

WHERE HISTORY & PROGRESS MEET

#### DEVELOPMENT COMMITTEE

Monday, February 14, 2022 7:00 P.M. - Council Chambers

During the COVID-19 Pandemic, City Hall is closed for public meetings due to distancing restrictions, though interested people may teleconference from home or another location on the Zoom app. Downloading Zoom from zoom.us will provide the audio link to the meeting. Anyone wishing to provide comment on a topic or an agenda item may address the Development Committee by 4:00 p.m. the day of the meeting. You may do so either by an online form found on the City's website, email Jane Burke at <a href="mailto:jburke@westchicago.org">jburke@westchicago.org</a>, or voicemail message at (630) 293-2205 x141. Your comment to the Development Committee will be read during the Public Participation portion of the agenda.

\*\* Attendance by Zoom \*\*

Zoom Meeting ID: 816 7974 2591

Zoom Passcode: 487016

#### **AGENDA**

- 1. Call to Order, Roll Call, and Establishment of a Quorum *Mayor Pineda has determined that in-person meetings are not practical and prudent.*
- 2. Approval of Minutes
  - A. January 10, 2021
- 3. Public Participation
- 4. Items for Consent
  - A. **Zoning Code Text Amendment** The proposed Amendment to Section 4.1 of Article IV (Definitions) of the Zoning Code would change the definition of "Kennel" and bring it in line with other communities allowing up to four domesticated pets in a residence, an increase from three.
  - B. **Trillium Farm Phase 3** Pulte Home Company. LLC seek approval for a Final Plat of Subdivision for Trillium Farm Phase 3 at 28W700 Purnell Road (unincorporated).
- 5. Items for Discussion
  - A. Municipal Code Text Amendment Related to Item 4.A.above, this proposed text amendment modifies Chapter 11, Article II, Division 6 to allow four domestic animals, thus completing the pair of changes needed to create the amendment.

- 6. Unfinished Business
- 7. New Business
- 8. Reports from Staff
  - A. Evening Foot-Candle Measurements
- 9. Adjournment

Draft

### **MINUTES**

#### **DEVELOPMENT COMMITTEE**

January 10, 2022 7:00 P.M.

The Development Committee meeting of January 10, 2022 was held remotely due to the Coronavirus pandemic.

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

Alderman Stout called the meeting to order at 7:00 p.m. and declared that Mayor Pineda has determined that in-person meetings are no practical and prudent.

Roll call found Aldermen Melissa Birch-Ferguson, Christine Dettmann, John Jakabesin, Jayme Sheahan, and Rebecca Stout present. Alderman Beifuss arrived after roll call was taken.

Also in attendance was Community Development Director, Tom Dabareiner.

- 2. Approval of Minutes.
  - A. December 13, 2021.

Alderman Birch Ferguson moved and Alderman Sheahan seconded a motion to approve the minutes with changes. Voting Aye: Aldermen Beifuss, Birch Ferguson, Dettman, Sheahan and Stout. Voting to Abstain: Alderman Jakabcsin.

- 3. Public Participation. None.
- 4. Items for Consent.
  - **A. 1850 W Roosevelt Road** The petitioner requests approval of a Special Use Permit to allow outside storage on the property ancillary to the permitted use of a contractor's office.
  - **B.** Suncast Phase II Suncast requests Final Development Plan approval to construct its second industrial facility in the DuPage Business Center.

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Alderman Jakabcsin moved, and Alderman Dettman seconded the motion to approve Items 4. A. and 4. B. for Consent. Voting Aye: Aldermen Beifuss, Birch Ferguson, Dettmann, Jakabcsin, Sheahan and Stout.

### 5. Items for Discussion.

A. Draft Comprehensive Plan Land Use Map Changes – Committee members requested an opportunity to see the revised map before the Draft Plan goes to City Council for consideration.

Tom Dabareiner updated the members that the changes discussed at last month's meeting were made to the draft Comprehensive Plan Land Use Map. Specifically, the Downtown designation was removed for the north side of Colford Street and the "Old Heidelberg" area was changed to reflect the predominant single family housing that already exists there. A handful of random single-lot coloring errors were also corrected.

