

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

DEVELOPMENT COMMITTEE

Monday, September 9, 2024
6:00 P.M. - Council Chambers

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
 - A. July 8, 2024
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 Chairperson. 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. **1200 N. Prince Crossing Road** – Forming America, Ltd., at 1200 North Prince Crossing Road, intends on expanding their outside storage. To accomplish this, the property requires a sixth amendment to their Special Use Permit, plus a Lot Consolidation. This would expand to an area deleted just last year when they concluded they would not require the area for storage, which was included in their stormwater efforts, so no additional stormwater work is needed. Plan Commission members voted unanimously in favor of both the Ordinance and the Resolution.

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West Chicago, Illinois
60185

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westchicago.org

Ruben Pineda
MAYOR

Michael L. Guttman
CITY ADMINISTRATOR

- B. **1307 S. Neltnor Blvd.** – In 2023, SRH Properties, LLC acquired the property of the former Shell gas station, which closed in 2022. The property owner intends to replace all structures on the current property with a new Shell station and convenience store. To accomplish this, a third amendment to the Special Use Permit for this property is required. Plan Commission members voted unanimously in support of the Ordinance.
- C. **100 Hahndorf Street** – The Kitchen Table has petitioned the City for approval of a Special Use Permit to allow a school in the R-6 District. A School, which is allowed in the District, requires a Special Use Permit. No site and exterior improvements are being sought. Given their proposed operation, there exists adequate parking. The petitioners will not live on the property. Plan Commission members voted unanimously in support of the Ordinance.
- D. **Trillium Farm Variances and Map Amendment** – The Trillium Farm Residential Subdivision consists of 84 residence lots and was annexed to the City of West Chicago on August 19, 2024. When properties are annexed to the City they are automatically given an ER-1 Estate Residence label; however, given the density and type of homes and properties, Trillium Farm should more accurately be designated as R-5 Single-Family Residence. This change requires a Zoning Map Amendment. The Staff report details the variances required once granted the R-5 District classification. Plan Commission members voted unanimously in support of the Map Amendment and the Variances.

5. Items for Discussion
6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment – Next Meeting October 14, 2024

MINUTES
DEVELOPMENT COMMITTEE

July 8, 2024, 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 John Banas, Melissa Birch Ferguson, Lori Chassee, Christine Dettman, Jayme Sheahan, Rebecca Stout, and Christopher Swiatek present. Alderman Stout announced a quorum.

Also in attendance was Community Development Director, Tom Dabareiner.

2. Approval of Minutes.

A. June 10, 2024.

Alderman Chassee moved, and Alderman Banas seconded a motion to approve the minutes. Voting Aye: Aldermen Banas, Birch Ferguson, Chassee, Dettman, Sheahan, Stout and Swiatek.

3. Public Participation. None.

4. Items for Consent. None.

5. Items for Discussion.

A. Express Car Wash, Inc. (511 E Roosevelt Road) – Request for a second extension to the expired Final Planned Unit Development and Special Use Permit to develop the site at 511 E Roosevelt for the operation of a car wash.

Mr. Dabareiner updated the Committee by explaining that previous approval was granted in 2021. The project never moved forward, and a one-year extension was granted by the City Council in September of 2022. In 2023, the building permit was approved but it was never paid for nor issued. Staff is recommending a second extension with a deadline for completion of July of 2025.

The applicant was asked about the delay. Dan Gunsteen of Express Car Wash, Inc. was recognized to speak, and he explained it was largely due to an increase in the project cost.

Alderman Banas moved, and Alderman Swiatek seconded a motion to approve the Item for Discussion. Voting Aye: Aldermen Banas, Birch Ferguson, Chassee, Dettman, Sheahan, Stout and Swiatek.

6. Unfinished Business. None.

7. New Business. None.

8. Reports from Staff. None.

9. Adjournment.

Alderman Banas moved to adjourn the meeting at 6:08 p.m., and Alderman Birch Ferguson seconded the motion. With a voice vote of all ayes, the motion carried.

Respectfully submitted,

Jane Burke

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Forming America, Ltd.
1200 North Prince Crossing Road
Special Use Permit – Sixth Amendment
Lot Consolidation

Ordinance No. 24-O-0027
Resolution No. 24-R-0068

AGENDA ITEM NUMBER: 4. A.**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** Sept. 9, 2024**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE** **APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

Forming America, Ltd. has petitioned the City to amend their existing special use permit for a sixth time 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 incorporates a 64,000 square foot area on the property that was previously approved for pavement of outside storage but was removed from the site plan via a fifth amendment in 2023. The reason for the removal of this paved area from the site plan in 2023 was because the petitioner no longer needed this area paved. Since that time the petitioner now has determined this area is in fact needed and is thus amending their site plan to incorporate the 64,000 square foot area back into site plan. The petitioner also intends to eventually pave an area to the north of the property, which is under the same ownership. This northern area is on a separate parcel and thus the petitioner is also seeking approval for a lot consolidation of the two parcels for its eventual construction once approved in the future.

