

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

**Plan Commission/Zoning Board of Appeals**  
**Tuesday, August 1, 2023**  
**7:00 p.m.**

**West Chicago City Hall**  
**Council Chambers**  
**475 Main Street**  
**West Chicago, IL 60185**  
**REVISED A G E N D A<sup>1</sup>**

1. **Call to Order, Roll Call and Determination of a Quorum**
2. **Pledge of Allegiance**
3. **Chairperson's Comments**
4. **Public Comment**
5. **Approval of the Draft June 6, 2023 Plan Commission Meeting Minutes**
6. **Public Hearing of Case PC 23-06 – Special Use Permit – 1280 Powis Road**  
Special Use Permit for a *Trade School and Adult Educational Facility*, in accordance with Section 11.2-4(Y) of the Zoning Code.
7. **Review and Recommendation of Case PC 23-06 – Special Use Permit – 1280 Powis Road**
8. **Petition Updates/Staff Report**
9. **Adjournment** – Next Meeting Wednesday, September 6, 2023 at 7:00 p.m. (Delayed one day due to Labor Day)

The Rules of Procedure for the Plan Commission/Zoning Board of Appeals can be found on the City's website at <https://westchicago.org/community-development/>

cc: Plan Commission Members      School Districts #25, #33, #94, #303, #46  
Mayor      West Chicago Fire Protection District  
City Council      West Chicago Park District  
M. Guttman      West Chicago Public Library District  
T. Dabareiner      DuPage County Building & Zoning  
M. Patel      Warrenville Plan Commission  
J. Sterrett      News Media

<sup>1</sup> Case PC 23-07 has been removed from the agenda per the request of the petitioner.

## **Draft Minutes**

### **PLAN COMMISSION/ZONING BOARD OF APPEALS June 6, 2023 7:00 P.M.**

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

Chairperson Laimins called the meeting to order at 7:15 p.m. Roll call found Chairperson Laimins, and Commissioners Banasiak, Slattery, and Henkin present. Commissioners Billingsley, Hale, and Kasprak were absent. With four members present, a quorum was established.

Staff in attendance included City Planner John Sterrett.

#### **2. Pledge of Allegiance**

Chairperson Laimins led the Commission in the Pledge of Allegiance.

#### **3. Chairperson's Comments**

None.

#### **4. Public Comment**

None.

#### **5. Approval of draft meeting minutes from May 2, 2023**

Commissioner Slattery made a motion, seconded by Commissioner Banasiak, to approve the draft meeting minutes of the May 2, 2023 Plan Commission meeting. With a voice vote of two ayes, zero noes, and two abstentions, the motion carried.

#### **6. Public Hearing of Case PC 23-05 – Zoning Text Amendment – Article XII of Appendix A of the Code of Ordinances of the City of West Chicago**

Commissioner Slattery made a motion, seconded by Commissioner Henkin, to open the public hearing. With a voice vote of all ayes, the motion carried.

Mr. Sterrett was duly sworn in. Mr. Sterrett stated that staff has prepared a series of amendments to the text of the City's sign regulations located in Article XII of the Zoning Code. The majority of the proposed amendments deal with deleting references to the regulation of signage content. In the 2015 U.S. Supreme Court decision of *Reed v. Town of Gilbert*, the Court held that the content of a sign may not be regulated and that local sign ordinances must be "content-neutral". Regulating signs based on their content is considered a violation of First Amendment rights, according to the decision in *Reed*. The Court further explained that signs may only be regulated by their size, location, building materials, lighting, moving parts, and portability. Staff has proposed amendments that will allow the sign regulations to be consistent with the *Reed* decision. Other amendments proposed by staff include inserting language into Article XII that reflects existing regulations for signs found elsewhere in the Code as well as clarification of existing regulations.

The Plan Commissioners members went through each proposed zoning text amendment to the Sign Code. Members discussed the prohibited signs as they relate to flashing lights. The Commission was in favor of broadly stating that any lighting around a window or opening of a building is prohibited. The Commission also believed that flashing lights, including strobe lighting should be prohibited.

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 Henkin made a motion, seconded by Commissioner Slattery, to close the public hearing. With a voice vote of all ayes, the motion carried and the public hearing was closed.

