

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved 4.5.22

MEETING MINUTES

PLAN COMMISSION/ZONING BOARD OF APPEALS

March 22, 2022 7:00 P.M.

Conducted Through Zoom

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

Chairperson Laimins called the virtual meeting to order at 7:01 p.m. Roll call found Chairperson Laimins, Commissioners Banasiak, Billingsley, Hale, Henkin, and Kasprak, and ex-officio member Slattery present. Commissioner Frantzen was absent. With six members present, a quorum was established.

Staff in attendance was Community Development Director Tom Dabareiner, City Attorney Mary Dickson, City Planner John Sterrett, Civil Engineer Rob Skerke, Utility Superintendent Rocky Horvath, and Doug Masters from Thomas Engineering.

2. Chairman's Comments – Chairman Laimins stated that in response to a Disaster Declaration made by the Governor related to public health concerns, an in-person meeting or a meeting conducted under the purview of the Open Meetings Act is not practical or prudent with the number of people who have expressed interest in this meeting; therefore, remote participation is permitted.

3. Public Comment - None

4. Approval of the Draft Minutes of the March 15, 2022 Plan Commission Meeting

Commissioner Billingsley made a motion, seconded by Commissioner Henkin, to approve the March 15, 2022 Plan Commission meeting minutes as presented. Roll call vote found Commissioners Billingsley, Henkin, and Banasiak voting “aye” with no one voting “no” and Chairperson Laimins, and Commissioners Hale and Kasprak abstaining. With a roll call vote of three (3) “ayes”, zero (0) “noes”, and three (3) abstentions, the motion carried and the draft minutes of the March 15, 2022 Plan Commission meeting were approved.

5. Public Hearing and Review and Recommendation of Case PC 21-12 (Continued from March 15, 2022)

Commissioner Banasiak made a motion, seconded by Commissioner Henkin, to reopen the public hearing. A roll call vote found Commissioners Banasiak, Henkin, Kasprak, Billingsley, and Hale, and Chairperson Laimins voting “aye” and no one voting “no”. With a roll call vote of six (6) “ayes” and zero (0) “noes”, the motion carried and the Plan Commission reopened the public hearing.

Chairperson Laimins stated that at the February 1, 2022 Plan Commission meeting, the Plan Commission continued public comment on Case PC 21-12, which began at the December 15, 2021 meeting. This included an additional opportunity for members of the public to speak as well as reading into the record the remaining public comments submitted to the Plan Commission in writing.

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Nancy M. Smith
CITY CLERK

Michael L. Guttman
CITY ADMINISTRATOR

Chairperson Laimins stated that prior to the end of the meeting on February 1, 2022, public commentary on the case concluded after all members of the public had the opportunity to provide testimony and to ask questions of the petitioner and staff. Additional written comments were received since the February 1, 2022 meeting and those comments will be read into the record prior to the close of the public hearing this evening. After all comments have been read into the record, members of the Plan Commission may ask questions of the petitioner or staff. At the conclusion of these questions, the petitioner will be afforded the opportunity to provide closing remarks. Following these closing remarks, members of the Plan Commission may vote to close the public hearing.

Chairperson Laimins stated that once the public hearing is closed and the Plan Commission is in deliberations, no additional testimony will be accepted and no questions, other than procedural questions will be permitted.

Chairperson Laimins stated that following deliberations, members of the Plan Commission will vote on a recommendation to the Development Committee and must adopt Findings of Fact with their recommendation. Staff has drafted findings of fact that are included at the top of page 4 of the Staff Report. Motions must be made in the positive and a motion must receive four yes votes to be approved.

Chairperson Laimins stated that prior to reading the remaining written public comment into the record, City Planner John Sterrett will be sworn in and provide an update on the request from Pulte as it relates to their variance requests and allow the petitioner to explain to the Plan Commission proposed changes.

Mr. Sterrett was sworn in. Mr. Sterrett summarized the changes that were made to the plans by Pulte since the February 1, 2022 meeting. Pulte is no longer requesting any zoning variations and has removed the two outlots that City staff had objected to. The size of the park has been increased in size to 5.08 acres and all of Public Works' outstanding comments have been addressed and found to be acceptable. Mr. Sterrett stated that staff has consistently stated that there is not an objection to the site being developed as residential but was not in favor of the layout needing unnecessary variations. With these variations eliminated and other site concerns addressed, staff recommends to the Plan Commission that a motion be passed recommending approval of the project. Staff has drafted suggested Findings of Fact for the Plan Commission to consider and adopt with their recommendation.

Matt Brolley of Pulte Home Company, LLC was sworn in. Mr. Brolley summarized the changes that Pulte had made as well.

Remaining letters submitted to the City in opposition were read from the following residents:

Dave & Connie Ahmann

Nancy and Robert DeNapoli, 2611 Meadowlark Drive

The Plan Commission begun asking questions of the petitioner and staff. Javier Millan of KLOA was sworn in and answered questions pertaining to the Traffic Impact Study. Doug Masters of

Thomas Engineering was sworn in to answer questions related traffic. Mr. Sterrett clarified previous comments that had been made regarding the suitability of the property for development.

