

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## DEVELOPMENT COMMITTEE

**Monday, April 10, 2023**  
**6:00 P.M. - Council Chambers**

**Please note the new meeting time.**

### AGENDA

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

2. Approval of Minutes

A. February 13, 2022

3. Public Participation

The opportunity to speak to the Development Committee is provided for those who have a question or comment on an agenda item or a City of West Chicago issue. The Development Committee appreciates hearing from our residents and your thoughts and questions are valued. The Development Committee strives to make the best recommendations for the City and public input is very helpful.

Respect for the duties of the Development Committee and for the democratic process will be adhered to – in this regard, civility and a sense of decorum will be strictly followed. All speakers must address their comments to the Mayor. Comments that are personally condescending will not be permitted. Speakers shall be courteous and should not make statements that are personally disrespectful to members of the Development Committee or City staff.

Please use the podium in the center aisle. Please announce your name and address (if acceptable) before commencing – all public comments are limited to three (3) minutes and each citizen will be permitted to speak only once. It is the Development Committee's policy not to engage in dialogue during Public Comment. Any questions raised will be addressed by City staff or an elected official outside of the Development Committee meeting.

4. Items for Consent.

**A. Paradise Spa, 956 N. Neltnor Blvd.** – In Unit 318 of the Tower Station commercial center, the petitioner requests approval of a Special Use Permit for a spa that would consist of a wet, dry and steam sauna, plus hot and cold tubs. Plan Commissioners voted unanimously (6-0) in favor of recommending approval.

5. Items for Discussion

475 Main Street  
West Chicago, Illinois  
60185

T (630) 293-2200  
F (630) 293-3028  
[www.westchicago.org](http://www.westchicago.org)

Ruben Pineda  
MAYOR  
Nancy M. Smith  
CITY CLERK

Michael L. Guttman  
CITY ADMINISTRATOR

6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment



## **MINUTES**

### **DEVELOPMENT COMMITTEE**

**February 13, 2023 6:00 P.M.**

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

Alderman Rebecca Stout called the meeting to order at 6:00 p.m.

Roll call found Aldermen Melissa Birch Ferguson, James Beifuss, Christine Dettmann, Matthew Garling, John Jakabcsin, Jayme Sheahan and Rebecca Stout present. Alderman Stout announced a quorum.

Also in attendance was Community Development Director, Tom Dabareiner and City Planner/Assistant Director of Community Development John Sterrett.

#### **2. Approval of Minutes.**

##### **A. January 9, 2023.**

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

#### **3. Public Participation.**

Bob Blaus spoke about wanting to preserve the railroad substation located at 900 Prince Crossing Rd.

Jeff Handel expressed several concerns regarding the proposed Wheaton Academy PUD amendment, such as an existing gravel area, landscaping replacement plan, train depot demolition, access, parking requirements and intersection visibility. He also made mention of a letter submitted by Louise Handel, which was previously distributed to the Committee members prior to the meeting.

Brian Ostberg spoke in favor of preserving the railroad substation located at 900 Prince Crossing Rd and described its historic value and the reasons and options for preservation.

#### **4. Items for Consent.**

- A. Approval of the 2023 Zoning Map** – State law requires annual approval of the official zoning map of the City.

Alderman Birch Ferguson moved and Alderman Garling seconded a motion to approve the Item. Voting Aye: Aldermen Birch Ferguson, Beifuss, Dettmann, Garling, Jakabcsin, Sheahan and Stout.

#### **5. Items for Discussion.**

- A. Wheaton Academy, 900 Prince Crossing Road** – Petitioner requests approval of a fifth amendment to their current Final Planned Unit Development, with the demolition of the existing Academy Hall and construction of a 2-story, 20,500 square foot addition to the Academic Building, along with other phased improvements.

Tom Dabareiner summarized this Item. He indicated the Plan Commissioners voted unanimously to recommend approval of both Items A. and B.

Alderman Dettman asked about the proposed signage at Hawthorne and Prince Crossing Rd., as it is a difficult intersection. John Sterrett indicated the signage meets the City's visibility triangle requirement, and staff believes it should not be an issue.

Alderman Garling asked about the anticipated date for the completion of the first phase. John Sterrett replied that it would be sometime in 2024. Alderman Garling indicated that would allow for enough time to move the train substation, and Mr. Sterrett agreed it would, but it would have to be worked out between a private entity and Wheaton Academy.

Alderman Beifuss asked about the gravel drive and why it will not be paved. Mr. Sterrett replied that it must be expanded or improved for an upgrade to be required. The mere removal of a building would not meet the standards for upgrade.

