical Preservation Commission approved the painting of certain elements of the masonry exterior of the subject building on the SUBJECT REALTY as part of the approval of Certificate of Appropriateness No. 17-13, with a copy of the approval document being attached hereto and incorporated herein as Exhibit "B"; and,

WHEREAS, on July 10, 2017, the Development Committee determined that the conditions of the subject building and the SUBJECT REALTY conform with the intent of Section 7.13(C)(4), Design Standards and Review of Appendix A of the Zoning Code.

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 waiver from Section 7.13(C)(4), Design Standards and Review of the City of West Chicago Zoning Ordinance is hereby granted for the subject building on the SUBJECT REALTY, subject to the following conditions of approval:

1. The APPLICANT is only permitted to paint all of the stone window and door accents on the subject building as well as the cinder block wall on the north façade of the addition on the rear of the subject building.
2. Painting of the stone foundation of the subject building is expressly prohibited and said stone foundation shall remain in its natural unpainted state.
3. The stone accents and cinder block wall that are permitted to be painted per Condition No. 1 above shall be painted white matching that of the other existing white exterior elements/features of the subject building.



4. The waiver granted herein by this Ordinance does not apply to the face brick exterior of the subject building.

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

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

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2017.

Alderman J. Beifuss	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman Michael Ferguson	_____
Alderman Birch Ferguson	_____	Alderman S. Dimas	_____
Alderman K. Meissner	_____	Alderman J.C. Smith, Jr.	_____
Alderman R. Stout	_____	Alderman G. Garcia	_____
Alderman N. Ligino-Kubinski	_____	Alderman B. Gagliardi	_____

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2017.

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

ATTEST:

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

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

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

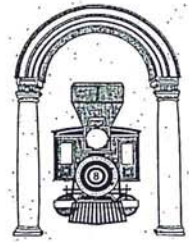
Part of Lots 1 and 2 in Block 6 in Winslow's Addition to the Town of Junction, being a subdivision of part of the Northeast  $\frac{1}{4}$  of Section 9, Township 39 North, Range 9, East of the Third Principal Meridian, according to the plat thereof recorded May 18, 1857 as document No. 11467, described as follows: beginning at the Northwestern corner of said Lot 2 and running thence North  $76 \frac{1}{2}$  degrees East along the Northerly line of said Lot 2, aforesaid, 65.4 feet to a post; thence Southerly in a direct line to a point 8.7 feet Easterly of the Southeast corner of said Lot and in the North line of the street; thence South  $76 \frac{1}{2}$  degrees West along North line of said Lot 2; thence North  $24 \frac{1}{2}$  degrees West 132 feet to a place beginning, (except therefrom the Southwesterly 10 feet in width of Lot 2, measured on a perpendicular line drawn to said Southwesterly line and drawn parallel to said Southwesterly line, in Block 6 in Winslow's Addition to Town of Junction), in DuPage County, Illinois.

P.I.N.: 04-09-201-016



## **EXHIBIT “B”**

(insert Certificate of Appropriateness No. 17-13 approval document here)



# Certificate of Appropriateness Decision

(to be completed by the Historical Preservation Commission)

Certificate of Appropriateness # 17-13 is hereby approved, subject to compliance with the documents and notes/comments referenced below, for the property located at 151 W. Washington Street.

By signing below the Applicant agrees that all work will be completed in accordance with the documents and notes/comments referenced below, except for such changes that may be authorized or required by the City in accordance with any regulations set forth by all local, state and federal codes and ordinances. The Applicant further agrees to post a copy of this Decision, if approved, along with a copy of the building permit issued by the City, on the subject property in a place of public view.

Documents:

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Notes/Comments:

for trash enclosure only as presented  
all masonry window & door trim, excluding limestone foundation,  
and including cinder block north wall on building addition. Paint  
to be white to match existing white paint on other exterior  
building features.

Historical Preservation Commission President

6-27-2017

Date

Applicant (or their representative)

6/27/2017

Date



## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Conceptual Review of a Fourth Amendment to the Final  
PUD for Bishop Place  
NWC of Bishop Street and Roosevelt Road

**AGENDA ITEM NUMBER:** 5.D.**FILE NUMBER:** \_\_\_\_\_**COMMITTEE AGENDA DATE:** July 10, 2017**COUNCIL AGENDA DATE:** \_\_\_\_\_**STAFF REVIEW:** John D. Said**SIGNATURE** **APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** \_\_\_\_\_**ITEM SUMMARY:**