Alderman Beifuss commented that it would be helpful in the future, if staff created a listing of the changes made in the Agenda Item Summary so that it is easier to identify what they are. Mr. Dabareiner agreed.

Alderman Birch Ferguson moved, and Alderman Jakabcsin seconded the motion to approve Item 5.A. for Discussion. Voting Aye: Aldermen Beifuss, Birch Ferguson, Dettmann, Jakabcsin, Sheahan and Stout.

- 6. Unfinished Business. None.
- 7. New Business. None.
- **8.** Reports from Staff. None.
- 9. Adjournment.

Alderman Birch Ferguson moved, and Alderman Sheahan seconded the motion to adjourn the Development Committee meeting at 7:11 p.m. Voting Aye: Alderman Beifuss, Birch Ferguson, Dettman, Jakabcsin, Sheahan and Stout.

Respectfully submitted,

Jane Burke

Development Committee Minutes January 10, 2022

# CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE			
AGENDA ITEM SUI	MMARY		
ITEM TITLE:	AGENDA ITEM NUMBER: 4.A.		
Zoning Code Text Amendment	AGENDA ITEM NUMBER: 4. A.		
Section 4.1 – Definition of Kennel	FILE NUMBER:		
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Ordinance No. 22-O-0005	COMMITTEE AGENDA DATE: Feb. 14, 2022		
	COUNCIL AGENDA DATE:		
STAFF REVIEW: Tom Dabareiner, AICP	SIGNATURE		
APPROVED BY CITY ADMINISTRATOR: Michael Guttman SIGNATURE			
ITEM SUMMARY:			
The existing definition of a Kennel, which is "Any structure or premises or portion thereof on which more than three (3) household domestic animals over four (4) months of age are kept", must be amended to be consistent with the proposal to amend Section 11-87 of the Code of Ordinances. The proposed amendment to Section 11-87 increases the allowable limit of domestic animals per household from 3 to 4. Consequently, a household that has 4 domestic animals, as would be permitted by the proposed amendment to Section 11-87, will be classified as a Kennel per the Zoning Code and deemed illegal nonconforming.			
To address this conflict, staff is proposing a Zoning Text Amendment to Article IV (Definitions), Section 4.1 (Construction of Terms) of Appendix A (the Zoning Code), of the Code of Ordinances of the City of West Chicago. This Zoning Text Amendment will revise the definition of <i>Kennel</i> to be consistent with the proposed amendment to Section 11-87.			
The proposed amendment to Section 4.1 of the Zoning Code is as follows:			
Kennel: Any structure or premises or portion thereof on which more than three (3) four (4) household domestic animals over four (4) months of age are kept.			
ACTION PROPOSED:			
Approval of the proposed Zoning Text Amendment to the	definition of a Kennel.		
COMMITTEE RECOMMENDATION:			

Attached: Draft Ordinance PC Report

### **ORDINANCE NO. 22-0-0005**

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLE IV OF THE ZONING CODE RELATING TO THE DEFINITION OF KENNELS

WHEREAS, the City Council approved Ordinance 22-O-0003 on February 21, 2022; and

WHEREAS, Ordinance 22-O-0003 amended Section 11-87 of Article II, Chapter 11 of the Code of Ordinances of the City of West Chicago to increase the limit of domestic animals permitted in each household from three domestic animals to four domestic animals; and

WHEREAS, the Zoning Code defines a Kennel as any structure or premises or portion thereof on which more than three household domestic animals over four months of age are kept; and

WHEREAS, the City Council believes it is in the best interest of the City to amend the text of the Zoning Code to amend the definition of a Kennel to be consistent with Ordinance 22-O-0003; and

WHEREAS, Notice of Public Hearing on said text amendment was published in the Daily Herald on or about January 10, 2022, as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago on February 1, 2022 pursuant to said Notice; and

WHEREAS, at the Public Hearing all interested parties had an opportunity to be heard; and