Following questioning from the Plan Commission, Mr. Brolley provided closing remarks. With all members of the public having had the opportunity to speak, and with all Plan Commissioners having the opportunity to question the petitioner and staff, Commissioner Kasprak made a motion, seconded by Commissioner Henkin, to close the public hearing. A roll call vote found Commissioners Kasprak, Henkin, Banasiak, Billingsley, and Hale, and Chairperson Laimins voting “aye” and no one voting “no”. With a roll call vote of six (6) “aye” and zero (0) “no”, the motion carried and the public hearing was closed.

6. Review and Recommendation of Case PC 21-12

Commissioner Kasprak made a motion, seconded by Commissioner Banasiak, to recommend approval of the requested Preliminary Planned Unit Development and Preliminary Plat with deviations from the Subdivision Regulations Code, with the condition that the petitioner shall install a speed limit sign for “30 MPH” and a radar speed indicator sign be installed appropriately on Klein Road.

And that the following Findings of Fact be incorporated into this recommendation:

(A) In what respects the proposed plan is consistent with the comprehensive plan and the stated purpose and intent of the planned unit development regulations.

The proposed plan for a single-family detached residential development with a density of 2.39 dwelling units per acre is consistent with the City’s Comprehensive Plan which indicates this area as single-family residential. Furthermore, the Annexation Agreement contemplates the development of the property as single-family residential within the R-3 District.

(B) The extent to which the proposed plan meets the requirements and standards of the planned unit development regulations.

The property is subject to an Annexation Agreement which requires that all lots adjacent to existing residential contain an area of at least 12,000 square feet and will have a height of no more than 36 feet. The petitioner has demonstrated that both of these requirements are satisfied. Furthermore, the property is subject to a density credit to offset the loss of lots resulting from the 12,000 square foot requirement. The petitioner is providing no more lots on the property than what would be allowed if not for the 12,000 square foot lot requirement. No variations from the Zoning Code are necessary for the proposal.

(C) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property including, but not limited to, the density, dimension, area, bulk and use and the reasons why such departures are deemed to be in the public interest.

The property is part of a previously approved Annexation Agreement which requires any lots immediately adjoining existing residential to be at least 12,000 square feet in area. This requirement creates the loss of 12 lots that could be created if not for this 12,000 square foot requirement. The Annexation Agreement allows for a density credit so that the 12 lots that are lost due to the requirement may be incorporated within the balance of the development. The lots in the balance of the property are reduced in size to include these 12 lots. The topography of the site in certain areas creates difficulty to comply with the minimum centerline radius of 250 feet. The reduced minimum

centerline radii in two areas of the development are acceptable provided that parking is prohibited, with signage, at these turns. The deviation request for the reduction in easement width will not have a detrimental impact on the subject property nor the surrounding areas because no easement less than 20 feet will contain both sanitary and water main, which requires a 10-foot separation between them.

(D) The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space and furthers the amenities of light and air, recreation and visual enjoyment.

The proposed plan will provide a 5.08 acre park site, constructed by the petitioner, to be owned and maintained by the West Chicago Park District for enjoyment by residents. The petitioner is also providing the required 12,000 square foot lots on the perimeter of the site adjacent to existing residential areas. Furthermore, the maximum heights of homes adjacent to existing residential areas, per the Annexation Agreement, will not exceed 36 feet. The petitioner has provided a traffic study, reviewed by the City's traffic engineer consultant, demonstrating that the additional traffic generated by the development will not have a significant impact on the surrounding roadways or intersections. The petitioner's stormwater management report and plans, reviewed by the City's engineering staff, indicate compliance with the DuPage County Stormwater Ordinance.

(E) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.

The proposal of single-family detached residential is consistent with the surrounding properties, which are also single-family detached residential. The proposal includes all lots immediately adjoining existing residential to be at least 12,000 square feet, which is consistent with the minimum lot size of the R-2 district adjacent to the property.

(F) The desirability of the proposed plan as regards physical development, tax base and economic well-being of the city.

When the property was annexed to the City it was anticipated that the property would be developed as an R-3 single-family detached residential development. The proposed use of the property as a residential development is consistent with the previously approved Agreement. The property, as a single-family residential development, will support the tax base of the City and improve the economic well-being of the City.

A roll call vote found Commissioners Kasprak, Banasiak, Billingsley, Hale, and Henkin, and Chairperson Laimins voting "aye" and no one voting "no". With a roll call vote of six (6) "aye" and zero (0) "no", the motion carried.

7. Adjournment

Commissioner Kasprak made a motion, seconded by Commissioner Henkin to adjourn the meeting. A roll call vote found Commissioners Kasprak, Henkin, Banasiak, Billingsley, and Hale, and Chairperson Laimins voting "aye" and no one voting "no". With a roll call vote of seven (7) "aye" and zero (0) "no", the motion carried and the Plan Commission, at 7:58 p.m., adjourned.

Respectfully Submitted,
John Sterrett, City Planner