



WHERE HISTORY & PROGRESS MEET

Approved 3.5.24

PLAN COMMISSION/ZONING BOARD OF APPEALS
February 6, 2024 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, Billingsley, Kasprak, Slattery, and Terrazas present. Commissioner Henkin was absent. With six 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

Chairperson Laimins welcomed newly appointed Commissioner Jenaro Terrazas.

4. Public Comment

None.

5. Approval of draft meeting minutes from January 3, 2024

Commissioner Banasiak made a motion, seconded by Commissioner Billingsley, to approve the draft meeting minutes of the January 3, 2024 Plan Commission meeting. With a voice vote of 5 ayes the motion carried. Commissioner Slattery abstained.

6. Public Hearing of Case PC 24-02 – 803 Industrial Drive – Special Use Permit

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 American Innovative Staffing, Inc. represented by Ismael Carcamo for approval of a special use permit to operate an employment staffing agency with temporary employees reporting to the agency to collect a job order or to collect compensation in accordance with Sections 5.5 and 11.2-4(L) of the Zoning Code. The proposed use will occur within a 260 square foot office space within a multi-tenant building, known as 803 Industrial Drive in the M Manufacturing District. The proposed agency will have two employees with hours of operation of 10am to 6:30 p.m. No site improvements are proposed and no modifications to the building are needed. The petitioner intends to use the existing parking immediately south of the building. The petitioner has complied with all notification requirements including notifying all property owners within 250 feet and placing a hearing sign on the property. A notice of the public hearing appeared in the Daily Herald on Monday, January 22nd.

Staff recommends that the Plan Commission pass a motion recommending approval of the special use permit request. Staff has drafted findings of fact for the Plan Commission to consider in its recommendation.

The petitioner did not choose to speak during the public hearing.

With all members of the public having had the opportunity to speak, and with all Plan Commissioners having the opportunity to question staff, Commissioner Billingsley 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.

7. Review and Recommendation of Case PC 24-02 – 803 Industrial Drive – Special Use Permit

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. No occupancy shall occur until such time that a Certificate of Occupancy has been issued by the City.
2. Operations shall not commence until such time that a business license for an employment staffing agency has been approved.

And that the following Findings of Fact be incorporated in the motion to recommend approval:

(A) 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******

The proposed use is best suited in the Manufacturing District and the property is conveniently located near a common intersection of Hawthorne Boulevard and Industrial Drive. Staff is of the opinion the petitioner has satisfied this finding.

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

The proposed use will occur within an existing office space with minimal activity other than temporary staff occasionally reporting to the site for job placement and to receive compensation. The existing parking provided for the tenant space satisfies the requirements for the space and proposed use. Staff is of the opinion the petitioner has satisfied this finding.

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

The petitioner is not proposing any site improvements nor changes to the exterior of the building. All operations will occur within the office space. The proposed use will have no greater of an impact on the surrounding area than existing tenants within the building and nearby buildings. Staff is of the opinion the petitioner has satisfied this finding.

(D) 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 an employment agency with temporary staff reporting to the agency is listed as a special use in the M Manufacturing District, per Section 11.2-4 (L) of the West Chicago Zoning Code. *Staff is of the opinion the petitioner has satisfied this finding.*

A roll call vote found Commissioners Kasprak, Slattery, Banasiak, Billingsley, and Terrazas, 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.

8. Public Hearing of Case PC 24-03 – Zoning Text Amendments

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 staff drafted an Amendment to the Zoning Code that will define and allow Electric Vehicle (EV) Charging Stations to be installed as an accessory use in all zoning districts and will include the use of EV charging stations as part of motor vehicle service stations. There has been an increased interest to install EV charging stations by existing gas stations, commercial centers, and homeowners to accommodate the rise in the use of EVs. Staff is proposing to allow the installation and use of Levels 1, 2, and 3 EV Charging Stations in all business and manufacturing districts as an accessory use and to allow levels 1 and 2 EV Charging Stations in all residential districts. Staff has attached a fact sheet describing the differences between these three various charging levels. A property to be used primarily for charging EVs would be considered a motor vehicle service station, which requires approval of a special use in the B-2 General Business and B-3 Regional Shopping districts.

This proposed Text Amendment is in keeping with the vision adopted by the Plan Commission within the Comprehensive Plan which is to “always demonstrate an unwavering commitment to green space and the environment.” Furthermore, one of the focused goals of the Comprehensive Plan is to provide green transportation options such as those with zero emissions.

Members of the Plan Commission discussed if there was a need to include the provision proposed by staff that residential EV charging stations required a building permit. Mr. Sterrett stated this could be taken out because if a permit is needed, the Zoning Code does not dictate it, but rather the Building Code.

Staff has also drafted an amendment to the Zoning Code that allows greater flexibility in the type of materials permitted to be used in construction and renovation projects in commercial and multi-family buildings. The City’s Design Standards located in Section 7.13 of the Zoning Code permits only brick and stone to be used for commercial structures and requires that multi-family buildings contain at least 90% brick and stone. These requirements may stifle creative architectural design and may significantly increase overall costs for a developer. The trend in commercial and multi-family development in the Chicago suburban market has shifted in the last decade away from all brick/stone buildings to incorporate more creative and cost-effective materials.

The Development Committee discussed this topic at their November 2023 and January 2024 meetings and directed staff to research the design standards of other communities, including the City of St. Charles and the City of Naperville. Both communities allow more flexibility in choices for building materials, including textured concrete masonry units (CMU), stucco, cedar wood and fiber cement siding, commonly known as Hardie-board. Based on these findings, the Development Committee directed staff to prepare a zoning text amendment that would allow other primary materials other than brick and stone on commercial and multi-family structures, including fiber cement siding, textured CMU, and stucco.

This proposed Text Amendment is consistent with the Comprehensive Plan's implementation strategy to review existing design guidelines for commercial and residential development and update as needed.

Members of the Commission discussed adding a provision that would give the Zoning Administrator the ability to approve a material that is not listed within the Design Standards if the material still meets the intent of the Design Standards. Members of the Commission also discussed eliminating textured CMU from the list of approved materials. Members of the Commission agreed that the Design Standards zoning text amendment should be brought back for further discussion before being voted on.

With all members of the public having had the opportunity to speak, and with all Plan Commissioners having the opportunity to question 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.

9. Review and Recommendation of Case PC 24-03 – Zoning Text Amendments

The Plan Commission deliberated the proposed Zoning Text Amendments. After a brief discussion, Commissioner Billingsley made a motion, seconded by Commissioner Kasprak, to recommend approval of the proposed Zoning Text Amendment for the Electric Vehicle Charging Stations.

A roll call vote found Commissioners Billingsley, Kasprak, Banasiak, Slattery, and Terrazas, 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.

Regarding the Zoning Text Amendment to the Design Standards, members of the Plan Commission agreed with the concept of expanding the type of building materials permitted but wanted a provision added that would allow the Zoning Administrator flexibility in approving materials that may not be listed in the Design Standards, such as emerging and improved building materials, provided that they meet the purpose and intent of the design standards. For this reason, the discussion of the proposed zoning text amendment was continued to the March 5th Plan Commission to give staff time to draft language reflecting the members' comments.

8. Petition Updates/Staff Report

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

9. Adjournment

With no further business to discuss, Commissioner Terrazas made a motion, seconded by Commissioner Billingsley to adjourn the meeting. With a voice vote of all ayes, the motion carried and the Plan Commission, at 7:52 p.m., adjourned.

Respectfully Submitted,
John Sterrett, City Planner