The Committee recognized Mr. Jeff Handel to again address the Members. Mr. Handel questioned how staff overlooked the requirement to upgrade the gravel to pavement. Mr. Dabareiner stated that staff followed the non-conforming provisions of the ordinance. Discussion ensued among Alderman Garling and Mr. Dabareiner and Mr. Sterrett regarding non-conforming surfaces. Alderman Beifuss pointed out that a PUD provides leeway to put forth certain requirements. Alderman Dettman commented that Wheaton Academy has tried to be a good neighbor and she wondered if they might be willing to upgrade the gravel surface if asked.



Steve Carlson of Wheaton Academy was recognized to speak. He stated they looked into doing it, but it would be quite expensive. They would love to figure out how to do so at some point in the future. They do not want it to be an eyesore. They are willing to carry out the Plan Commission's recommendation to install a 6-foot fence. Alderman Dettman stated that the concern about the gravel is the mess and danger that it makes. She wondered if the fencing would help. Mr. Carlson replied the gravel driveway is not actively used, and therefore gravel is not being dragged out onto the street. It serves as access to the back of the property. Alderman Garling asked who would have the responsibility to maintain the curb cuts at Prince Crossing by the Prairie Path. Mr. Dabareiner stated staff does not have an interest in closing an access point that is used for occasional drop offs. John Sterrett wondered if the Fire District would even allow for the access to be closed off. Alderman Garling asked about the location of the privacy fence. John Sterrett clarified that it would not run across this access unless they were to put up a gate.

Alderman Beifuss asked about why the substation is being demolished. Steve Carlson responded that the building was already dilapidated when they acquired this property around 2014. It costs a lot of money to maintain a building that old. They have explored options, but they are all cost prohibitive. They would use it actively if they could. Alderman Stout asked about relocating the building. Mr. Carlson stated that he has only been approached by one person in the five years he has been with the school. They would not be opposed if someone were to move it.

Alderman Garling asked about the fence location. He expressed wanting to see the fence extended across the driveway to block the view of the gravel yard and maintenance shed as this is a main thoroughfare and along the Prairie Path. Steve Carlson stated he agrees that a privacy fence with a gate in this location would be a good idea.

Alderman Beifuss indicated that the fencing and landscaping requirements should made part of the PUD. Mr. Sterrett agreed that staff would make these revisions. Alderman Beifuss asked about the lighting near the tennis courts. Mr. Sterrett said they had previously received approval in 2015 for lighting in this location, and that it would be property shielded.

Alderman Beifuss stated that the substation has historical significance, and he would like to see it preserved. Tom Dabareiner said that this is a private matter. Alderman Beifuss asked if it is landmarked, and Mr. Dabareiner said it is not. Alderman Beifuss asked what the timeframe is for its demolition, and Mr. Carlson replied by summer of 2024.

**Alderman Garling moved and Alderman Birch Ferguson seconded a motion to approve Item with a fencing requirement added. Voting Aye: Aldermen Birch Ferguson, Beifuss, Dettmann, Garling, Jakabcsin, Sheahan and Stout.**

- B. The Crusher, 629-651 W. Washington Street** – Petitioner requests approval of an amendment to their Special Use Permit (SUP). The amendment will allow them to proceed with a previously approved, but expired, phasing plan under their SUP.

Tom Dabareiner updated the members on this Item, stating the petitioner was not able to complete the site improvements in time, but they are willing to do so.

Alderman Beifuss asked about their completion date. John Sterrett replied that Phase I is to be completed by December 31, 2024 and Phase II is to be completed by December 31, 2026. Alderman Beifuss asked about a dumpster located on the property and wondered if it is to code. John Sterrett stated the applicant has made great strides to clean up the front of the property in the past few months and nothing is being stored in front of the property any longer.

Alderman Birch Ferguson moved and Alderman Sheahan seconded a motion to approve Item B. Voting Aye: Aldermen Birch Ferguson, Beifuss, Dettmann, Garling, Jakabcsin, Sheahan and Stout.

## **6. Unfinished Business.**

- A. Discussion of Architectural Design Guidelines** – A copy of the related code is included with the packet. City Staff will be present to discuss interpretation and take direction on possible updates from Committee Members.

Alderman Beifuss spoke about some of the reasons for the purpose of the City's Appearance Code such as to promote orderly and harmonious growth, attractiveness and cohesiveness, and to encourage high quality design. He pointed to some recent examples of high quality, new and remodel construction projects completed around the City. These types of developments protect property values. Alderman Beifuss stated the building next door to City Hall does not meet the City's Appearance Code on a couple of points: 1) The slate materials used are shingle-like in terms of how they look and how they are fastened to the building and therefore, they are not in keeping with the intent of the Code. 2) The overall look of this building is not harmonious with the surrounding properties. Many people have told him it is unattractive. Mr. Dabareiner disagreed, stating he believes the building is attractive and more modern, and that having a variety of architectural styles is important.

