

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved April 9, 2018

## MINUTES

### DEVELOPMENT COMMITTEE

**March 12, 2018, 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 James Beifuss, Michael Ferguson, Matt Garling, Bonnie Gagliardi, Jayme Sheahan and Rebecca Stout present.

Also in attendance was Community Development Director, Tom Dabareiner.

2. **Approval of Minutes.**

A. **February 12, 2018**

**Alderman Ferguson moved and Alderman Sheahan seconded a motion to approve the minutes. Voting Aye: Beifuss, Ferguson, Gagliardi, Garling, Sheahan and Stout. Voting Nay: 0.**

3. **Public Participation.**

Sherwood Blitstein, owner of Mosaic Crossing, spoke to the Committee. He stated that since he last addressed the members, about 9 months ago, he has been working tirelessly to find other users for this site. He briefly provided some background on the type of work he has done to market it, but just last week, he received two opportunities. The first use is for batting cages for high schoolers. They are interested in 30,000 square feet and aim to open before the fall. The second opportunity is from U-Haul Corporate, who is interested in buying the entire site to develop into storage units and truck rentals. They would modify the façade to make it more attractive. Because U-Haul is looking to occupy as much space as possible, he stated he has already been in touch with some of the current, adjacent tenants, Fresenius and Dollar Tree, and there have been discussions about possible relocations nearby. He apologized for not having more details to share but asked

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the members to share their preliminary thoughts about these possible uses. He expressed that it would be a very positive outcome for the City.

Alderman Stout said this topic was not previously on the night's Agenda, but given the urgency for a decision, it would be allowed for discussion.

Alderman Gagliardi asked how much of the former Hobby Lobby space would be used by the batting cages use, and Mr. Blitstein replied that it would be only 50% of the building. He also remarked that a use like this one is untested for a facility of this size. Alderman Beifuss stated that the batting cages are more along the lines of what he would expect to see as a use for this site if not retail. He would need to know a lot more about the storage plan. Mr. Blitstein apologized for not being able to provide more information. Alderman Ferguson indicated he likes the viability of storage over the batting cages, since the latter are untested and storage facilities seem to flourish. Alderman Sheahan stated she likes both ideas but prefers the U-Haul.

Tom Dabareiner added that batting cages are an allowable use as is the truck rental portion, but storage would require a text amendment to the PUD. They may want to revisit the PUD in its entirety if U-Haul takes on this site. The market study conducted showed the retail hopes are overly optimistic and they are looking for other types of business uses to attract people to this area.

Alderman Garling asked what changes would be made to the facility, and Mr. Blitstein responded they would gut the interior and renovate the exterior, and the storage facility would result in a bigger change to the façade than the baseball use. Alderman Garling indicated that he is in favor of the storage use. Alderman Stout agreed that Alderman Beifuss made a valid point in asking for more information about the storage use but ultimately, she would lean more toward the U-Haul use. She thinks the U-Haul has more viability, and she has seen some of U-Haul's other storage facilities and they are very well maintained. She concluded that while this is only a conceptual discussion, five of the six members present have expressed a preference for the U-Haul and one member has asked for more information. Mr. Blitstein thanked the Committee for the opportunity to discuss.

#### **4. Items for Consent.**

- A. City of West Chicago – 509 Church Street – Resubdivision.**
- B. School District 33 – 130, 300 & 312 E. Forest Avenue – Special Use Amendment.**
- C. Little Prince Daycare – 550 E. Washington Street – PUD Amendment.**

Alderman Beifuss requested that Item C. be removed from Consent for an update.



**Alderman Ferguson moved and Alderman Beifuss seconded the motion to approve Items A & B for Consent. Voting Aye: Aldermen Beifuss, Ferguson, Gagliardi, Garling, Sheahan and Stout. Voting Nay: 0.**

Tom Dabareiner provided a staff update regarding the Little Prince Daycare, stating that the Plan Commission/Zoning Board of Appeals (PCA/ZBA) recommended unanimous approval of the requested amendment. Alderman Beifuss indicated he is in agreement with the idea now that the landscaping, monument sign, buffers and parking layout have been identified. Alderman Ferguson expressed concerns about parking lot lighting and possible glare into the neighboring residence and about the neighbor's request to install a fence along the west property line.

