

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved July 2, 2019

MINUTES

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS APRIL 2, 2019 7:00 P.M.

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

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

Also in attendance was City Planner John Sterrett.

2. Pledge of Allegiance

Acting Chairperson Hale led everyone in the Pledge of Allegiance.

3. Chairman's Comments

Acting Chairperson Hale had no comments.

4. Approval of Meeting Minutes

Commissioner Kasprak made a motion, seconded by Commissioner Devitt, to approve the draft meeting minutes of the March 5, 2019 Plan Commission meeting. With a voice vote of all ayes the motion carried.

5. Review of Case PC 19-03, Lot Consolidation

Mr. Sterrett stated the petitioner, Patrick Edgerton, is seeking approval of a lot consolidation for his property at 125 Wood Street. The subject property currently consists of two parcels. The total area of the subject property to be consolidated is 25,367 square feet. Parcel 1 is 19,863 square feet in area. Parcel 2 is 5,504.28 square feet in area. There is a single-story office building occupied by Edgerton and Edgerton Attorneys at Law on Parcel 1 while the parking for the office building is mainly located on Parcel 2. The property owner recently completed paving the parking lot and installing a 168 square foot wooden gazebo and a 288 square foot storage building.

Mr. Sterrett stated that the request complies with the City's Zoning Code and Subdivision Regulations Code and therefore staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending approval of the proposed Lot Consolidation.

Patrick Edgerton stated that all of the improvements to the property had been completed and that the City of West Chicago was a pleasure to work with. Acting Chairperson Hale asked for comments or questions from the Commission. There were none.

Commissioner Faught made a motion, seconded by Commissioner Devitt, to recommend approval of the Plat of Consolidation. With a voice vote of all ayes the motion carried. Mr. Sterrett stated this item will be discussed at the April 8, 2019 Development Committee meeting.

6. Public Hearing Case PC 19-08, Final Planned Unit Development Amendment

Commissioner Devitt made a motion, seconded by Commissioner Henkin, to open the public hearing. With a voice vote of all ayes the motion carried.

Mr. Sterrett stated that the City of West Chicago is seeking approval of an amendment to the Final Planned Unit Development for the City's Water Treatment Plant located at 1400 West Hawthorne Lane in the M Manufacturing District to construct a proposed salt storage building. Staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending approval of the proposed amendment to the Final PUD with the following conditions:

1. The site layout shall be in substantial conformance with the plans prepared by Christopher B. Burke Engineering Ltd. dated January 28, 2019, attached as Exhibit D.
2. The salt storage structure shall be in substantial conformance with the plans prepared by Bulk Storage dated February 20, 2019, attached as Exhibit E.

Public Works Director Robert Flatter was sworn in and provided background information on the development of the existing water treatment plant. Mr. Flatter stated that the purpose of the new salt storage building is to relocate the existing salt storage operation which is currently located at the site of the future City Hall.

Acting Chairperson Hale asked for comments or questions from the Commission. Commissioner Faught asked a question on water billing. Mr. Flatter stated that Public Works is not involved in water billing and that Administrative Services would need to answer any billing questions. Acting Chairperson Hale asked if there were any comments from the public. There being none, Acting Chairperson Hale asked for a motion to close the public hearing. Commissioner Kasprak made a motion, seconded by Commissioner Devitt to close the public hearing. With a voice vote of all ayes, the motion carried. The public hearing was closed after all testimony was received from the petitioner and all interested persons in the audience.

7. Review of Case PC 19-08, Final Planned Unit Development Amendment

With no further discussion by the Commission, Commissioner Kasprak made a motion, seconded by Commissioner Henkin, to recommend approval of the proposed Amendment to the Final Planned Unit Development for the City of Chicago's Water Treatment Plant with staff's recommended conditions. With a voice vote of all ayes, the motion carried. Mr. Sterrett stated this petition will be placed on the April 8, 2019 Development Committee agenda.

8. Public Hearing Case PC 18-12, Special Use Permit and Lot Consolidation

Commissioner Devitt made a motion, seconded by Commissioner Kasprak, to open the public hearing. With a voice vote of all ayes the motion carried.

Mr. Sterrett stated that RAI Concrete was granted a Special Use Permit on September 8, 1998 to allow a contractor's office and outside storage at 1827 Blackhawk Drive. The site was subsequently developed with a 4,000 square foot building and outside storage area. In 2018, it came to the City's attention that RAI Concrete was using the undeveloped adjacent parcel for parking and storage of vehicles and materials associated with the concrete business. Such use of the vacant parcel was not permitted and code enforcement action was initiated. The enforcement action was put on hold after the petitioner began the special use permit application process.

On March 30, 2018, in an effort to address the code enforcement action, the property owner applied for a Special Use Permit to allow outside storage and parking on the vacant parcel. In reviewing the existing conditions of 1827 Blackhawk Drive, staff determined that the property owner had not completed some of the improvements required by Ordinance 4125, specifically, there was not adequate landscaping installed and the approved parking configuration had not been installed. Mr. Sterrett stated that Section 6.10 of the Zoning Code requires a plat of consolidation for all applications involving more than one parcel of property. Consolidation is therefore required since the proposed use of the vacant parcel is only permitted as an ancillary use to a permitted or special use. The applicant, therefore, has submitted a plat of consolidation.

Staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending approval of the proposed Special Use Permit and Lot Consolidation with the following conditions:

1. The outside storage yard is permitted only as an ancillary use to the existing contractor's office.
2. A Plat of Consolidation consolidating Parcels 01-32-301-020 and 01-32-301-019 into one (1) parcel shall be recorded prior to the issuance of development permits.
4. The property shall be developed in substantial conformance with the Preliminary Engineering Plans prepared by Craig R. Knoche & Associates dated August 17, 2018, revised November 29, 2019.
5. Shrubs shall be added between the five (5) trees on the south side of the storage area, west of the driveway. Shrubs shall be three (3) to five (5) gallons in size and either equally spaced between the shade trees or grouped in an appropriate manner as determined by the applicant's landscape architect.
6. The applicant's engineer shall verify that the comments in the Kane-DuPage Soil & Water Conservation District's Land Use Opinion 18-032 dated March 6, 2018 have been adequately addressed.
7. The petitioner shall apply for a Site Development Permit within sixty (60) of City Council approval for the Special Use Permit and Lot Consolidation. If a Site Development Permit is not applied for within this timeframe, all storage/parking shall be removed immediately from Parcel 01-21-301-020 or code enforcement action will be undertaken.
8. Development of the expanded storage yard shall be completed no later than December 31, 2019, unless an extension is approved by the Community Development Director.

Commissioner Kasprak asked if there has been engineering review of the paving of the vacant lot. Mr. Sterrett stated that preliminary engineering has been reviewed and that a site development permit will be required as part of the permitting process for the actual pavement work to conduct.

Nick Raimondi of Rai Concrete explained the need for additional space to store equipment and vehicles.

Acting Chairperson Hale asked for any additional comments or questions from the Commission. Acting Chairperson Hale asked if there were any comments from the public. There being none, Acting Chairperson Hale asked for a motion to close the public hearing. Commissioner Kasprak made a motion, seconded by Commissioner Devitt, to close the public hearing. With a voice vote of all ayes, the motion carried. The public hearing was closed after all testimony was received from the petitioner and all interested persons in the audience.

9. Review of Case PC 18-12, Special Use Permit and Lot Consolidation

With no further discussion by the Commission, Commissioner Kasprak made a motion, seconded by Commissioner Faught, to recommend approval of the proposed Special Use Permit and Lot Consolidation for Rai Concrete, Inc. with staff's recommended conditions. With a voice vote of all ayes, the motion carried. Mr. Sterrett stated this petition will be placed on the April 8, 2019 Development Committee agenda.

10. Public Hearing Case PC 18-22, Special Use Permits and Variances

Commissioner Devitt made a motion, seconded by Commissioner Henkin, to open the public hearing. With a voice vote of all ayes the motion carried.

Mr. Sterrett stated that AAHH2 LLC doing business as CMI Auto is requesting approval of several special use permits and variance for the property at 1850 West Roosevelt Road in the M Manufacturing District for internet based motor vehicle sales, a motor vehicle care center, a motor vehicle repair shop, and outside storage ancillary to the proposed special uses. The petitioner is also proposing variances to allow pavement for parking in the front and side yard setbacks as well as to allow pavement for storage in the rear yard setback.

Staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending approval of the proposed Special Use Permits and Variances with the following conditions:

1. The subject property shall be used in substantial conformance with the Plat of Survey prepared by Steinbrecher Land Surveyors, Inc. dated July 12, 2018, including the hand drawn parking layout improvements and septic field location.
2. All vehicles to be sold or repaired, or that are in the process of being sold or repaired, shall be parked and stored inside the fenced storage area.
3. All business related vehicles (i.e. tow trucks, vehicle transports, etc.) shall be parked within the fenced storage area.
4. All employee parking shall be located within the fenced storage area.

5. Slats shall be added to the existing chain-link fence to decrease the visibility of the storage area.
6. No vehicles shall be parked within the Roosevelt Road right-of-way.
7. All gravel surfaces shall be removed or paved prior to the issuance of a final certificate of occupancy.
8. The existing building on the eastern portion of the property shall be used only for storage of items related to the approved special uses on the property. No storage from any offsite uses may occur within the building.

Commissioner Kasprak asked if there was an engineering review on the proposed paved parking area. Mr. Sterrett stated that there has been an initial review but that no new impervious surfaces were being added from what is already there and that an additional review will occur as part of the permitting.