Alderman Stout asked if there is any language changes to propose to the Appearance Code. Alderman Beifuss replied that the acceptable materials of brick or stone should include cladding as unacceptable. The other important aspect is education.

Alderman Sheahan asked if the people objecting to the building design are materials experts or if anyone inquired about how the slate was affixed. She does not see the point in changing the City ordinances for everything to look the same.

Alderman Garling stated good points have been made. He asked if the Code's intent could be enhanced by adding examples to it.

Alderman Birch Ferguson stated that she agrees with Alderman Sheahan. She likes the way the building looks. It is different and therefore stands out. She sees no reason to change the Code. Alderman Dettman expressed that the building appearance is growing on her, and added that people who dislike something are more likely to express their opinions.

Alderman Beifuss proposed having a companion document that would be educational in terms of providing example documents as an addendum to account for changes in staff over time.

Mr. Dabareiner cautioned that the additional costs for the high quality materials of potential downtown apartment developments may come out of the TIF, as the costs would not be covered by the developers' rents.

Alderman Birch Ferguson asked staff to prepare a companion document and bring it back to the Committee for discussion.

**7. New Business.** None.

**8. Reports from Staff.**

Mr. Dabareiner invited the members to attend the Plan Commissioner training on March 21, 2023.

**9. Adjournment.**

**Alderman Birch Ferguson moved, and Alderman Dettman seconded the motion to adjourn the Development Committee meeting at 7:27 p.m. The motion was approved unanimously by voice vote.**

Respectfully submitted,

Jane Burke

## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Special Use Permit  
Paradise Spa, LLC  
956 N Neltnor Boulevard, Unit 318  
  
Ordinance No. 23-O-0007

**AGENDA ITEM NUMBER:** 4. A.**FILE NUMBER:** \_\_\_\_\_**COMMITTEE AGENDA DATE:** April 10, 2023**COUNCIL AGENDA DATE:** \_\_\_\_\_**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE** \_\_\_\_\_**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** \_\_\_\_\_

Paradise Spa, LLC requests approval of a Special Use Permit for a *Recreational Facility* to provide therapeutic sauna/spa services at 956 N Neltnor Boulevard, Unit 318, in the Tower Station commercial development known as "Paradise Spa". The operation will consist of a wet, dry, and steam sauna, as well as hot tubs and cold tubs. Changing rooms and restrooms will be incorporated within the space. The hours of operation will be Monday through Thursday, 2:00 p.m. to 11:00 p.m. and Friday through Sunday 11:00 a.m. to 12:00 a.m. This type of use is considered a *Recreational Facility* and requires approval of a Special Use Permit in the B-2 General Business District.

The petitioner is not proposing any site improvements nor significant changes to the exterior. The parking requirement for a *Recreational Facility*, such as the proposed use, of four (4) parking stalls per 1,000 square feet of floor area is typical for a commercial development, such as Tower Station. The proposed use will therefore not create a strain on the existing parking.

The petitioner also intends to operate a separate restaurant, to be called West Chicago Tavern, in a separate commercial space immediately adjacent to the subject commercial space. The use of a restaurant is a permitted use in the B-2 District and does not require approval of a Special Use Permit to operate.

The Plan Commissioners voted unanimously (6-0) to recommend approval of the requested Special Use Permit.

**ACTIONS PROPOSED:**

Discussion and consideration of the requested Special Use Permit.

**COMMITTEE RECOMMENDATION:**

Attachment: Ordinance



## **ORDINANCE NO. 23-O-0007**

### **AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A RECREATIONAL FACILITY 956 N NELTNOR BOULEVARD, UNIT 318**

WHEREAS, on or about February 17, 2023, Paradise Spa, LLC (the “APPLICANT”), filed an application for a special use permit for a Recreational Facility for the property located at 956 N Neltnor Boulevard, Unit 318 and legally described on Exhibit “A”, which is attached hereto and incorporated herein as the “SUBJECT REALTY”; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on March 20, 2023, 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, commencing on April 4, 2023, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of its application, and 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 for the special use which contains specific findings of fact, pursuant to Recommendation No. 2023-RC-0003, a copy of which is attached hereto as Exhibit “B” which is, by this reference, incorporated herein.