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 22-RC-0002, a copy of which is attached hereto as Exhibit "A" which is, by this reference, made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Du Page County, Illinois, in regular session assembled, as follows:

<u>Section 1</u>. That Section 4.1 (Construction of Terms) of Article IV (Definitions), of Appendix A, of the Code of Ordinances of the City of West Chicago be amended as follows:

Kennel: Any structure or premises or portion thereof on which more than three (3) four (4) household domestic animals over four (4) months of age are kept

<u>Section 2</u>. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 3. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 21st day of Feb	ruary, 2022.		
Alderman Beifuss		Alderman Chassee	
Alderman Sheehan		Alderman Brown	
Alderman Hallett		Alderman Dettman	
Alderman Birch-Ferguson		Alderman Dimas	
Alderman Swiatek		Alderman Garling	
Alderman Stout		Alderman Short	
Alderman Jakabcsin		Alderman Morano	<u></u>
APPROVED as to form:	City Attorney		
APPROVED THIS 21st day of	of February, 2022.		
		M D 1 D' 1	
		Mayor Ruben Pineda	
ATTEST:			
City Clerk Nancy M. Smith			
PUBLISHED:			

### **EXHIBIT "A"**

# PLAN COMMISSION/ZONING BOARD OF APPEALS RECOMMENDATION # 22-RC-0002

TO:

The Honorable Mayor and City Council

SUBJECT:

PC 22-03

Zoning Text Amendment for the definition of a Kennel

DATE:

February 1, 2022

**DECISION:** 

The motion to approve the Zoning Text Amendment was approved by a vote of

seven (7) "yes" and zero (0) "no".

### **RECOMMENDATION:**

After conducting a public hearing and deliberating on the proposed amendment to the text of Article IV (Definitions), Section 4.1 (Construction of Terms) of Appendix A (the Zoning Code), of the Code of Ordinances of the City of West Chicago, the Plan Commission/Zoning Board of Appeals finds that the proposed amendment as presented does not pose a threat to the health, safety and welfare of the community. It is the Commission's opinion that the proposed amendment will be beneficial to the City of West Chicago.

The amendment is in keeping with the purpose of the Zoning Code. The Plan Commission is of the opinion that this proposed amendment will protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity and the general welfare of the citizens of West Chicago community.

Respectfully submitted,

Barbara Laimins Chairperson

### VOTE:

For Laimins Banasiak Billingsley	<u>Against</u>	<u>Abstain</u>	Absent
Frantzen Hale			
Henkin			
Kasprak			

# **CITY OF WEST CHICAGO**

DEVELOPMENT COMMITTEE  AGENDA ITEM SUMMARY		
Final Plat of Subdivision, Phase 3 Trillium Farms Subdivision Pulte Home Company LLC Resolution No. 22-R-0011	AGENDA ITEM NUMBER: 4. B.  FILE NUMBER:  COMMITTEE AGENDA DATE: Feb. 14, 2022  COUNCIL AGENDA DATE:	
STAFF REVIEW: Tom Dabareiner, AICP	SIGNATURE	
APPROVED BY CITY ADMINISTRATOR: Michael Guttman	SIGNATURE	
Pulte Home Company, LLC is the contract purchaser of the former Planter's Palette nursery, now known as Trillium Farms, an eighty-four (84) unit single-family residential subdivision in unincorporated DuPage County. The property is located within 1.5 miles of the corporate limits of the City of West Chicago and is therefore subject to review by the City as well. The City approved the Final Plat of Subdivision for Phase 1 on July 20, 2020 and the Final Plat of Subdivision for Phase 2 on March 15, 2021.  The petitioner's development has progressed to the point where approval of Phase 3 of the Final Plat is required. Staff has reviewed the Phase 3 Plat and finds it to be in substantial conformance with the originally approved Plat of Subdivision.  At its February 1, 2022 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) reviewed the Final Plat of Phase 3. Members voted unanimously in favor (7-0) of recommending the Final Plat.		
ACTION PROPOSED:  Consideration of the proposed Final Plat, Phase 3.		
COMMITTEE RECOMMENDATION:		

