



WHERE HISTORY & PROGRESS MEET

Approved September 9, 2019

## MINUTES

### DEVELOPMENT COMMITTEE

August 12, 2019, 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, Bonnie Gagliardi, Matt Garling, Jayme Sheahan and Rebecca Stout present.

Also in attendance was Community Development Director, Tom Dabareiner.

#### 2. Approval of Minutes.

##### A. July 8, 2019.

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

#### 3. Public Participation. None.

#### 4. Items for Consent.

##### A. 951 West Washington Street – Amendment to the Special Use Permit to accommodate construction of a 9,146 square foot addition to the existing 3,893 square foot crematorium facility.

Alderman Garling requested this item be pulled for discussion. Tom Dabareiner informed the members that the applicant is seeking an amendment to their existing Special Use Permit and lot consolidation in order to expand their building and parking lot. Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended both items unanimously at their August meeting.

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Alderman Garling explained he pulled the item as he had concerns about tripling the size of the facility this close to a residential area. Mr. Dabareiner agreed there is nearby residential, but there will be a buffer between the two areas, as this is where Frank's Automotive will be relocating to. Alderman Stout pointed out that there are several other businesses between the two and that the proposed expansion is purely to provide additional area for people to attend services and to park. She noted that for a business expanding in West Chicago, this is what needs to happen. Alderman Garling stated it was unclear from the write-up as to exactly what they hope to expand, and asked if they could hear from the applicant.

Alex Carbonara, owner of DuPage Cremations, Ltd., addressed the members. He noted their existing crematorium is sufficient for their needs, but they are doing more and more services and want to be able to accommodate the families that attend them. Specifically, they want to add a four-car garage, a coffee area, and a large chapel.

**Alderman Garling moved and Alderman Sheahan seconded a motion to approve this Item for Consent. Voting Aye: Aldermen Beifuss, Ferguson, Gagliardi, Garling, Sheahan and Stout. Voting Nay: 0.**

## **5. Items for Discussion.**

**A. 191 West North Avenue** – Amendment to the Final PUD for the Shoppes of West Chicago to allow the sharing of parking within the development to accommodate a proposed banquet facility.

Tom Dabareiner informed the members about this item. The Shoppes of West Chicago is a mixed-use commercial building on the north side of North Avenue, west of Neltnor. It has a total of 8 suites, and currently there are two tenants. The petitioner seeks to amend the Final PUD to allow for shared parking within the development for a proposed banquet facility. There are two factors to consider about shared parking—one is the number of stalls and the other is the timing for the use of those stalls. If demand exceeds supply, then drivers tend to park illegally or unsafely. The net result of parking stalls for this area is a deficit of 8 stalls. The petitioner has indicated the banquets would be held on weekend evenings only, and while it may not present a problem for the time being, there is the potential conflict in the future if all suites were occupied. The PC/ZBA voted 3 to 1 in favor, but because 4 votes in favor were needed, a final recommendation was not approved. Staff, however, believes the potential problems of allowing a banquet facility outweigh any short-term benefits. The essence of planning is to avoid future problems by acting wisely today. A supermajority at the City Council level would be needed for this to move forward.

Alderman Beifuss pointed out that any amendment made to the PUD would go into perpetuity, and Mr. Dabareiner agreed. Alderman Garling asked if the shared parking would be with other businesses at that center, and Mr. Dabareiner confirmed that. The



demand for parking of a banquet facility would exceed the number of spaces currently available by 8 spaces. Alderman Gagliardi asked about the proposed size of the facility, and Mr. Dabareiner replied it would occupy two of the suites at this center.

The owner of The Shoppes of West Chicago, Mr. Amit Garg, spoke to the Committee. He explained the types of tenants currently occupying two of the suites. One is an educational facility that buses students to and from during the school year. The other is a dog-grooming facility that operates from 9 AM to 5 PM Monday through Friday. The banquet facility owner intends to operate on Friday and Saturday evenings only. This would leave only 3 vacant suites. He added, however, that they happen to be in negotiation with State Farm about opening an office in one of those suites. That business would only have two total employees. He does not view an issue with shared parking at all. The banquet facility is an interesting idea, and the applicant seems to have strong ties to the community.

