

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved 11.7.23

PLAN COMMISSION/ZONING BOARD OF APPEALS October 3, 2023 7:00 P.M.

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

Chairperson Laimins called the meeting to order at 7:00 p.m. Roll call found Chairperson Laimins, and Commissioners Banasiak, Slattery, and Kasprak present. Commissioners Hale, Billingsley, and Henkin 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 August 1, 2023

Commissioner Slattery made a motion, seconded by Commissioner Banasiak, to approve the draft meeting minutes of the August 1, 2023 Plan Commission meeting. With a voice vote of three ayes, zero noes, and one abstention, the motion carried.

6. Public Hearing of Case PC 23-08 – Special Use Permit – 151 S Neltnor Boulevard

Commissioner Kasprak made a motion, seconded by Commissioner Slattery, 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 This is a request from 151 Neltnor LLC, represented by Alan Jacob, Car Wash Pro Designers for approval of a Special Use Permit for Motor Vehicle Laundry, also known as a car wash, for the property at 151 South Neltnor Boulevard in the B-2 General Business District, located on the west side of Neltnor Boulevard, between Main Street and Washington Street. The property is approximately 36,000 square feet and vacant, located north of Advance Auto Parts and south of Steinbrecher Surveying offices, residential homes are located directly east and across Neltnor Boulevard is Sandpiper Square and Metro Staff offices.

The petitioner is proposing to develop the site with a 3,850 square foot single-lane carwash facility with an ancillary vacuum area. The carwash is proposed to be operate 7 days a week with weekday hours 8am to 8pm, Saturday hours 9am to 7pm and Sunday hours 9am to 5pm.

The car wash will be oriented so the entrance to the car wash facility is on the east side of the property and will have 15 spaces for queuing outside of the building. The exit to the facility will be located on the west side of the property towards Neltnor Boulevard. The vacuum area will be

located on the south end of the property. The petitioner is providing landscaping throughout the site including around the perimeter of the property. The east property line will have a solid privacy fence as well as landscaping to provide screening and sound attenuation for the residential properties to the east.

Staff recommended that the Plan Commission adopt the Findings of Fact suggested by staff and pass a motion recommending approval of the proposed special use permit, subject to the following conditions:

1. That the site be developed in substantial conformance with the following plans:
 - a. Geometric Plan, consisting of one page (Sheet C-3), prepared by Terra Consulting Group, dated June 22, 2023 with a latest revision date of August 8, 2023.
 - b. Landscape Plan, consisting of two pages (Sheets L-1.1 and L-1.2), prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
 - c. Building Elevations, consisting of two pages (Sheets A-5.0 and A-5.1, prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
 - d. Vacuum Canopy and Trash Enclosure Elevations, consisting of one page (Sheet A-7.1), prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
 - e. Signage Plan, consisting of one page (Sheet A-7.0), prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
2. Landscaping consisting of evergreen and deciduous shrubs shall be installed around the perimeter of the trash enclosure.

Alan Jacob and Nick Spalone of Car Wash Pro Designers were duly sworn in and provided background on the proposed use.

Jill Hotel of 160 Easton was duly sworn in and raised concerns about lighting. Mr. Spalone explained that all lighting will be LED with sharp cutoffs so no light will spillover off the subject property.

Lori Herar of 203 Easton was duly sworn in and raised concerns about traffic. Mr. Jacob explained no access would be onto Easton.

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 Banasiak 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 23-08 – Special Use Permit – 151 S Neltnor Boulevard

The Plan Commission deliberated the proposed Special Use Permit. After a brief discussion, Commissioner Kasprak made a motion, seconded by Commissioner Slattery, to recommend approval of the proposed Special Use Permit with the following conditions:

1. That the site be developed in substantial conformance with the following plans:
 - a. Geometric Plan, consisting of one page (Sheet C-3), prepared by Terra Consulting Group, dated June 22, 2023 with a latest revision date of August 8, 2023.

