

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved May 5, 2020

MINUTES

PLAN COMMISSION/ZONING BOARD OF APPEALS MARCH 3, 2020 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 Hale, Dettman, Kasprak, Henkin and ex-officio member Banasiak present. Commissioners Faught, Devitt, and Laimins 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 Dettman, to approve the draft meeting minutes of the December 3, 2019 Plan Commission meeting. With a voice vote of all ayes, the motion carried.

5. Public Hearing Case PC 19-16, Final PUD Amendment

Commissioner Henkin 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 Lakeshore Recycling Systems, LLC is requesting an amendment to the Planned Unit Development for 1655 Powis Road to permit the construction of a separate additions to an existing clean construction and demolition debris building, including a 22,530 square foot addition and a 4,480 square foot addition, and a new 10,200 square foot accessory building as well as to allow an expansion of an existing ancillary outside storage area. The property is located in the M Manufacturing District on the east side of Powis Road. The matter was originally continued at the December 3, 2019 Plan Commission hearing to allow the DuPage Airport Authority additional time to review the plans. Since then, the Airport has reviewed the plans and requests that bird deterrent wire be placed on the two detention ponds. Lakeshore Recycling has agreed to install this wire. Based on this, staff recommends the Plan Commission/Zoning Board of

Appeals pass a motion recommending approval of the proposed amendment to the PUD with the following conditions:

1. The site shall be developed in substantial compliance with the following plans:
 - i. The Final PUD Plan, consisting of one (1) sheet, prepared by CEC, Inc. dated April 2, 2019 with a final revision date of September 27, 2019, attached as Exhibit "E".
 - ii. The Site Plan (Sheets C201 and C202) prepared by CEC, Inc. dated April 2, 2019 with a final revision date of September 27, 2019, attached as Exhibit "F"
 - iii. The Final Landscape Plan (Sheets L1.0, L1.1, and L2.0) prepared by Kimely Horn and Associates dated May 1, 2019, attached as Exhibit "G".
 - iv. Building Elevations for Transfer Building Expansion, consisting of one (1) sheet, prepared by MJ Root Architects, dated October 4, 2018, attached as Exhibit "H".
 - v. Building Elevation for Portable Toilet Building, consisting of one (1) sheet, prepared by MJ Root Architects, dated October 4, 2019, attached as Exhibit "I".
 - vi. Building Elevation for Fractions Building, consisting of one (1) sheet, prepared by MJ Roots Architects, dated October 4, 2019, attached as Exhibit "J".
2. The Conditions contained in Section 1 of Ordinance 05-O-0019 shall remain in full force and effect.
3. Bird deterrent wire shall be installed on the detention ponds in substantial compliance with the Bird Deterrent Wire Section Profile Plan, attached as Exhibit "K". jhgjbjh

Attorney Phil Luetkehans representing the Airport Authority stated the Airport supports the application with the addition of the bird deterrent wire.

With no further public comments, Commissioner Kasprak made a motion, seconded by Commissioner Dettman, to close the public hearing. With a voice vote of all ayes, the motion carried.

6. Review of Case PC 19-16, Final PUD Amendment

With no further discussion on the matter, Commissioner Kasprak made a motion, seconded by Commissioner Dettman, to recommend approval of the proposed Final PUD Amendment for Lakeshore Recycling Systems, LLC located at 1655 Powis Road with the conditions recommended by staff. With a voice vote of all ayes, the motion carried.

Mr. Sterrett stated the matter would be discussed at the Development Committee on March 9, 2020.

7. Public Hearing Case PC 19-22, Final PUD Amendment

Commissioner Dettman 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 Umiya Mataji Sanstha Chicago Midwest represented by Attorney Richard Guerard is requesting approval of an amendment to the Final PUD for 1800 Joliet Street. The property is located in the R-3 Single-Family Residential District on the west side of Joliet Street just north of Neltner Boulevard. The amendment is being requested to permit the construction of a two-story, 67,000 square foot worship facility with 306 parking stalls. A Plat of Consolidation is also requested to consolidate two (2) parcels into one (1) parcel.