John Parrish, real estate broker for the project, stated they met with the neighbors last week. They informed them that the site would be closely monitored and if a fence is required, they would provide for one. There would only ever be 20 to 30 kids on the playground at a time and they would only ever be there or inside of the facility, not anywhere else. Alderman Ferguson commented that LED lighting leads to a lot of glare and asked if it could be shaded from the residence. Mr. Parrish commented that it could. They have hired a great architect and they are very cognizant of this.

Alderman Beifuss asked if staff has approved the lighting plans. Mr. Dabareiner stated that what was presented meets code and that while glare can be hard to predict, there are ways to address problems after-the-fact. Alderman Beifuss stated that they prefer to deal with problems now as they do not want any after-the-fact problems.

**Alderman Sheahan moved and Alderman Gagliardi seconded the motion to recommend approval of this Item. Voting Aye: Aldermen Beifuss, Ferguson, Gagliardi, Garling, Sheahan and Stout. Voting Nay: 0.**

**5. Items for Discussion.**

**A. Otwirk Residence – 139 W. Pomeroy Street – Variances.**

Tom Dabareiner summarized this item for the Committee members. The applicant is requesting approval of two variances for a fence: to permit a fence in the front yard to exceed four feet in height and to permit a non-decorative style privacy fence in the front yard. The variances, if approved, would allow the applicant to retain an existing non-compliant six-foot-tall privacy fence that was installed in the front yard without the necessary building permit. Mr. Dabareiner provided some background information and then reviewed the zoning norms for legal, non-conforming structures. He mentioned that at their last meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended denial of a variance for a non-decorative fence style and approval of the fence height variance lost by a 1-6 vote. A super majority is now required at the Council level for the approval of each variance. If the applicant were to exhaust all

administrative remedies, the outcome would be to take down the fence or replace it with one that is compliant.

Alderman Sheahan asked for a definition of a decorative fence, and Mr. Dabareiner replied it is one with spacing, such as iron, that can be seen through. Alderman Beifuss asked if it also needs to be 4 feet or less, and Mr. Dabareiner replied that only a front yard fence would need to meet that height requirement. He also asked if the current fence had been installed without a permit and if they had, would that process have prevented the current issue. Mr. Dabareiner confirmed that no permit was obtained, and that staff would have noted the replacement to be the wrong height and style.

Alderman Sheahan stated that she had seen the fence and it is very nice looking. However, she said she knows that rules are in place for a reason. Alderman Stout cautioned about the need to be careful in setting a precedent, for by allowing one person to do so, they would need to allow it for all. The homeowners were told to repair their existing fence or apply for a building permit and neither request was honored. The applicant was then recognized to speak.

Jodi Otwirk of 150 Plumtree and Mike Pineda of 139 W. Pomeroy addressed the Committee. Ms. Otwirk stated that they tried to repair the fence to the best of their abilities, but they were not given much explanation on the citation. She then received another citation and when she called the City she was told that the person who issued it was no longer working there anymore. She indicated it was a little bit of a debacle from the beginning. They tried to fix the fence, but they ended up replacing most of the existing one. Mike Pineda stated it has been a lot of miscommunication and the inspector's word against Ms. Otwirk's. He said he understands the concern over setting a precedent but pointed to the non-conformity of the previous fence and that no one can tell them when the current fence standards were put in place. He was told maybe as long as 20 years ago but the previous fence was installed in 2001 when the home was built, which is inside that time period. If a permit was issued for that fence, he stated, it would not set a precedent to allow the current fence to stay.