Alderman Beifuss asked for clarification on the hours of the proposed business, and the applicant, Ms. Yolanda Vazquez, replied it would be from 5 PM to midnight on the weekends. She mentioned there has also been recent interest from community members to use the banquet facility during the week as well. As the business owner, she envisions working there during the day doing office work. The suites they wish to occupy total 2800 square feet, but they will be adding restrooms, a kitchen, and an office. Once that buildout is complete, the square footage of the overall banquet area would be reduced, which would decrease the number of parking stalls they would be required to have. She stated the maximum capacity would be 230 people.

Alderman Gagliardi expressed concern that the parking requirement of 58 stalls as it seems too low given the maximum capacity. Alderman Garling asked if 230 was the maximum per fire code, and Ms. Vazquez confirmed that it was. He added they would not be at full capacity every time they have a banquet. Mr. Garg added that the school hardly uses any of the parking spaces, and the majority of their students are bused in. He doesn't foresee any parking problems.

Alderman Beifuss asked if the request for the PUD could have a restriction with regards to the hours of operation. Mr. Dabareiner replied that staff was recommending a limit of the operating hours to weekend evenings. Staff's concern is that the hours may be expanded to daytime hours during the week once the business has more reservations. He stated they were relatively comfortable with the weekend evening hours, but if it were 5 PM on Fridays, that start time could overlap with the existing businesses at the center. When the center was built, it provided for an adequate ratio of parking stalls based on studies, and they even went above and beyond by having 9 more stalls. The banquet facility parking demand, however, would exceed even that number. Staff's concern is that the demand would place unnecessary constraints on the other tenants, and could result in guests parking where they are not allowed to, such as in neighboring lots.

Alderman Garling asked if the kitchen and office buildout would change the parking requirements. Mr. Dabareiner replied it would not, as the requirement already accounts for these facilities within a banquet hall. Alderman Gagliardi stated that weddings may have limos, buses or trolleys dropping off at a banquet facility, and she asked if there were any such area for this type of drop off at this location. Mr. Dabareiner stated there is no oversize parking there.

Alderman Beifuss asked if a requirement were added to limit the banquet facility's hours, what would happen if code enforcement found out the hours were being exceeded. Mr. Dabareiner stated it could result in a Notice of Ordinance Violation, and a possible citation with fines up to \$750 per day per offense. Alderman Garling asked if there is any other place nearby where other parking could be added, but Mr. Dabareiner stated there is not.

Alderman Ferguson asked if the number of parking stalls is based on the footprint of the building or on the usable area within the building itself? Mr. Dabareiner replied the overall footprint of the building is what the studies have used to calculate parking demand.

Alderman Stout pointed out that any amendment to the PUD would be in place in perpetuity, and this is something that could be an issue for future businesses. She stated it is something they need to also look out for.

Alderman Beifuss remarked that they generally like to find a way to work with applicants to achieve what they are looking for, but this is a tough one. Operation rules would need to be added to the PUD, but while those rules would relate to the business and not to the property, they would remain in effect even after the business left. Furthermore, if the business wanted to change their business model, they would be back to amend again. Mr. Dabareiner added it would be like setting them up to fail, for if they are successful, there is no room for them to expand.

Yolanda Vazquez added there are two doors in the back for deliveries, and this is also where limos could drop off guests.

Alderman Garling pointed out there is only a difference of 8 stalls, and asked if they should not just go ahead and approve it. Alderman Stout asked if they would limit the operating hours, and Alderman Garling stated he would prefer not to limit a new business, but he wanted to hear from his fellow members. Mr. Garg, indicated that their newest tenant is looking at a potential 12-year lease, and the other tenant is a long-term and is federally funded. Neither tenant uses much parking.

Alderman Beifuss asked if a vacancy lapse in tenancy would change a PUD amendment, and Mr. Dabareiner responded it would not. Mr. Dabareiner stressed that it is the issue of



the shared parking more than the banquet facility use. A shared parking arrangement would remain part of the PUD.

Alderman Sheahan agreed with Alderman Garling as it is only a difference of 8 spots, and she believes it will not be a problem. She does not want to limit their hours as she does like the idea of weekday hours for private events.

Alderman Beifuss indicated that he is inclined to grant an amendment, but he would limit the hours as this would eliminate much of the conflict with the other businesses' hours of operation. He also asked if the PUD would revert back if this business leaves and another type of business occupies the space. Mr. Dabareiner responded that the shared parking agreement would still be part of the PUD, and it would not revert back without changing the language. If need be, the owner would have the right to change the language back again.