Mohamed Anis Ghaniwala of CMI Auto was sworn in. This will be their second facility. They have an existing one in Chicago. Acting Chairperson Hale asked if there were any comments or questions from the Commission for the petitioner. There were none. Acting Chairperson Hale asked if there were any comments from the public. There were none. Commissioner Devitt asked about additional information concerning landscaping on the property. Acting Chairperson Hale asked about possible contamination. Mr. Sterrett stated this would not be done through the City but through the IEPA. Commissioner Henkin stated contamination and potential remediation would be the responsibility of the petitioner when they purchased the property. With no additional comments or discussion Commissioner Devitt made a motion, seconded by Commissioner Henkin to close the public hearing. With a voice vote of all ayes, the motion carried. The public hearing was closed after all testimony was received from the petitioner and all interested persons in the audience.

11. Review of Case PC 18-22, Special Use Permits and Variances

With no further discussion by the Commission, Commissioner Henkin made a motion, seconded by Commissioner Devitt, to recommend approval of the proposed Special Use Permits and Variances for CMI Auto with staff's recommended conditions. With a voice vote of all ayes, the motion carried. Mr. Sterrett stated this petition will be placed on the April 8, 2019 Development Committee agenda.

12. Public Hearing Case PC 19-06, Variances

Commissioner Faught made a motion, seconded by Commissioner Henkin, to open the public hearing. With a voice vote of all ayes the motion carried.

Mr. Sterrett stated that Scannell Properties is seeking the following variances to construct a 250,000 square foot speculative cross-dock warehouse facility at 555 Innovation Drive in the DuPage Business Center:

1. To allow loading areas between the proposed building and Innovation Drive and to allow loading areas between the proposed building and Roosevelt Road.

2. To allow loading areas to be closer to the Innovation Drive right-of-way than the south façade of the proposed building and to be closer to the Roosevelt Road right-of-way than the north façade of the proposed building.
3. To allow a five (5) foot pavement setback along the west lot line in lieu of the minimum required fifteen (15) foot setback required for to accommodate an access drive.

Mr. Sterrett stated the variance requests for the loading docks as presented meet the standards for a variance in the Zoning Code provided certain conditions are met. Staff is of the opinion that the variance request for the reduced side yard setback for the access drive on the west lot line does not meet the standards required for approval of a variance in the Zoning Code.

Staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending approval of the proposed Special Use Permits and Variances with the following conditions:

1. The subject property shall be used in substantial conformance with the Plat of Survey prepared by Steinbrecher Land Surveyors, Inc. dated July 12, 2018, including the hand drawn parking layout improvements and septic field location.
2. All vehicles to be sold or repaired, or that are in the process of being sold or repaired, shall be parked and stored inside the fenced storage area.
3. All business related vehicles (i.e. tow trucks, vehicle transports, etc.) shall be parked within the fenced storage area.
4. All employee parking shall be located within the fenced storage area.
5. Slats shall be added to the existing chain-link fence to decrease the visibility of the storage area.
6. No vehicles shall be parked within the Roosevelt Road right-of-way.
7. All gravel surfaces shall be removed or paved prior to the issuance of a final certificate of occupancy.
8. The existing building on the eastern portion of the property shall be used only for storage of items related to the approved special uses on the property. No storage from any offsite uses may occur within the building.

Amanda Henry of Scannell Properties was sworn in. Commissioner Banasiak asked about the sight line exhibit illustrating the berm and if the elevation of Roosevelt Road shown is the high elevation point or the low elevation. Mr. Sterrett stated it is the low elevation point at the eastern portion of the property before Roosevelt Road begins to incline to the west. Commissioner Kasprak asked Ms. Henry why the building was not shifted as asked by staff to eliminate the need for the side yard setback variance. Ms. Henry stated this variance may no longer be needed and deferred to Phil Luetkehans, attorney for the DuPage Airport Authority. Mr. Luetkehans stated that in the DuPage Business Center, there are not lot lines like a typical subdivision, only parcel lines from assessment plats, and therefore the lot line creating the non-compliant setback would not exist. Mr. Luetkehans also stated that the proposed size of the building is the smallest the building can be to make it cross docked. Acting Chairperson Hale asked if there were any other questions from the Commission. There were none. Acting Chairperson Hale asked if there was any public comment. Hearing none,

Commissioner Faught made a motion, seconded by Commissioner Devitt, to close the public hearing. With a voice vote of all ayes, the motion carried.

13. Review of Case PC 19-06, Variances

The consensus from the Commission was to not take action on the variance request regarding the setback because the variance had been withdrawn in accordance with Section 10.5 of the Zoning Code. With no further discussion by the Commission, Commissioner Faught made a motion, seconded by Commissioner Devitt, to recommend approval of the remaining variance requests with the conditions recommended by staff. With a voice vote of all ayes, the motion carried. Mr. Sterrett stated this petition will be placed on the April 8, 2019 Development Committee agenda.

14. Other Commission Business

None.

15. Previous Petitions and General Development Update

Mr. Sterrett stated that there will be no meeting on April 16, 2019.

16. Adjournment

Commissioner Devitt made a motion, seconded by Commissioner Henkin, to adjourn the meeting. With a voice vote of all ayes, the motion carried. The Plan Commission, at 8:09 p.m., was adjourned.

Submitted by: John Sterrett, City Planner