

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved 12/15/21

## MEETING MINUTES

### PLAN COMMISSION/ZONING BOARD OF APPEALS

December 7, 2021 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 Chairperson Laimins, Commissioners Banasiak, Henkin, Hale, Devitt, and Kasprak present. Commissioner Billingsley was excused. With six members present, a quorum was established.

Staff in attendance was City Planner John Sterrett.

#### 2. Chairman's Comments - None

#### 3. Public Comment - None

#### 4. Approval of the Draft Minutes of the October 5, 2021 Plan Commission Meeting

Commissioner Banasiak made a motion, seconded by Commissioner Kasprak, to approve the October 5, 2021 Plan Commission meeting minutes as presented. With a voice vote of four (4) "ayes", zero (0) "noes", and two (2) abstentions, the motion carried and the draft minutes of the October 5, 2021 Plan Commission meeting were approved.

#### 5. Review and Recommendation of Case PC 21-18 – 327-329 Wilson Street – Joseph Schneider – Minor Subdivision

Mr. Sterrett stated that this is a request from Joseph Schneider, owner of 327-329 Wilson Street in the B-1 Central Business District, to perform a two-lot split between two adjoining buildings. Each building space is used for commercial purposes and the petitioner intends to sell the south building while retaining ownership of the north building. Staff has determined that the proposed lot split complies with all zoning and subdivision requirements. Staff recommends that the Plan Commission pass a motion recommending approval of the two-lot split.

Commissioner Hale made a motion, seconded by Commissioner Devitt, to recommend approval of the proposed Minor Subdivision and adopt the following findings of fact:

1. That State Bank of Geneva Land Trust #140212 with Joseph A. Schneider as sole beneficiary of the Trust is the owner of record of the following described property:  

Lots 5, 6, and 7 in Charles H. Froelich's Subdivision of part of the southwest quarter of section 10, Township 39 North, Range 9, East of the Third Principal Meridian, According to the Plat of Thereof Recorded March 3, 1924 as Document 174770, in DuPage County, Illinois.
2. That the Final Plat of the proposed Minor Subdivision will be recorded in the Recorder of Deeds Office of the County of DuPage upon approval by the West Chicago City Council.

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Ruben Pineda  
MAYOR  
Nancy M. Smith  
CITY CLERK

Michael L. Guttman  
CITY ADMINISTRATOR

4. That all matters have been performed by the petitioners required by this ordinance.
5. That a Final Plat of the proposed Minor Subdivision is attached hereto marked "Exhibit E" and has been duly attested by Steinbrecher Land Surveyors, Inc., registered land surveyors, contains all certifications required by law, is in a condition to record once all signatures have been obtained.
6. That said proposed Minor Subdivision contains no additional public ways, nor are any public ways vacated therein.
7. That said proposed Minor Subdivision contains no additional public improvements nor are any public improvements vacated.
8. The purpose of said proposed Minor Subdivision is for the sale of the south building on the subject property.

With a voice vote of six (6) "ayes" and zero (0) "noes", the motion carried.

**6. Public Hearing of Case PC 21-21 – Proposed Zoning Text Amendment to Section 13.1-13 (Off-Street Parking and Loading – Location of Parking) of Appendix A (the Zoning Code), of the City of West Chicago Municipal Code**

Commissioner Banasiak made a motion, seconded by Commissioner Devitt, to open the public hearing. With a voice vote of six (6) "ayes" and zero (0) "noes", the motion carried and the Plan Commission, at 7:07 p.m., opened the public hearing.

Mr. Sterrett was sworn in. Mr. Sterrett stated this is a proposed zoning text amendment to Section 13.1-13 of the Zoning Code, which regulates the construction of residential driveways. Subsection (A)(9) of this section requires that all residential driveways and parking areas be constructed with either asphalt, concrete, or pavers. This means gravel driveways are not permitted. In 1989, the City established a 15-year amortization for all existing gravel driveways to be removed and replaced with an approved material. Once enforcement of this conversion began in 2004, numerous property owners with existing gravel driveways were upset to learn about this requirement. Enforcement was eventually halted by the director of the department at the time and the enforcement has been paused for the last 17 years.

After receiving a recent complaint from a property owner regarding existing gravel driveways, the City visually surveyed residential areas and determined that 151 gravel driveways exist. Many of these homes with the gravel driveways have changed ownership multiple times and the City, because it halted enforcement, never called out the need to replace the gravel driveway during the property sale inspection.