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

Section 1. A special use permit for a Recreational Facility, in conformance with Section 5.5 and Section 10.3-4(N) of the Zoning Ordinance, is hereby granted for the SUBJECT REALTY, subject to compliance with the following conditions:

- i. The petitioner shall secure all necessary building permits prior to renovating the space.
- ii. The petitioner shall obtain a Certificate of Occupancy prior to commencing operations within the commercial space.
- iii. A sign permit shall be secured prior to the installation of signage on the building.

Section 2. That all ordinances and resolutions, or parts thereof, shall, to the extent not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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 \_\_\_\_\_

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor Ruben Pineda

ATTEST:

\_\_\_\_\_  
Executive Office Manager Valeria Perez

PUBLISHED: \_\_\_\_\_

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

**Parcel 1:**

Lot 3A in Assessment Plat of Lot 3 of Tower Station Phase 3 of Willow Creek PUD final plat of Planned Unit Development and Subdivision plat, being a part of the Southwest  $\frac{1}{4}$  of Section 34, Township 40 North, Range 9, East of the Third Principal Meridian, according to the assessment plat thereof recorded January 24, 2006, as Document No. R2006-014266, in DuPage County, Illinois.

**Parcel 2:**

Non-exclusive easement for the benefit of Parcel 1 as created by Reciprocal Easement Agreement made by and between Tstation 3A Management Company, LLC (Parcel A Owner) and 956 N. Neltnor (West Chicago), L.L.C. ("Parcel B Owner") dated August 3, 2005 and recorded September 1, 2005 as document no. R2005-192011 for ingress and egress, both vehicular and pedestrian, over, upon and across Parcel B (the "Parcel B Easement"), as appropriate for Parcel A Owner's required access, and for use and access to all utilities including but not limited to lines for fire and domestic water supply, sanitary sewer, and telephone, electric, natural gas and fiber optic lines on that property legally described in Exhibit B and as depicted in Exhibit C, and incorporated therein, to provide access for motor vehicle and pedestrian traffic (including service vehicles) to and from Parcel A.

**Parcel 3:**

Easement for the benefit of Parcel 1 as created by Declaration of Covenants, Conditions and Restrictions and Establishment of Easements recorded July 6, 2004, as Document R2004-180430 and amended by First Amended Declaration of Covenants, Conditions and Restrictions and Establishment of Easements recorded July 20, 2004 as document no. R2004-194243 for vehicular and pedestrian ingress and egress ("Access Roads").

**Tax ID Number: 01-34-305-014**

## EXHIBIT “B”

RECOMMENDATION NO. 2023-RC-0003

TO: The Honorable Mayor and City Council

SUBJECT: PC 23-03  
Recreational Facility  
Paradise Spa, LLC  
956 North Neltnor Boulevard, Unit 318

DATE: April 4, 2023

DECISION: With a vote of six (6) “yes” and zero (0) “no”, the motion to recommend approval of the Special Use Permit for a Recreational Facility was unanimously approved.

### RECOMMENDATION

After review of the requested special use for a car wash for the SUBJECT REALTY, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval and incorporated the following findings of fact in their recommendation.

- (1) *Is necessary for the public convenience at that location or, the case of existing nonconforming uses, a special use permit will make the use more compatible with its surroundings:*

(This standard should be interpreted as indicating whether or not the proposed use is good for the public at that particular physical location, and not whether or not the use itself is *needed* there).

**The proposed *Recreational Facility*, which will include therapeutic saunas, hot/cold tubs and steam rooms, is best suited in a commercial area that accommodates both local and regional traffic, such as the Tower Station development.**

- (2) *Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:*

**The proposed use will be located within an existing commercial space in the Tower Station commercial development. The existing shopping center has sufficient access and parking to accommodate the proposed use while still meeting the needs of the existing uses. The type of use does not require additional parking above and beyond what is required for a typical commercial use. No site improvements are proposed nor needed to accommodate the proposed use. Renovations to the space will require approval of a building permit to ensure all building codes are complied with.**

- (3) *Will not cause substantial injury to the value of other property in the neighborhood in which it is located:*

**The proposed use of a *Recreational Facility* will not cause substantial injury to the value of other property in the area in which it is located. The proposed use will be compatible with the other commercial uses in the Tower Station commercial development and will not impact surrounding properties.**

- (4) *The proposed special use is designated by this code as a listed special use in the zoning district in which the property in question is located:*

**The subject property is located in the B-2 General Business District and a *Recreational Facility* is listed as a special use in the B-2 General Business District, per Section 10.3-4 (N) of the Zoning Code.**

Respectfully submitted,

Steve Hale  
Acting Chairperson

**VOTE:**

For

S. Hale  
A. Banasiak  
H. Billingsley  
B. Henkin  
D. Kasprak  
T. Slattery

Against

Abstain

Absent

B. Laimins