

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved April 2, 2019

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS MARCH 5, 2019 7:00 P.M.

1. Call to Order, Roll Call and Establishment of a Quorum

Chairperson Laimins called the meeting to order at 7:00 p.m. Roll call found commissioners Dettmann, Faught, Hale, Devitt, Kasprak, Laimins and ex-officio members Jakabcsin and Banasiak present. Commissioner Henkin was absent. A quorum was established.

Also in attendance were Community Development Director Tom Dabareiner and City Planner John Sterrett.

2. Pledge of Allegiance

Everyone in attendance participated in the Pledge of Allegiance.

3. Chairman's Comments

Chairperson Laimins asked Tom Dabareiner to introduce the new City Planner. John Sterrett introduced himself to members and provided a brief background about himself.

4. Approval of Meeting Minutes

Commissioner Kasprak moved to approve the meeting minutes for January 15, 2019; seconded by Commissioner Faught. Commissioners voted 4-0, with two members abstaining, to approve the minutes.

5. Public Hearing Case PC 19-04, Special Use Permits

Commissioner Hale motioned to open the public hearing; seconded by Commissioner Devitt. Unanimous.

Mr. Dabareiner stated the petitioner is seeking two special uses for a motor vehicle repair shop at 123 North Aurora Street, for a "motor vehicle repair shop" and for a "motor vehicle care center." The property is zoned M for Manufacturing and, other than a recent use for an electrical contractor it historically has housed motor vehicle repair. All repair and storage is proposed to occur inside the building. Mr. Dabareiner referred to the Findings of Fact and reviewed the conditions staff added to the draft ordinance.

Chairman Laimins asked for comment from the public. Mr. David Sabathne was sworn in and spoke in favor of the petitioner's proposal. Phil Saas, the petitioner, was sworn in and asked for the Commission's positive consideration. He added that he believes the letter read into the record was written by someone possibly confused over the building location, because 123 South Aurora would have a bigger impact on them. The author was not present to explain.

Chairperson Laimins asked if any member of the public wished to speak. There being none Commissioner Kasprak motioned to close the public hearing; seconded by Commissioner Devitt. Unanimous. The public hearing was closed after all testimony was received from the petitioner and all interested persons in the audience.

6. Review of Case PC 19-04, Special Use Permits

Commissioner Hale confirmed that the location has, but for the last couple years, been a motor vehicle repair company. Commissioner Jakabcsin offered general support. Commission Devitt noted there is no impact on residential and that the support from the Chamber is welcome.

Commissioner Devitt motioned to approve the Findings of Fact as presented in the staff memo, including the conditions and the Special Use Permits; seconded by Commissioner Hale. Unanimous. Mr. Dabareiner reviewed the next steps in the approval process.

7. Public Hearing Case PC 19-07, Text Amendment

Commissioner Dettmann motioned to open the public hearing; seconded by Commissioner Kasprak. Unanimous.

Mr. Dabareiner stated the City wishes to amend the zoning code to allow "pet shops," which currently are handled as a "retail establishment." The proposal is to allow Pet Shops in the B-1, B-2 and B-3 districts and add related definitions to the text. He added that Pet Shops would be defined in a way that prohibits the sale of dogs and cats, except in special circumstances such as working with rescue organizations. He noted that the Police Department is also updating their portion of the Municipal Code to help with their related enforcement of these matters. He explained that DuPage County asked municipalities to adopt these amendments to help discourage the proliferation of puppy and kitten mills. He noted some of the problems associated with "puppy mill" animals. The changes would affect no existing business within the City of West Chicago, he stated.

Chairperson Laimins clarified that a pet store could work with a rescue organization to market pets. Commissioner Hale noted that he has cats and understands the concept but was concerned about the blanket prohibition. He suggested the County or State regulate puppy mills. He was concerned that the regulations would limit the City's appeal to possible new pet stores. Mr. Dabareiner clarified that DuPage County land use responsibilities are limit to unincorporated areas and within the City it is the City that must act. Commissioner Faught is concerned whether the City could prohibit the sale of specific types of pets and asked what communities have done this. Mr. Dabareiner reviewed the list of communities from the report, adding that Downers Grove was considering a similar ordinance tonight. Commissioner Kasprak asked if making Pet Shops a Special Use was a better approach and Mr. Dabareiner responded that the Special Use standards would not help us

distinguish what stores would be responsible sellers. Commissioner Devitt asked about the surrounding cities are doing and Mr. Dabareiner noted that this is very new but many were asked to consider this. Commissioner Dettman agreed puppy mills were a problem and believed the City could be a trendsetter by adopting these regulations and added her support. Commissioner Banasiak thought the wording might be changed to allow for breeders to sell through pet stores and expressed concern that the regulation might discourage pet stores from locating in West Chicago. Mr. Dabareiner stated that there are plenty of responsible pet stores that do not carry puppy mill animals, which could come into the local market. Commissioner Jakabcsin said he is in favor of pet stores that only deal with rescues. Chairperson Laimins stated she would be proud of the community to adopt these rules.

Chairperson Laimins asked if anyone else wished to speak. There being none Commissioner Dettmann motioned to close the public hearing; seconded by Commissioner Devitt. Unanimous. The public hearing was closed after all testimony was received from the petitioner and all interested persons in the audience.

8. Review of Case PC 190-07, Text Amendment

Commissioner Hale stated he is not opposed to the idea in concept but as it was presented it is too vague. He encouraged further discussion on the matter and to get others involved. He believes it is too soon to vote on the matter. Commissioner Dettmann asked if breeders work with pet stores and Commissioner Hale provided an example from Rockford. Commissioner Faught stated he does not think this will stop puppy mills. Commissioner Kasprak stated that the wording accomplishes what is intended. Commissioner Devitt does not think the blanket statement is going to hurt anything because it might affect one pet store if it is interested here. Commissioner Dettmann stated she is okay with the language as is and repeated she is happy the City is taking a stand because the puppy mills are horrible. She added, if there is a pet store that does not want to follow these rules, she would not want them in West Chicago.

After discussion was completed by the Commission a motion was made by Chairperson Laimins and seconded by Commissioner Dettmann to approve the text amendment for Case PC 19-07 with the condition altering the completion deadline to September 30, 2019. The motion passed by a 4-2 vote, with Commissioner Faught and Commissioner Hale voting in the negative. Mr. Dabareiner explained the next steps in the approval process.

10. Other Commission Business

Mr. Dabareiner explained this was a housekeeping item because the State of Illinois requires that an official zoning map be adopted by communities each year after map amendments are made. He highlighted the changes made in 2018.

There being no further discussion, a motion was made by Commissioner Hale to approve the official zoning map; seconded by Commissioner Devitt. Unanimous.

11. Previous Petitions and General Development Update

There were no updates presented.

12. Adjournment

Commissioner Dettmann motioned to adjourn; seconded by Commissioner Devitt. Unanimous. The meeting was adjourned at 7:57 p.m.

Submitted by: Tom Dabareiner, Community Development Director