Alderman Garling asked if weekday use could limit the number of parking slots, so as to eliminate the need for shared parking from 9 to 5, while weekend use would use shared parking. Mr. Dabareiner replied he has not seen that type of ordinance. Staff has only considered the variables for a business operating on the weekend evenings; weekday use was not previously discussed. Alderman Garling suggested staff take another look.

Alderman Sheahan asked about the number of dogs at the business. Mr. Garg responded that it is a new business, and it is difficult to say. He added that rideshare services, such as Uber or Lyft, are becoming more prevalent in the suburbs. It is possible a lot of people would utilize these services to attend parties, which would further decrease the need for parking.

Ms. Vazquez indicated that they do not intend to host events during the daytime hours during the week. They foresee having events starting at 5 PM on the weekdays. She mentioned the types of businesses there, and how most tenants will have left for the day by that time. She stated that while it was not part of their original plan, she has since learned that there is demand for small, weekday evening events.

Alderman Gagliardi stated that if they are going to be at full capacity then there is not enough parking. They will end up having to encroach on parking spots from their neighbors. She stated she likes the concept, and she thinks it is a great spot. However, she has concerns about the parking.

Alderman Beifuss recommended this be sent back to staff to take a look at limiting the hours of operation, and how this could be handled through an amendment to the PUD. A discussion ensued between Alderman Beifuss, Alderman Garling and Mr. Dabareiner about the aspects for staff to consider. It was noted this location has struggled to find tenants, and so the Aldermen want to remain open to looking at this idea. Alderman Gagliardi stated she does not want to see their hours of operation limited. Some events,

such as baby showers, are typically held during the day. Alderman Garling suggested staff look at a PUD limitation on the hours and/or days that be appropriate both for the business and from the City's perspective. Alderman Beifuss agreed.

Alderman Stout stated that with the amount of questions and reservations expressed, she said it would be the best to have the applicant meet with staff again to decide the best course of action. Staff would then bring the item back for discussion at their next meeting. Alderman Stout asked the applicant to provide a business model of their proposed hours.

6. **Unfinished Business.** None.

7. **New Business.** None.

8. **Reports from Staff.**

Mr. Dabareiner indicated the City is reviewing the three proposals received in response to the RFP for the Central Main Street Redevelopment project. Staff plans to interview all three applicants the week of August 26<sup>th</sup>, 2019, and they will present updates to the Committee as soon as possible.

Mr. Dabareiner also reported that Forming America has paved the remaining area of their lot. However, they did not obtain a permit and will be ticketed as a result. He also indicated that they have not changed out the area previously paved with the unapproved material. This will be pursued via code enforcement.

Alderman Beifuss asked about the status of the Asian restaurant planned for the downtown and what type of restaurant is going in at the former Dominick's on Main St. Mr. Dabareiner replied there is no new information regarding the Asian restaurant, and the Main Street restaurant will be a juice bar. The owner of this new restaurant was in attendance and she was recognized to speak.

Mercedes Arroyo addressed the members. She talked about her and her husband's plans to open a natural juice bar, which also offers some healthy food options. She described the many problems with construction they have encountered since they purchased the building. They had planned to open a restaurant initially, but given the many unplanned expenses they experienced during the initial remodeling phase of the building, they decided to sell it instead. Later, however, they changed their minds and decided to open a juice bar. She then mentioned that problems remain as the roof also leaks and there are other construction and financial obstacles they need to overcome. As they continue to complete the remodeling, they are asking the City to provide assistance to help offset the costs incurred. Mr. Dabareiner asked if they had thought about applying for the retail/restaurant grant. Ms. Arroyo replied they thought it would not apply as this is not going to be a full service restaurant. Alderman Garling asked if the retail/restaurant grant

would cover this type of business, and Mr. Dabareiner stated that it would. He provided Ms. Arroyo with staff's contact information so that she can inquire about the retail/restaurant grant.

**9. Adjournment.**

**Alderman Ferguson moved and Alderman Beifuss seconded the motion to adjourn the Development Committee meeting at 7:55 P.M. The Committee members unanimously agreed and the motion carried.**

Respectfully submitted,  
Jane Burke