Bishop Place is a mixed use Planned Unit Development (PUD) located at the northwest corner of Bishop Street and Roosevelt Road. The development consists of two commercial lots, one of which is developed with a retail strip mall, twelve single family residential lots, three of which are still undeveloped, and two stormwater detention outlots. The original developer was Ray Soto. The preliminary PUD was approved by the City Council in 2004. Because Mr. Soto is primarily a residential builder City staff and the Council had concerns that Mr. Soto would build the houses and forgo the commercial component of the development. To aid in alleviating this concern several conditions of approval were incorporated into the preliminary PUD limiting the number of houses that can be built and tying these limitations to the progress of the commercial component of the development. The conditions were as follows:

1. No more than five single family homes may be built prior to a final certificate of occupancy being issued for the first commercial building.
2. No more than eight single family homes may be built prior to a final certificate of occupancy being issued for the second commercial building.
3. A certificate of occupancy on the first commercial building shall be secured within three years of approval of the final PUD.

These performance conditions were reaffirmed in the final PUD approved in 2005. In 2006 a first amendment to the final PUD for the commercial component of the development was approved to restructure the commercial component so Mr. Soto could sell off one of the commercial lots to another developer. The remaining original performance conditions were reaffirmed in the 2006 PUD amendment and by virtue of the other developer building one of the commercial buildings (the retail strip mall known as 285 E. Roosevelt Rd.) Mr. Soto was able to increase the number of houses he could build from five to eight. In 2009 Mr. Soto received City Council approval of a second amendment to the PUD to restructure the performance conditions and make them less restrictive, which allowed him to build up to ten of the twelve total homes and extended the occupancy permit requirement for the second commercial building to 2010. At that time City staff recommended against the second amendment. In 2011 Mr. Soto received approval of a third amendment to the PUD to again extend the occupancy permit requirement for the second commercial building to 2013 citing the ongoing economic downturn. It is now 2017 and the second commercial building is still not constructed, meaning the de-



velopment is in violation of the conditions of approval of its PUD. Mr. Soto lost all controlling interest in the development to FNBC Bank in a foreclosure in 2016. The Bank still owns the vacant commercial lot, but has since sold the three remaining undeveloped residential lots to a separate party. Until recently the Bank and purchaser (D&P Property Development) of the three vacant residential lots was unaware of the PUD, its subsequent amendments thereto, and any conditions/restrictions placed thereon.

The Bank has hired local attorney Mike Konewko to formally file a fourth amendment to the PUD to eliminate all of the restrictive and unmet conditions of approval relating to the development of the vacant commercial lot and construction of the three remaining residential lots. The Bank has no desire to develop the commercial property themselves and solely desires to sell it as is. D&P Property Development desires to build the remaining three single family homes immediately. When Mr. Konewko filed the formal PUD amendment application in early May he stated that the Bank had several interested parties in the vacant commercial lot. City staff requested Mr. Konewko to provide information on the interested parties and their intentions before City staff would process the PUD amendment application as staff felt it was an integral part of the amendment request given the existing restrictive conditions. City staff also informed Mr. Konewko that City staff support of the PUD amendment would not be likely without a serious party interested in immediately developing the vacant commercial lot. Mr. Konewko recently submitted correspondence stating that the Bank does not have any interested parties and would like City staff to resume processing the PUD amendment application as submitted.

City staff felt this is an appropriate matter for conceptual review before the Development Committee given the history of the development and the restrictions placed thereon, the recent change in ownership, and staff's initial negative recommendation, prior to further processing the formal application. City staff feels this course of action could save time and money for all parties involved if the Development Committee concurs with staff's negative support and the Bank surmises that continuing with the formal PUD amendment request would not be in their favor.

City staff does not support the fourth amendment to the final PUD because it would result in a complete buildout of the entire residential component of the development while leaving a less than desirable commercial lot vacant, which is what was desired to be avoided since the development's inception in 2004. The commercial lot is considered less than desirable because it is situated behind existing commercial buildings along Roosevelt Road, thus having limited visibility and only has limited access (right-in/right-out) to Roosevelt Road. Keeping the existing conditions and restrictions currently imposed on the PUD in place, while inconvenient for the Bank and D&P Property Development, incentivizes the Bank to secure a developer for the vacant commercial lot in a timelier manner. Furthermore, the City should not be expected to lower their established standards just because the Bank was unaware of the development's conditions and restrictions upon its acquisition of the property and further compounding the matter when the Bank sold off the three vacant residential lots to another party.

**ACTIONS PROPOSED:**

Conceptual review and commentary of a fourth amendment to the final PUD for Bishop Place.

**COMMITTEE RECOMMENDATION:**