Attachments: Draft Ordinance PC Report

### **RESOLUTION NO. 22-R-0011**

# A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR PHASE 3 OF TRILLIUM FARM

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled as follows:

Section 1. That the Final Plat of Subdivision for Phase 3 of Trillium Farm, as prepared by Cemcon, Ltd. consisting of three (3) sheets dated June 23, 2020, attached hereto and incorporated herein as Exhibit "A", be and the same is hereby approved and that the Mayor and City Clerk and all other necessary and appropriate officers of the City are authorized to execute said plat.

Section 2. That the recommendation and findings of fact of the Plan Commission, pursuant to Recommendation No. 22-RC-0003, a copy of which is attached hereto and incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all resolutions, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, expressly repealed.

Section 4. That this Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

PPROVED this 21 <sup>st</sup> day of February, 2022.	
AYES:	
NAYES:	
ABSTAIN:	
ABSENT:	
	Ruben Pineda, Mayor
ATTEST:	
Nancy M. Smith, City Clerk	

# **EXHIBIT "A"**

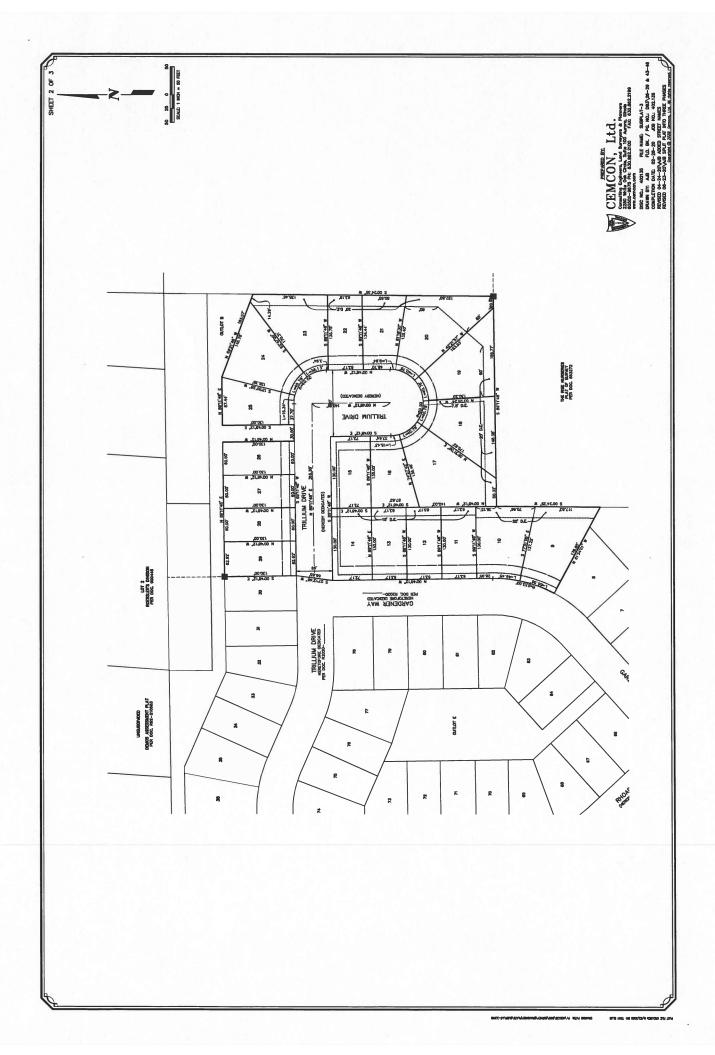
(Insert Final Plat of Subdivision)

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TOTAL AREA OF SUBDISSION

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Exhibit "A"



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### **EXHIBIT "B"**

### RECOMMENDATION NO. 2022-RC-0003

TO:

The Honorable Mayor and City Council

SUBJECT:

PC 22-04

Final Plat of Subdivision for Phase 3 of Trillium Farm

28W700 Purnell Road

DATE:

February 1, 2022

DECISION:

The motion to recommend approval of the request passed by a unanimous

decision of seven (7) "yes" and zero (0) "no".