Alderman Stout stated that they are not looking at how the original fence came into being as it must have complied with the ordinances of that time, and she mentioned an appearance code was adopted within the last 14 years. Mr. Pineda said that the document from the City did not say the fence could not extend on the side yard. Their fence is located on the side yard on a different piece of property. He agreed that they should have applied for a permit, but there are worse things people must look at in this town and none of their neighbors have complained.

Alderman Stout said that despite the miscommunication and errors, the members must look at the current ordinances and that deviating from them would set a precedent. Mr. Pineda asked where they can find out when the ordinance was set and/or changed. Ms. Otwirk informed that she had been told 20 to 21 years ago, and she restated there is a



discrepancy in communication as she has asked for clarification for months. Alderman Beifuss asked if a company replaced the fence and Mr. Pineda said he did it himself. He attempted to repair the fence but ended up replacing it.

Alderman Stout asked for a recommendation. Alderman Beifuss stated that the PC/ZBA did not identify anything particularly unusual about this situation that would require a variance and he trusts their judgment. A fence permit would have eliminated the problem. He furthered it is unfortunate, and he would like to say yes, but he sees no other alternative but to deny the variances. Alderman Gagliardi expressed that she felt if a permit had been pulled, this misunderstanding would have been avoided. Alderman Ferguson agreed with Aldermen Beifuss and Gagliardi that it would set a dangerous precedent to allow the variances.

**Alderman Beifuss moved and Alderman Ferguson seconded the motion to recommend approval of this Item. Voting Aye: Aldermen Beifuss, Ferguson, Gagliardi, Sheahan and Stout. Voting Nay: 0. Voting to Abstain: Garling.**

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

Tom Dabareiner summarized some of the property history with regards to annexation and zoning, which is currently ER-1. From a land use perspective, it was and continues to be designated commercial. He mentioned factors such as the 2017 Retail Market Study of this area that indicated an excess of commercially available land in close proximity and the high cost of bringing utilities to this site. A new developer is now requesting conceptual review of an industrial use, which would require a zoning change to ORI. Mr. Dabareiner then introduced the petitioners present.

Jeff Lanaghan of IDI Logistics addressed the members. He stated his company has done 18 business parks in the Chicago land area, totaling approximately 30 million square feet of industrial, which is their specialty. They looked at this site about 4 years ago, but passed on it upon learning about the City's desire to have a retail component here. They currently have a large user (500 employees) that is looking to remain in the area, and Mr. Lanaghan's company is competitively looking for a site for them. He said he thinks this would be a good location for them. The development would be around \$50 million dollars.

Mr. Dan Leahy of NAI Hiffman, broker for a proposed industrial project at this site, stated they are looking at an institutional precast facility with loading docks catering to warehouse distribution and light manufacturing, but definitely not a truck terminal. There is a lack of space in the Carol Stream/Glendale Heights market, and this is what prompted them to consider West Chicago. While they considered other sites south of the airport, they feel this site would attract a different user coming from the Elk Grove Village/O'Hare airport area. Whether or not they land the particular client Mr. Lanaghan referred to, they would still be interested in developing this property on a speculative

basis. With regards to what would be built, he mentioned that it would perhaps be a two-building concept. He asked the members for their opinions with regards to the proposed project.

Alderman Garling asked whether the entire site would be used and whether a pharmaceutical company would utilize the one-building concept. The petitioners responded that a two-building scenario would be more likely for this site. Alderman Ferguson asked what the occupancy rate is at the industrial parks they have developed and if they anticipate any traffic issues. Mr. Lanaghan replied that the vast majority is completely occupied and traffic would depend on who occupies the facility. Alderman Ferguson also asked if the two-lane stretch of Prince Crossing might have to be widened and if the drive-in theater would be eliminated. Mr. Lanaghan answered that most of the traffic would come and go from the east on North Avenue and any traffic going south on Prince Crossing would be to enter the facility, but any road widening considerations would depend on the user. In terms of the theater, he confirmed that it would be eliminated.