## **7. Review and Recommendation of Case PC 23-05 – Zoning Text Amendment – Article XII of Appendix A of the Code of Ordinances of the City of West Chicago**

The Plan Commission deliberated the proposed amendments to the Zoning Code relating to the sign regulations. After a brief discussion, Commissioner Banasiak made a motion, seconded by Commissioner Slattery, to recommend approval of the proposed amendments with a change to the prohibition of lighting around windows and other openings and to add a prohibition to flashing lights, including strobe lights.

A roll call vote found Commissioners Banasiak, Slattery, Henkin, and Chairperson Laimins voting “aye” and no one voting “no”. With a roll call vote of four (4) “aye” and zero (0) “no”, the motion carried.

## **11. Petition Updates/Staff Report**

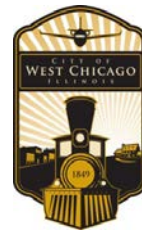
Mr. Sterrett provided a brief update on upcoming projects and previously approved projects.

## **12. Adjournment**

With no further business to discuss, Commissioner Kasprak made a motion, seconded by Commissioner Hale to adjourn the meeting. With a voice vote of all ayes, the motion carried and the Plan Commission, at 7:20 p.m., adjourned.

Respectfully Submitted,  
John Sterrett, City Planner

**City of West Chicago  
Community Development Department  
Report for the Plan Commission/Zoning Board of Appeals  
August 1, 2023**



**Case:** PC 23-06  
**Petitioner:** Robert Freeman on behalf of Ruler CDL School Inc.  
**Address:** 1280 Powis Road  
**Zoning:** M Manufacturing District  
**Existing Use:** Office/Unused paved area  
**Comp Plan:** Industrial

**Request:** A Special Use Permit for a *Trade School and Adult Educational Facility*, in accordance with Section 11.2-4(Y) of the Zoning Code. The request, if approved, would allow a CDL training facility on the property.

**Summary:** The request for a Special Use Permit for a *Trade School and Adult Educational Facility* meets the standards in accordance with Section 5.5 of the West Chicago Zoning Code.

**Staff Recommendation: APPROVAL WITH CONDITIONS**

Staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending approval of the Special Use Permit subject to the conditions outlined below.

- The site shall be developed in substantial conformance with the Site and Landscape Plan prepared by County Engineers, Inc. consisting of one page dated May 17, 2023.
- All trucks/trailers used, kept, and parked on the property shall be clearly marked identifying them for CDL training and may not be used for any other purpose.
- The amount of trucks/trailers used, kept, and parked on the property shall be limited to no more than four, unless a request to increase the amount is approved by the City Council.
- A sign permit application shall be approved prior to the installation of the proposed freestanding sign.

**Public Notice.**

All public notice requirements were completed including a notice of public hearing published in the Daily Herald on or about July 11, 2023, notification to all property owners within 250 feet of the subject property, and placement of a hearing sign on the property.

**Adjacent Property Zoning and Land Use Information**

<i>Location</i>	<i>Adjacent Zoning</i>	<i>Adjacent Land Use</i>	<i>2022 Comprehensive Plan</i>
North	M Manufacturing	Industrial	Industrial
South	M Manufacturing	Industrial	Industrial
East	M Manufacturing	Industrial	Industrial
West	M Manufacturing	Industrial	Industrial

**Existing Conditions.**

The property is two acres located on the west side of Powis Road, approximately 800 feet north of Harvester Road, in the M Manufacturing District. The property was previously used by the Illinois Secretary of State as a DMV facility, which relocated out of the property in 2021. An existing office building on the property, approximately 4,000 square feet, is currently used for small office space. The majority of the site is paved with a hard surface which was previously used by the Secretary of State for CDL testing. The paved area is not currently being used. Two existing full access points serve the property onto Powis Road. The petitioner also owns an adjacent 4.10 acre tract of land at 1330 Powis Road, which is located primarily behind the subject site. This 4.10 acres is not included in the petition as it will not be used for the proposed use.

**Proposal.**

The petitioner is proposing to operate a Commercial Driver’s License (CDL) training school on the property. The training facility will operate Monday through Friday, 9:00 a.m. to 5:00 p.m. Classroom operations will occur within one of the office rooms within the existing building. Hands-on vehicle operation training will occur in the paved area behind the building. Four truck/trailers will be used in the vehicle training portion of the operation. Each vehicle will have clear markings on them indicating they are for CDL training. Vehicles are not proposed to leave the site and will be parked in designated stalls on the property when not in use.

