

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS February 15, 2011

MINUTES

Approved at the March 1, 2011 meeting

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

Vice Chairman Van-der-Mey called the meeting to order at 7:05 p.m. Roll call found Commissioners Lannes, Boyer, Mireault, Warbiany and Van-der-Mey were present. Commissioner Posadzy was absent.

Also in attendance was City Planner Jeff Harris.

2. Pledge of Allegiance.

Everyone in attendance participated in the Pledge of Allegiance.

3. Chairman's Comments.

None.

4. Minutes.

Commissioner Warbiany made a motion, seconded by Commissioner Lannes, to approve the minutes of December 7, 2010 as presented. Voting Aye: Commissioners Warbiany, Lannes, Van-der-Mey, and Mireault. Voting Nay: None. Commissioner Boyer abstained. Motion carried.

5. Continuation of Public Hearing Case PC 10-18, Text Amendment.

City staff requested that the further consideration of this petition be continued until the March 1, 2011 Plan Commission meeting for consideration so that staff may have additional time to prepare revisions and coordinate new language with the Chamber of Commerce.

6. Review of Case PC 10-18, Text Amendment.

No review was conducted because the petition was continued to the March 1, 2011 Plan Commission meeting without any further discussion.

7. Public Hearing Case PC 11-01, Rezoning.

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Mr. Harris provided an overview. The applicant and owner/contract purchaser of the subject property, DuPage Habitat for Humanity, is requesting approval of a change in zoning from the ER-1 Estate Residential zoning district to the R-5 Single Family Residence zoning district. The applicant is also requesting approval of a resubdivision of a portion of their existing subdivision along the north side of Pomeroy Street. Lastly the applicant is requesting two deviations from the Subdivision Code with respect to site grading.

The applicant received annexation, rezoning and subdivision approval of their original a 12 lot single family residential development in August of 2007. The approval included the installation of a new cul-de-sac as part of the extension of Pomeroy Street between Sherman Street and the Canadian National railroad. Three of the original subdivision's lots fronted on the north side of Pomeroy Street just east of Sherman Street and the remaining two lots north of the cul-de-sac bulb were unincorporated and owned by Tronox at that time. Since then the City has acquired those two lots as well as the two lots immediately to their north that front off of Stimmel Street from Tronox and annexed them into the City limits. The applicant has negotiated the purchase of the two lots that front on Pomeroy Street from the City pending rezoning and resubdivision approval.

In conjunction with the rezoning and resubdivision requests the applicant is also seeking approval of the vacation of the remainder of the unimproved alley right-of-way located along the north side of the proposed Lots 4 and 5. The portion of the alley that extended to Sherman Street was previously vacated in 2007 and included in the original development. There will also be portions of the Pomeroy Street right-of-way around the cul-de-sac bulb that will be vacated and dedicated as part of a housekeeping procedure with the proposed resubdivision. Please refer to the attached Plat of Resubdivision for further details.

The only portion of the subject property subject to the rezoning request is the two underlying existing lots that will become Lots 4 and 5 in the resubdivision. They were annexed by the City in March of 2009 and were given the base ER-1, Estate Residence zoning. Upon annexation, all properties are automatically zoned to the City's least intensive zoning district, which is the ER-1 zoning district. The proposed rezoning is required in order to bring the proposed use of the site into compliance with the City's regulations. The R-5 zoning district is the most appropriate long-term zoning designation for these lots due to their location in the middle of the existing single family residential neighborhood also zoned R-5.

The City is also requesting the rezoning of the remaining vacant lot it owns at the southwest corner of Stimmel Street and the Canadian National railroad. This lot was also annexed and zoned ER-1 in March of 2009.

The applicant is requesting a resubdivision of their three vacant lots on the north side of Pomeroy Street as well as the two lots to be acquired from the City. The existing easternmost lot does not meet the City's minimum lot area of 6,500 square feet in order to be considered a buildable lot and the applicant's three lots are all in excess of 9,000 square feet in area so the applicant would like to resubdivide all of the lots to make them all more uniform in area and consistent with the remainder of the original development to the south. As part of the resubdivision the applicant will also be fronting the two westernmost lots off of Sherman Street instead of their original configuration off of Pomeroy Street. The proposed plat of resubdivision complies with all aspects of the City's

Subdivision Code and R-5 zoning district regulations. Please refer to the attached Plat of Resubdivision for further details.