Staff took this information to the Development Committee in October of this year seeking direction. The Committee discussed various options including resuming enforcement, extending the amortization, or to amend the Code to allow these non-conforming gravel driveways to remain. The Committee directed staff to prepare a zoning code amendment that would eliminate the requirement for replacement of these non-conforming driveways and treat them like other non-conforming structures. To address this, staff is proposing to strike Section 13-.1-13 (A)(9) in its entirety. This would allow existing gravel driveways to remain provided that no new gravel driveways are constructed nor are existing non-conforming gravel driveways expanded. This means residents with

gravel driveways would still be able to maintain an existing gravel driveway within its current dimensions.

The Plan Commission is being asked to conduct a public hearing on this proposed zoning text amendment to eliminate Section 13-1-13 (A)(9) in its entirety. All public notice requirements have occurred including a notice of public hearing in the November 22, 2021 edition of the Daily Herald. Following the public hearing, the Commission should review the proposal and provide a recommendation back to the Development Committee.

Chairperson Laimins asked for public comment. No one from the public provided comment. With no further testimony presented and all members of the public given the opportunity to provide comments on the petition, Commissioner Devitt made a motion, seconded by Commissioner Hale, to close the public hearing. With a voice vote of six (6) “ayes” and zero (0) “noes”, the motion carried and the public hearing was closed at 7:12 p.m.

**7. Review and recommendation of Case PC 21-21 – Proposed Zoning Text Amendment to Section 13.1-13 (Off-Street Parking and Loading – Location of Parking) of Appendix A (the Zoning Code), of the City of West Chicago Municipal Code**

The Plan Commission proceeded to deliberate Case PC 21-12. Commissioner Henkin made a motion, seconded by Commissioner Hale, to recommend approval of PC 21-21 with an amendment to the proposed Zoning Text Amendment that requires all existing nonconforming gravel driveways to be converted to a code compliant surface at the time of the sale of the property. Mr. Sterrett called the roll and found Commissioners Henkin, Hale, Banasiak, Devitt, and Kasprak voting “aye” and Chairperson Laimins voting “no”. With a roll call vote of five (5) “ayes” and one (1) “no”, the motion carried.

**8. Public Hearing of Case PC 21-22 – Proposed Official Comprehensive Plan and Future Land Use Map**

Commissioner Kasprak made a motion, seconded by Commissioner Devitt, to open the public hearing. With a voice vote of six (6) “ayes” and zero (0) “noes”, the motion carried and the Plan Commission, at 7:27 p.m., opened the public hearing.

Chairperson Laimins introduced Courtney Kashima and Katherine Faydash of Muse Community + Design. Ms. Kashima and Ms. Faydash provided a presentation of the proposed Comprehensive Plan and Future Land Use Map to the Plan Commission and to the members of the public present.

Chairperson Laimins asked for any public comment. The following individuals provided public comment:

Daniel Czuba  
Kathy Niederowski  
Maria Correa  
Benny Alvarez  
Pastor Josh Ebener  
Angelique Garcia

Commissioner Devitt exited the meeting at 8:34 p.m., which reduced the number of Plan Commissioners present from six (6) to five (5).

With no further testimony presented and all members of the public given the opportunity to provide comments, Commissioner Kasprak made a motion, seconded by Commissioner Henkin, to close the public hearing. With a voice vote of five (5) “ayes” and zero (0) “noes”, the motion carried and the public hearing was closed at 9:03 p.m.

**9. Review and recommendation of Case PC 21-22 – Proposed Official Comprehensive Plan and Future Land Use Map**

The Plan Commission proceeded to deliberate Case PC 21-21. Commissioner Hale made a motion, seconded by Commissioner Kasprak, to recommend adoption of the Proposed Official Comprehensive Plan and Future Land Use Map to the Development Committee. Mr. Sterrett called the roll and found Chairperson Laimins and Commissioners Henkin, Hale, Banasiak, and Kasprak voting “aye” and no members voting “no”. With a roll call vote of five (5) “ayes” and zero (0) “no”, the motion carried.

**10. Other Commission Business – None**

**11. Next Meeting** – The next meeting of the Plan Commission/Zoning Board of Appeals will take place through Zoom on Wednesday, December 15, 2021 at 7:00 p.m.

**12. Adjournment**

Commissioner Kasprak made a motion, seconded by Commissioner Banasiak, to adjourn the meeting. With a voice vote of five (5) “ayes” and zero (0) “noes”, the motion carried and the Plan Commission, at 9:25 p.m., was adjourned.

Respectfully Submitted,  
John Sterrett, City Planner