### RECOMMENDATION

After review of the proposed Final Plat of Subdivision for Phase 3 of Trillium Farm, the Plan Commission/Zoning Board of Appeals recommends approval.

There are no specific findings of fact for subdivision consideration. Rather, the PC/ZBA verifies that the submitted plat of subdivision complies with the City's subdivision regulations. The PC/ZBA finds that the plat does comply.

Respectfully submitted,

Barbara Laimins Chairperson

VOTE:

For

Against

Abstain

Absent

Laimins Frantzen Hale Billingsley Kasprak Henkin Banasiak

## **CITY OF WEST CHICAGO**

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY			
ITEM TITLE:	AGENDA ITEM NUMBER: 5. A.		
Municipal Code Amendment Section 11-87 – Limit on Number of Domestic Animals	FILE NUMBER:		
Section 11-07 – Limit on Number of Domestic Aminais	COMMITTEE AGENDA DATE: Feb. 14, 2022		
Ordinance No. 22-O-0003	COUNCIL AGENDA DATE:		
STAFF REVIEW: Tom Dabareiner, AICP	SIGNATURE		
APPROVED BY CITY ADMINISTRATOR: Michael Guttman SIGNATURE			
ITEM SUMMARY: Section 11-87 of Article II, Chapter 11 of the Code of Ordinances places a limit on the number of domestic animals that a household may contain of no more than three animals. The City's Municipal Code defines a domestic animal as "Any animal which has been domesticated by man so as to live and breed in a tame condition". Staff has had questions and concerns raised from residents that this amount is low, compared with other communities, and does not always accommodate people with therapy animals such as cats or dogs. Staff has drafted an ordinance increasing the limit of domestic animals from three (3) to four (4) animals.			
ACTION PROPOSED: Approval of the proposed Municipal Code Amendment to increase the number of domestic animals permitted per household.			
COMMITTEE RECOMMENDATION:			

Attached: Draft Ordinance

### **ORDINANCE NO. 22-O-0003**

### AN ORDINANCE AMENDING CHAPTER 11, ARTICLE II, DIVISION 6, ANIMAL CONTROL AND CARE, OF THE WEST CHICAGO CODE OF ORDINANCES

WHEREAS, the City of West Chicago (hereinafter referred to as "City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code, 65 ILCS 5/11-20-5 to regulate for the public health; and

WHEREAS, the City is authorized, pursuant to its police power, 65 ILCS 5/11-1-1, to carry out the powers delegated to it under its grants of authority; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of West Chicago, DuPage County, Illinois, as follows:

Section 1: That Chapter 11, OFFENSES AND MISCELLANEOUS PROVISIONS, Article II. OFFENSES, Division 6, ANIMAL CONTROL AND CARE, Section 11-87, LIMIT ON NUMBER OF ANIMALS, of the Code of Ordinances of the City of West Chicago be amended as follows:

Sec. 11-87. Limit on number of animals

There shall be a maximum limitation per household of three (3) four (4) domestic animals; provided however, that any newborn animals shall be allowed to remain in the household despite the limitation of this section for up to four (4) months from the date of birth. Every animal exceeding the limit per household is subject to impoundment.

<u>Section 2.</u> That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed

Section 3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this day of	, 2022.	
Alderman J. Beifuss	Alderman L. Chassee	_
Alderman J. Sheahan	Alderman H. Brown	_
Alderman A. Hallett	Alderman C. Dettmann	
Alderman M. Birch-Ferguson	Alderman S. Dimas	
Alderman C. Swiatek	Alderman M. Garling	_
Alderman R. Stout	Alderman J. Short	_
Alderman J. Morano	Alderman J. Jakabesin	_
APPROVED as to form:City	Attorney	
APPROVED this day of	, 2022 .	
Mayor Ruh	en Pineda	
	on i nicua	
ATTEST:		
City Clerk, Nancy M. Smith		
PUBLISHED:		