The subject property is 7 acres and consists of two (2) parcels containing an existing worship facility, roughly 9,150 square feet in size, used by the petitioner. An existing single-family residence used by worship facility is located on the property as well. The existing worship facility contains forty-two (42) existing parking stalls and has its sole access onto Joliet Street approximately 120 feet north of the intersection at Neltner Boulevard (State Route 59). The access is restricted to right-in/right-out/left-out. Left turns into the site from Joliet Street are prohibited but through signage only.

The proposed project will consist of four phases. The first phase involves upgrading the existing sanitary infrastructure on the property. A building permit has been applied for to accommodate this work and this does not need zoning approval prior to the work commencing since it is to serve the existing facility. The second phase consists of constructing an additional 192 parking stalls on the north and west portions of the property, installing a proposed full access onto Joliet Street on the north end of the property, and constructing the required stormwater detention basin on the north end of the property that will ultimately serve all of the proposed construction on the site.

Per Section 13.3(A)(2)(b) of the Zoning Code, auditoriums, theaters, and *other fixed places of assembly*, such as places of worship, are required to provide one (1) parking stall per four (4) fixed seats. The proposed facility, however, will not have fixed seating. Instead, staff is requiring the number of parking stalls to equal 25% of the maximum occupancy of the assembly areas. The facility will feature two (2) large assembly areas, each consisting of roughly 19,500 square feet on each floor. Staff has determined the maximum occupancy for the two assembly areas combined to be 6,000 which requires 1,500 parking stalls.

As previously mentioned, the petitioner is seeking a deviation to only provide 306 parking stalls, eight (8) of which will be the required ADA stalls. This amount falls well short of the required amount determined by staff. The petitioner has indicated that only one of the two assembly areas will be used at a time during regular worship services and never simultaneously. Furthermore, the petitioner has indicated that the anticipated attendance for regular weekly worship service will not exceed 300 individuals. A parking demand survey was conducted by the petitioner's traffic engineer using an existing worship facility similar in size and attendance. This location was the Shree Swaminarayan Hindu Temple located in Itasca, IL, which consists of a 41,200 square foot structure. The survey indicates that the Itasca Temple has a regular attendance of 400 individuals with a total parking demand of 177 parking stalls. The average vehicle occupancy was determined to be 2.26 persons per vehicle and the number of parking spaces provided is 4.30 parking spaces per 1,000 square feet of gross floor area. Using these figures, the petitioner has indicated that the persons per vehicle ratio of 2.26 will require 133 parking stalls for the proposed worship facility based on the anticipated attendance of 300. Using the parking stall per 1,000 square feet of floor area ratio of 4.30 will require 288 parking stalls for the proposed facility based on a 67,000 square foot facility.

Staff, however, has concerns that while the anticipated attendance is only 300 at this time, this amount could significantly increase given the amount of space for additional members at a service. The Temple in Itasca used in the parking demand survey has a much smaller floor area than the proposed worship facility yet has a much larger attendance than the anticipated amount at the subject property. Furthermore, staff must be mindful of the potential reuse of the facility in the future by another organization that may have much larger attendance numbers and may wish to utilize both assembly areas simultaneously. If these scenarios were to occur, the proposed parking would become insufficient and could potentially result in on-street parking along Joliet Street or nearby Wilson Street. The petitioner has proposed a condition be placed on the approval that limits the capacity in the worship facility to no more than 300 individuals. This condition would be difficult to enforce and as long as the proposed facility meets all building code requirements for occupancy, this condition cannot be used to limit the maximum occupancy of the building.

If the petitioner is anticipating an attendance of only 300 for regular worship service, staff recommends that the size of the building be reduced to accommodate the anticipated attendance. Reducing the size of the building would lower the required amount of parking as well as open up space on the property for additional parking.

Staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending approval of the proposed amendment to the PUD and lot consolidation only if all of the conditions recommended by staff can be accomplished. If any of these conditions cannot be accomplished, staff recommends denial. These conditions include:

1. Phases 3 and 4, as indicated on the Phasing Plan attached as Exhibit G, shall be completed at the same time and the work for Phase 4 shall be completed prior to the issuance of a certificate of occupancy, whether temporary or full, for the proposed worship facility.
2. The left turn lane, as recommended in the petitioner's Traffic Impact Study, shall be installed at the proposed north entrance for northbound Joliet Street traffic during Phase 2 of the project, as indicated on the Phasing Plan attached hereto as Exhibit "G". A building permit for the proposed worship facility shall not be issued until this turn lane is completed.
3. The right-in/right-out channelized island, as recommended in the petitioner's Traffic Impact Study, shall be installed at the existing entrance on Joliet Street on the south end of the property during Phases 3 and 4 of the project, as indicated on the Phasing Plan attached as Exhibit "G". Said channelized island shall be installed prior to the issuance of an occupancy permit, whether temporary or full, for the proposed worship facility.
4. A final landscape plan for Phase 3 and 4, as indicated on the Phasing Plan attached as Exhibit "G", shall be submitted with the building permit application for the proposed worship facility. Said landscape plan must be approved by City staff prior to the issuance of a permit for the proposed worship facility.
5. The proposed worship facility shall be reduced in size, and additional parking shall be added, to be consistent with the maximum anticipated amount of attendance at the worship facility.

Attorney Richard Guerard representing the petitioner was sworn in as well as all those who will testify on behalf of the petitioner. Mr. Guerard went over the phases of the project and explained

that it is the desire of the petitioner to build the new facility prior to the demolition of the existing facility. There could be a time period of 3-4 years between the first floor of the facility being completed and the second floor of the facility being built. Mr. Guerard reviewed the Temple's parking requirements and said that they will never need to provide as much parking as is required based on attendance except during special events when there could be 3,000 people on the property. There is no room on the property for additional parking.

The Plan Commission questioned what the primary objection is to make the building smaller as requested by staff. Thakor Patel, engineer for the petitioner, stated that they would like a larger building to accommodate special events on the property. Mr. Guerard also stated that the reason for the delay in the construction of the new facility deals with financial constraints. The Plan Commission voiced concerns that the membership of the Temple will increase far greater than what is estimated in the parking study and will result in additional parking requirements. Mr. Thakor stated that the large facility is being built only because of the special events the Temple will have 3-4 times a year. Mr. Thakor stated that the building cannot be reduced in size if they are to accommodate the expected crowds of 3,000 for their special events.

Mr. Sterrett reiterated that the City has significant concerns that the proposed amount of parking will not be adequate for the new building. Mr. Sterrett also reiterated that the City is requesting that in addition to a left turn lane being placed at the new north access on the site, that a right-in/right-out median be installed at the existing south access point. The Plan Commission questioned if the PUD could expire if the property is sold. Mr. Sterrett stated that the PUD of the property runs with the land not the owner. The Plan Commission then questioned if the City had a specific size for the building to be reduced to. Mr. Sterrett stated that while the City would like to see the building reduced in size so that it can comply with the parking requirements, it would at the very least recommend the degree of deviation be reduced dramatically to less than 50%, rather than 80% it currently exists at.

Mr. Sterrett also stated that relying on local law enforcement to coordinate traffic at the site for events was not the best practice to use. The Commission suggested possible no parking signs along Joliet Street. This could just cause cars to park elsewhere in the vicinity.

Commissioner Kasprak 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.

8. Review of Case PC 19-22, Final PUD Amendment

The Commission discussed the concerns related to traffic and parking. Mr. Sterrett reiterated that the existing south access near Route 59 would be a right-in/right-out restricted access. The Commission was not concerned with the future use of the building because of the investment that the petitioner was putting into the new building. The Commission also felt that it would be difficult to reduce the size of the building, increase the parking, and be able to comply with the parking requirement. As such, the Plan Commission did not feel the size of the building should be reduced but instead suggested the petitioner landbank parking in the southern portion of the site. Mr. Sterrett stated this might be difficult in that there is a wetland in this portion of the site. The stormwater management area would also have to be reconfigured to add additional parking.