- b. Landscape Plan, consisting of two pages (Sheets L-1.1 and L-1.2), prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
 - c. Building Elevations, consisting of two pages (Sheets A-5.0 and A-5.1, prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
 - d. Vacuum Canopy and Trash Enclosure Elevations, consisting of one page (Sheet A-7.1), prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
 - e. Signage Plan, consisting of one page (Sheet A-7.0), prepared by Neri Architects, dated April 26, 2023 with a latest revision date of August 8, 2023.
2. Landscaping consisting of evergreen and deciduous shrubs shall be installed around the perimeter of the trash enclosure.
 3. That all exterior lighting will be shielded to prevent source point glare to the residential property to the east.
 4. That approval from IDOT and the West Chicago Fire Protection District shall be obtained prior to the issuance of a building permit.

And incorporate the following findings of fact with this recommendation:

(1) Is necessary for the public convenience at the 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***

A motor vehicle laundry facility (i.e. carwash) is a use that is best suited to be located within a commercial corridor that is along a major arterial road with a high traffic volume. Neltnor Boulevard, fits those criteria. Furthermore, the property is located along one of the City's main commercial corridor hubs. Staff is of the opinion the petitioner has satisfied this finding.

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

Consideration has been given to the residential area to the east with additional landscaping and fencing to screen the proposed use. The proposed design of the site complies with all engineering and stormwater requirements. Staff is of the opinion the petitioner has satisfied this finding.

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

The proposed development will contain fencing as well as a significant amount of landscaping including evergreen trees to screen the property and provide sound attenuation for the residential areas to the east. The petitioner has oriented the car wash building so the exit, which contains the dryer, will be facing away from the residential area. The proposed lighting will comply with the maximum illumination level of 0.1 foot-candles permitted adjacent to a residential district as well as the maximum illumination level of 2.0 foot-candles at all other property lines. All proposed lighting will be flat cut-off LED lighting to prevent glare. Staff is of the opinion the petitioner has satisfied this finding.

(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 car wash facility use is listed as a special use per Section 10.3-4 (D) of the Zoning Code. Staff is of the opinion the petitioner has satisfied this finding.

A roll call vote found Commissioners Kasprak, Slattery, Banasiak, 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.

8. Public Hearing of Case PC 23-09 – Special Use Permit Amendment – 1200 North Prince Crossing Road

Commissioner Kasprak made a motion, seconded by Commissioner Slattery, 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 this is a request from Forming America to amend their existing special use permit at 1200 N Prince Crossing Road in the M Manufacturing District for ancillary outside storage on the property. The amendment is to update the controlling site plan for the special use permit so it is reflective of what has actually been constructed on the site. The petitioner originally received approval for their special use permit in 2007 and it is been amended over time to allow more time for the required paving to be completed. In 2019, an amendment was approved that required the petitioner to provide a financial security that the City would hold onto until such time that all paving per the controlling site plan was completed.

The petitioner has paved all portions of the property currently being used for outside storage. There is approximately 64,000 square feet that was originally to be paved for outside storage but remains unpaved. The petitioner has indicated they have no need for this storage area any longer and therefore do not need to pave. This is acceptable provided they do not place any outside storage on this area to remain unpaved. For their financial security to be eligible for release, however, they must complete all of the paving identified on the controlling site plan. As such, they are requesting this amendment so their controlling site plan will replicate what portions of the property they are using for outside storage, as they have indicated they have no intention to utilize any more of the property for outside storage.

Staff recommended the Plan Commission adopt the Findings of Fact suggested by staff and pass a motion recommending APPROVAL of the proposed amendment, subject to the following conditions:

1. Conditions 1 through 8 and 11 of Section 1 in Ordinance 19-O-0003 shall remain in full force and effect;
2. Condition 9 of Section 1 in Ordinance 19-O-0003 shall be stricken in its entirety and replaced with the following:
The SUBJECT REALTY shall be in compliance with the pavement improvements identified on the 2023 Paving Plan date stamped received August 21, 2023, a copy of which is attached hereto as Exhibit “C”, which by this reference is, incorporated herein.