The petitioner is not proposing any major site improvements. The existing paved area and existing parking lot will be repaved and restriped. The petitioner is proposing a freestanding sign along Powis Road which will require the issuance of a building permit. The petitioner recently installed several arborvitae along the front property line. Although not required because no equipment nor materials are being stored outside on the property, this landscaping will provide screening and aesthetics to the property. No exterior changes to the building are proposed. A previous interior renovation had occurred within the building.

**Special Use Findings of Fact**

As stated under Section 5.5-4, the Plan Commission/Zoning Board of Appeals shall recommend a special use only if it shall make findings of fact based upon evidence presented that the special use:

- (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 CDL training facility is best suited within an industrial area such as the subject property. The subject property is located within one of the City’s major industrial corridors in an area that contains a mixture of other industrial, service, and office uses.**

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

**The proposed use of the subject property will not adversely impact the public health, safety and welfare of the community. The use is consistent with the surrounding properties and will be designed to enhance the aesthetics of the area. The property will be developed in conformance with all City Codes and Ordinances.**

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

**The proposed CDL training 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 properties in the immediate area, which consist of uses involving warehousing, logistics, and outside storage.**

*(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 proposed use of a CDL Training Facility is considered a Trade School and Adult Educational Facility which is considered a special use per Section 11.2-4(Y) of the Zoning Code.**

**Exhibits**

- Exhibit A – Location Map
- Exhibit B – Aerial Map
- Exhibit C – Zoning Map
- Exhibit D – Site and Landscape Plan prepared by County Engineers, Inc. consisting of one page dated May 17, 2023.

For questions, please contact John H. Sterrett, City Planner (630) 293-2200 ext. 158 or at [jsterrett@westchicago.org](mailto:jsterrett@westchicago.org)