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 1800 Joliet Street to allow the construction of a 67,000 worship facility and additional parking, and approval of the request for a lot consolidation, with the following conditions:

1. The site shall be developed in substantial compliance with the following plans:
 - A. Final PUD Plan (Sheet PUD-1) prepared by Advantage Consulting Engineers, dated August 12, 2019 with a final revision date of January 14, 2020.
 - B. Geometric Site Plan (Sheet L1) prepared by Advantage Consulting Engineers, dated August 12, 2019 with a final revision date of January 14, 2020.
 - C. Phasing Site Plan (Sheet PH1) prepared by Advantage Consulting Engineers, dated August 12, 2019 with a final revision date of January 14, 2020.
 - D. Final Landscape Plan for Phase 2, consisting of one (1) sheet, prepared by Gary R. Weber Associates, dated August 8, 2019 with a final revision date of January 14, 2020.
 - E. Building Floor Plans (Sheets A3.0 and A3.1) prepared by Purohit Architects, dated May 26, 2019 with a final revision date of January 14, 2020.
 - F. Building Elevations (Sheets A6.0 and A6.1) prepared by Purohit Architects, dated May 26, 2019 with a final revision date of January 14, 2020.
2. The Conditions contained in Section 2 of Ordinance 10-O-0104 are hereby rescinded.
3. Phase 4, as indicated on the Phasing Plan attached as Exhibit C, shall be completed within one (1) year of the completion of Phase 3, as indicated on the Phasing Plan attached as Exhibit C.
4. The left turn lane, as recommended in the petitioner's Traffic Impact Study, shall be installed at the proposed north entrance for northbound Joliet Street traffic during Phase 2 of the project, as indicated on the Phasing Plan attached hereto as Exhibit "G". A building permit for the proposed worship facility shall not be issued until this turn lane is completed.
5. The right-in/right-out channelized island, as recommended in the petitioner's Traffic Impact Study, shall be installed at the existing entrance on Joliet Street on the south end of the property during Phase 2 of the project, as indicated on the Phasing Plan attached as Exhibit "C". Said channelized island shall be installed prior to the issuance of an occupancy permit, whether temporary or full, for the proposed worship facility.
6. A final landscape plan for Phase 3 and 4, as indicated on the Phasing Plan attached as Exhibit "G", shall be submitted with the building permit application for the proposed worship facility. Said landscape plan must be approved by City staff prior to the issuance of a permit for the proposed worship facility.
7. Land-banked parking shall be added to the southeast corner of the property where the existing single-family residence is located. Within two (2) years of completion of Phase 4, a parking study shall be conducted and submitted to the City for review and determination if landbanked parking is required to be installed.

With a roll call vote of all ayes, the motion carried. Mr. Sterrett stated this petition will be placed on the March 9, 2020 Development Committee agenda for discussion.

9. Public Hearing Case PC 19-27, Zoning Text Amendment

Commissioner Kasprak 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's *Design Standards and Review* section of the Zoning Code provides the requirements for the exterior appearance of all new single-family residential, multi-family residential and commercial developments in the B-1, B-2, B-3, and ORI districts. These provisions, however, are applied to new construction only and do not apply to exterior remodeling, renovation, or rehabilitation of existing buildings. Renovations and exterior remodels should be an opportunity for the City to improve existing buildings by requiring conformance with the City's Design Standards. By amending the Code to require existing buildings that perform exterior renovations and remodels to comply with these Standards, the exterior appearance throughout the City will be significantly improved. Doing so will lessen the amount of buildings that do not meet these requirements. Staff is also proposing to clarify that in addition to prohibiting brick and stone from being painted, staining of brick is also be prohibited.

Commissioner Dettman 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.

10. Review of Case PC 19-27, Zoning Text Amendment

With no further discussion by the Commission, Commissioner Henkin made a motion, seconded by Commissioner Dettman, to recommend approval of the proposed zoning text amendment with the two added conditions that the prohibition against painting of brick shall not apply to murals nor to existing painted brick for maintenance purposes. With a voice vote of all aye, the motion carried.

Mr. Sterrett stated this petition will be placed on the March 9, 2020 Development Committee agenda.

11. Other Commission Business

None.

12. Previous Petitions and General Development Update

None.

13. Adjournment

Commissioner Kasprak made a motion, seconded by Commissioner Dettman, to adjourn the meeting. With a voice vote of all ayes, the motion carried. The Plan Commission, at 8:50 p.m., was adjourned.

Submitted by: John Sterrett, City Planner