3. The 64,000 square feet of area that was to be paved originally but will no longer be utilized for outside storage shall be seeded with grass, or other approved natural vegetation, no later than May 1, 2024. Failure to comply with these terms shall result in a notice of violation and may result in a revocation of the Special Use Permit.

James Langekamp of Forming America was duly sworn in and provided an update on the progress of Forming America. Mr. Langekamp also requested that the existing gravel area be left as is rather than removing it and installing vegetation.

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

9. Review and Recommendation of Case PC 23-09 – Special Use Permit Amendment – 1200 North Prince Crossing Road

The Plan Commission deliberated the proposed Special Use Permit Amendment. After a brief discussion, Commissioner Kasprak made a motion, seconded by Commissioner Banasiak, to recommend approval of the proposed Special Use Permit Amendment with the following conditions:

1. Conditions 1 through 8 and 11 of Section 1 in Ordinance 19-O-0003 shall remain in full force and effect;
2. Condition 9 of Section 1 in Ordinance 19-O-0003 shall be stricken in its entirety and replaced with the following:
The SUBJECT REALTY shall be in compliance with the pavement improvements identified on the 2023 Paving Plan date stamped received August 21, 2023, a copy of which is attached hereto as Exhibit "C", which by this reference is, incorporated herein.
3. All gravel within the 64,000 square foot area no longer to be paved shall be removed no later than October 1, 2024.

And incorporate the following findings of fact with this recommendation:

*(1) Is necessary for the public convenience at the 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****

No change in use is occurring on the property and no additional site improvements are proposed. The purpose of the amendment is to amend the controlling site plan to be reflective of the actual improvements made on the property. Staff is of the opinion the petitioner has satisfied this finding.

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

No additional site improvements are proposed. The petitioner has previously performed the required site improvements to satisfy this finding. Staff is of the opinion the petitioner has satisfied this finding.

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

No change in use is occurring on the property and no additional site improvements are proposed. The purpose of the amendment is to amend the controlling site plan to be reflective of the actual improvements made on the property. Less outside storage will occur on the property than what was original approved. Staff is of the opinion the petitioner has satisfied this finding.

(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 existing manufacturing facility with ancillary outside storage listed as a special use per Section 11.2-4 (T) of the Zoning Code. No change in use will occur on the property. Staff is of the opinion the petitioner has satisfied this finding.

A roll call vote found Commissioners Kasprak, Banasiak, Slattery, 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.

10. Public Hearing of Case PC 23-10 – Zoning Text Amendment – Vending Machines

Commissioner Slattery made a motion, seconded by Commissioner Banasiak, 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 was recently approached by a party interested in installing walk-up ice/water vending machines outside of various retail establishments in the community, such as grocery stores and hardware stores. Section 6.27 of the Zoning Code regulates continuous outside vending and contains five instances when continuous outside vending is permitted. Vending machines are not listed as one of these instances and therefore would not be permitted.

Several vending machines exist throughout the City in places such as grocery stores and hardware stores, as well as other locations. Staff is of the opinion that vending machines are ancillary uses that should be allowed throughout City. Staff has drafted an amendment to the zoning text of Section 6.27 of the Zoning Code to permit vending machines to be located outside of a building with certain limitations.

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

11. Review and Recommendation of Case PC 23-10 – Zoning Text Amendment – Vending Machines

The Plan Commission deliberated the proposed Zoning Text Amendment. After a brief discussion, Commissioner Banasiak made a motion, seconded by Commissioner Kasprak, to recommend approval of the proposed Zoning Amendment.

12. Petition Updates/Staff Report

Mr. Sterrett provided a brief update on upcoming projects and previously approved projects. Commissioner Slattery requested that staff look into requiring hearing signs to be posted in Spanish as well as English. Mr. Sterrett stated he would look into this.

13. Adjournment

With no further business to discuss, Commissioner Kasprak made a motion, seconded by Commissioner Slattery to adjourn the meeting. With a voice vote of all ayes, the motion carried and the Plan Commission, at 8:28 p.m., adjourned.

Respectfully Submitted,
John Sterrett, City Planner