The applicant requesting two deviations to the City's Subdivision Code with respect to site grading and storm sewer improvements as part of the resubdivided portion of development. The deviations are as follows:

1. Installing storm sewer to be privately maintained by the homeowner's association that has less than the two (2') feet of earth cover required by City Code. The proposed inlet structure located in the rear yard of the proposed Lot 4 shall only have 1.8 feet of cover due to the need to match the proposed storm sewer grades with the existing storm sewer grades in the southern portion of the development in order to create positive drainage flow to the detention pond located in the southeast corner of the original development. City staff is in support of this deviation request as there is no reasonable and cost effective way to rectify the situation. Please refer to the attached Site Plan for further details.
2. Installing drainage swale grading in the rear yards of the proposed Lots 1, 3, 4, and 5 with a slope less than the minimum required 2%. The proposed grading in these swale areas will have a proposed slope of 1.3% at its lowest point due to the need to match the proposed grades with grades in the southern portion of the development in order to create positive overland drainage flow. City staff is in support of this deviation request as there is no reasonable and cost effective way to rectify the situation. Please refer to the attached Site Plan for further details.

The City's engineering staff is satisfied with the development as proposed assuming that the two requested deviations are approved by the City Council. All public improvements, infrastructure and stormwater detention facilities were previously approved with the original subdivision in 2007.

City staff recommends approval of the requested rezoning of the subject property and the one City owned lot from the ER-1 zoning district to the R-5 zoning district. City staff also recommends the approval of the 5 lot Pioneer Prairie Resubdivision. Lastly, City staff recommends the approval of the two following deviations to the City's Subdivision Code:

1. Privately maintained storm sewer with 1.8 feet or earth cover
2. Drainage swales with a minimum slope of 1.3%.

Mr. Kelly Bufton, President of Dupage Habitat for Humanity, stated that he is present on behalf of Habitat for Humanity and is available to answer any questions.

No one else in the audience spoke in favor of or against the petition.

Commissioner Lannes made a motion, seconded by Commissioner Warbiany, to approve the rezoning from the ER-1 zoning district to the R-5 zoning district. Voting Aye: Commissioners Warbiany, Lannes, Van-der-Mey, Boyer and Mireault. Voting Nay: None. Motion unanimously carried.

Commissioner Mireault made a motion, seconded by Commissioner Boyer, to approve the Pioneer Prairie Resubdivision plat. Voting Aye: Commissioners Warbiany, Lannes, Van-der-Mey, Boyer and Mireault. Voting Nay: None. Motion unanimously carried.

Commissioner Lannes made a motion, seconded by Commissioner Mireault, to approve the two engineering related deviations associated with the Pioneer Prairie Resubdivision development. Voting Aye: Commissioners Warbiany, Lannes, Van-der-Mey, Boyer and Mireault. Voting Nay: None. Motion unanimously carried.

Commissioner Warbiany made a motion, seconded by Commissioner Lannes, to close the public hearing for Case PC 11-01. Voting Aye: Commissioners Warbiany, Lannes, Van-der-Mey, Boyer and Mireault. Voting Nay: None. Motion unanimously carried.

Mr. Harris stated to the petitioner that these matters will be considered by the City Council on Monday, February 21, 2011.

8. Review of Case PC 11-01, Rezoning, Resubdivision and Deviations.

The review of Case PC 11-01 was conducted under the public hearing.

9. Other Commission Business.

Mr. Harris informed the Commission that former Chairman Jarolin had formally resigned his post on the Commission effective January 31, 2011 and that the Mayor would appoint a new chairman at a future date. Until that time Vice Chairman Van-der-Mey would be responsible for chairing the meetings.

10. Previous Petitions and General Development Update.

None.

11. Adjournment.

Commissioner Mireault made a motion, seconded by Commissioner Lannes, to adjourn the February 15, 2011 Plan Commission/Zoning Board of Appeals meeting at 7:33 p.m. The Commissioners unanimously agreed. Motion carried.

Respectfully submitted,

Jeff Harris, City Planner

PlanComm/ZBA.MIN021511/jh