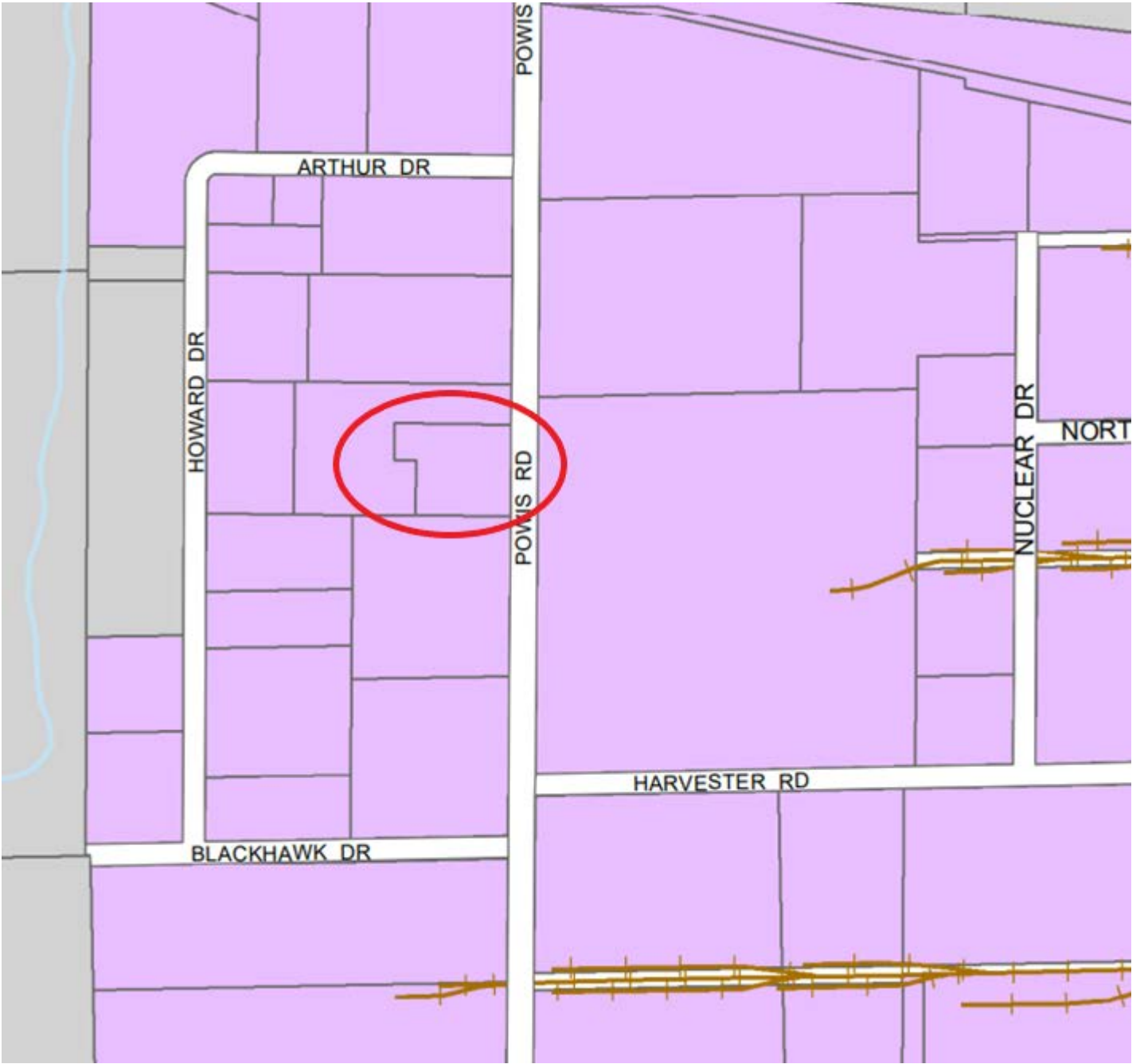








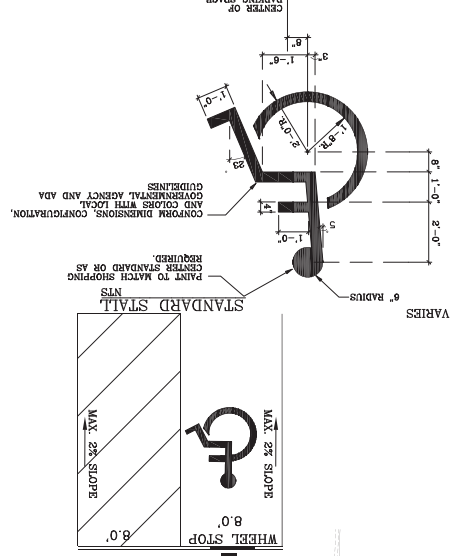
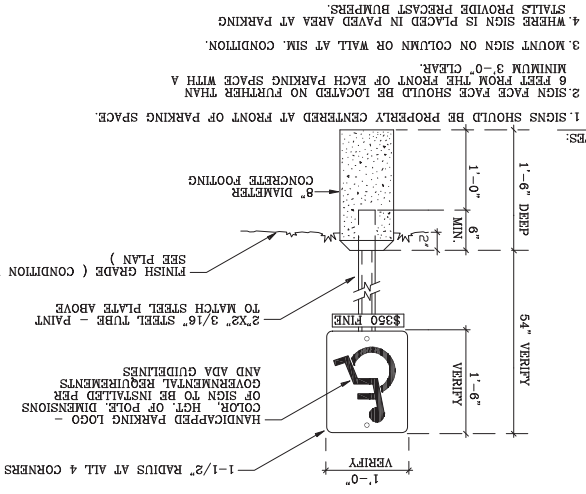




N01.30'36"E 402.75'

MAY 17, 2023

**HANDICAPPED SYMBOL DETAIL**



- EXISTING ASPHALT PAVEMENT TO BE TREATED AS FOLLOWS:
- 1-SEVERELY BROKEN AREAS TO BE PATCHED-
  - 2-REMOVE ALL LOOSE MATERIAL, BROKEN ASPHALT/GRAVEL, UP TO 2".
  - 3-SAMPLE FILL DEPTH
  - 4-PLACE HMA 4" B.M. AND 3" SURFACE COURSE.
  - 5-COMPACT SUBBASE
  - 6-CLEAN CRACKS BY HOT AIRBLASTING
  - 7-SEAL CRACKS PER ILLINOIS DOT, SLURRY SEAL OR BETTER.
- 3-REPAINT ALL PARKING STALLS, STRIPING AND HC STALL/SYMBOLS, PER DOT STANDARDS.

- 1-ALL PLANT MATERIALS SHALL BE PLANTED W/MINIMUM 6" TOPSOIL AND 3" SHREDED BARK MULCH.
- 2-ALL DISTURBED AREAS TO BE SEEDED WITH STRAW BLANKET OVER AT LEAST 6" TOPSOIL.
- 3-ALL PLANT MATERIALS SHALL CONFORM TO THE LATEST EDITION OF THE AMERICAN STD. FOR NURSERY STOCK.
- 4-ALL PLANTS SHALL BE WARRANTED FOR 12 MONTHS AFTER PLANTING IN PLACE.
- 5-UNLESS OTHERWISE SPECIFIED, ALL PLANTS SHALL BE COMMON-SIZE NURSERY STOCK.