Alderman Garling stated he likes the idea and would like to hear more. He echoed the concerns of Alderman Ferguson about truck traffic near the neighborhood on the west side and added concerns about the forest preserve on the other side.

Alderman Beifuss asked for clarification on developing a speculative site, and Mr. Leahy responded that yes, if the customer they have in mind does not pan out, they believe that there is enough demand in the Central DuPage market to justify a speculative build. Alderman Beifuss commented that West Chicago has a fair amount of property zoned manufacturing and a lot of vacant property at the Tech Park, especially on the east side of Fabyan, which is zoned ORI. He stated he was unsure about the vacancy rate for industrial parks in other areas but it appears there is still a lot of vacancy. He indicated he was not excited about having manufacturing at this location as the general pattern of development along Prince Crossing has been residential with existing subdivisions there already. Prince Crossing is currently not a truck route and they probably want to continue that status with the direction of single family subdivisions. Alderman Beifuss also pointed out that there was interest one or two years ago to add high density residential to this area, but that was not what they were looking for given the lack of nearby amenities. If it were to be redeveloped, single family residential would be a better use. He commented that the plans for warehousing here are not compatible long term, even though there is already one industrial site in the vicinity. He restated that it is not the direction that he sees for this area and he surmised that the residents here would not envision this direction either, given conversations he has had with some of them.

Alderman Sheahan agreed with Alderman Beifuss and added that she would like to keep Cascade. Alderman Gagliardi stated that she was unsure. While she likes the idea of something going here she would hate to see Cascade go away and expressed concern about increased traffic on Prince Crossing. Alderman Stout indicated that she is a little



more open to the idea because of the commercial designation in the Comprehensive Plan and the fact that the Kuhn property was commercial in the past, and it generated a lot of truck traffic. She also pointed out that the proposal would be well situated along the North Avenue corridor given the proximity to O'Hare, Route 59, etc. This would serve the long term goal to develop the area and bring in jobs and income to the City.

Jeff Leahy stated that the type of product for industrial locations in West Chicago is functionally obsolete with dated manufacturing built in the 1980's, especially along Powis. The Tech Park is more of a build-to-suit site. He recalled only one other precast speculative build in West Chicago about 10 years ago. He believes there to be a demand for professional, institutional, aesthetically pleasing buildings and currently there is no new, class-A product available. The proposed building, were it speculative, would be a \$30 million dollar project, and so there is a lot of confidence they would get it leased and occupied. Progress is coming west down North Avenue and this is the next stage of growth and development opportunity. Finally, Mr. Leahy commented that it would not be possible to keep Cascade on the parcel.

Alderman Stout asked the members to provide their recommendations. Alderman Beifuss stated that he is not in favor of it and believes this parcel to be suited for single family residential, and with it backing to a forest preserve, it makes it even more so. He restated there is a lot of area already zoned manufacturing and other areas to be built out in the City. He thanked the petitioners for their interest in West Chicago.

Alderman Ferguson concurred with Alderman Beifuss as the proposal does not seem to fit the character of the area. Alderman Garling stated that he is torn. He is aware of the industrial business previously located there, but as he already stated, he has concerns about the traffic for nearby residents. Alderman Gagliardi indicated she was on the fence. While she understands it is a good location for this type of project, she feels for the residents already there. Alderman Stout concluded that favorability among the members is split.

Mr. Leahy asked what kind of development would work well here if industrial were off the table and Alderman Beifuss responded that it would be single family residential, ER, but not high density residential like townhomes. The applicants thanked the members for their feedback.

6. **Unfinished Business.** None.
7. **New Business.** None.
8. **Reports from Staff.** None.

**Alderman Gagliardi moved and Alderman Sheahan seconded the motion to adjourn the Development Committee meeting at 8:12 P.M. The Committee members unanimously agreed and the motion carried.**

Respectfully submitted,

Jane Burke