**NOTES:**

PREVIOUS-AGCO PARTS  
1160 POWIS ROAD

2-ARBORVITAE @ 8' c-c  
SIZE 4'-5" TALL

24"x24" STOP SIGN

EXISTING ASPHALT PAVEMENT TO BE TREATED AS FOLLOWS:

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5-UNLESS OTHERWISE SPECIFIED, ALL PLANTS SHALL BE COMMON-SIZE NURSERY STOCK.

1-DO NOT ALLOW AIR POKERS TO FORM WHEN BACKFILLING.

2-LEAVE 5" MIN. OF STAKE ABOVE GRADE TO ALLOW TREES TO GROW.

3-COR REMOVAL ABOVE GRADE TO ALLOW CHARACTER AND UNIFORMITY PRUNE AS PER HORTICULTURAL PRACTICE.

4-RETAIN WATER, MIN. 3" DEEP LAYER OF SHREDED HARD WOOD MULCH.

5-INSTALL TWO OF THREE STAKES AT LINE OF ORIGINAL GRADE.

6-REMOVE BURLAP FROM TOP 1/3 OF ROOT BALL.

7-REMOVE BURLAP FROM TOP 1/3 OF PLANTING SOIL MIX.

8-MINIMUM THREE 2"x2"x3'-6" TREATED WOOD STAKES.

9-LIMBS TO PREVENT SLIPPAGE.

10-RUBBER HOSE LOCATE GUY WIRE AT ALL POINTS AT 120° APART, PLACE 2 PLY, 3/4" DIA. FASTENED TO WOOD STAKES (3 TOTAL).

11-THREE GALVANIZED NO. 12 WIRE GUYS MIN. 6" TURNBUCKLE.

12-DO NOT CUT CENTRAL LEADER, PROTECT IT.

13-TREES OF SAME SPECIES TO BE MATCHED IN GROWTH, CHARACTER AND UNIFORMITY.

14-PRUNE AS PER HORTICULTURAL PRACTICE.

15-TURNBUCKLE.

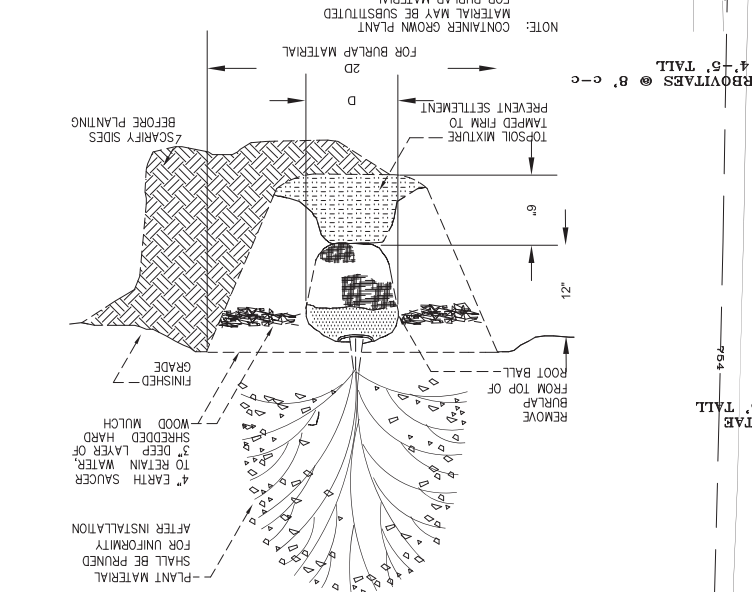
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18-RUBBER HOSE LOCATE GUY WIRE AT ALL POINTS AT 120° APART, PLACE 2 PLY, 3/4" DIA. FASTENED TO WOOD STAKES (3 TOTAL).

**NOTES:**

**TYPICAL SHRUB PLANTING DET.**



1-ARBORVITAE @ 8' c-c  
SIZE 4'-5" TALL

24"x24" STOP SIGN

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**WARNING**

CALL BEFORE YOU DIG

CALL TOLL FREE 1-800-897-0123

(48 HOURS NOTICE REQUIRED PRIOR TO DIGGING)