At their September 4th meeting, members of the Plan Commission voted unanimously (5-0, with two absent) in support of the sixth amendment to the Special Use Permit and Lot Consolidation.

ACTION PROPOSED:

Discuss and recommend approval of the requested Sixth Amendment to the Special Use Permit for 1200 N Prince Crossing Road and a Lot Consolidation.

COMMITTEE RECOMMENDATION:

Attachments: Draft Special Use Permit Amendment Ordinance
 Draft Lot Consolidation Ordinance
 PC Report
 Paving Plan
 Plat of Consolidation

ORDINANCE NO. 24-O-0027

AN ORDINANCE APPROVING A SIXTH AMENDMENT TO THE OUTSIDE STORAGE SPECIAL USE FOR 1200 N. PRINCE CROSSING ROAD – FORMING AMERICA, LTD.

WHEREAS, on or about August 12, 2024, James Langkamp of Forming America, Ltd. (the “APPLICANT”), filed an application for a sixth amendment to the previously approved special use permit for an outside storage yard for the property located at 1200 North Prince Crossing Road and legally described on Exhibit “A”, which is attached hereto and incorporated herein as the “SUBJECT REALTY”; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the original special use by Ordinance 07-O-0049 on August 20, 2007; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the first amendment to the special use by Ordinance 11-O-0069 on December 19, 2011; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the second amendment to the special use by Ordinance 14-O-0023 on July 21, 2014; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the third amendment to the special use by Ordinance 16-O-0019 on April 18, 2016; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the fourth amendment to the special use by Ordinance 19-O-0003 on February 18, 2019; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the fifth amendment to the special use by Ordinance 23-O-0037 on October 16, 2023; and,

WHEREAS, Notice of Public Hearing on said special use application was published in the Daily Herald on September 19, 2024, 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 September 4, 2024, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of his 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. 2024-RC-0008, 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. That a sixth amendment to the special use permit for an outside storage yard in conformance with Section 5.5 and Section 11.2-4(T) of the Zoning Ordinance is hereby granted on the SUBJECT REALTY subject to the following conditions:

1. The site shall be developed in substantial compliance the Site and Phasing Plan consisting of one sheet (Sheet 1 of 1) prepared by Webster McGrath & Ahlberg, Ltd dated July 30, 2024.
2. Phase 3 shall not commence until such time that Special Use Permit authorization is granted and that all engineering has been approved, a site development permit has been issued by the City, and authorization has been received from the DuPage County Stormwater Department.
3. Conditions 1 through 8 and 11 of Section 1 in Ordinance 19-O-0003 shall remain in full force and effect;
4. Condition 2 and 3 of Section 1 in Ordinance 23-O-0037 shall be stricken in their entirety.

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 _____, 2024.

Alderman D. Beebe	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman C. Dettmann	_____
Alderman M. Birch-Ferguson	_____	Alderman S. Dimas	_____
Alderman J. Smith, Jr.	_____	Alderman C. Swiatek	_____
Alderman R. Stout	_____	Alderman J. Short	_____
Alderman J. Morano	_____	Alderman J. Banas	_____

APPROVED as to form: _____
City Attorney

APPROVED THIS _____ day of _____, 2024.

Mayor Ruben Pineda

ATTEST:

Executive Office Manager Valeria Perez

PUBLISHED: _____

EXHIBIT "A"

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND RUNNING THENCE SOUTH 00°21'51" EAST ON THE EAST LINE THEREOF, 870.30 FEET TO THE NORTHERLY LINE OF PROPERTY CONVEYED TO COMMONWEALTH EDISON COMPANY BY DOCUMENT R62-27934; THENCE NORTH 83°57'05" WEST ON SAID NORTHERLY LINE (BEING A LINE DRAWN PARALLEL WITH AND 50 FEET NORTHERLY OF THE NORTHERLY LINE OF THE FORMER CHICAGO GREAT WESTERN RAILROAD RIGHT OF WAY), 1317.39 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER OF SECTION 34; THENCE NORTH 00°05'22" EAST ON SAID WEST LINE, 702.05 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°42'25" EAST ON SAID NORTH LINE, 1303.76 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PIN 01-34-403-003

EXHIBIT "B"

RECOMMENDATION NO. 2023-RC-0008

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-11
Sixth Amendment to a Special Use Permit
Lot Consolidation
Forming America, Ltd.
1200 North Prince Crossing Road

DATE: September 4, 2024

DECISION: The Plan Commission/Zoning Board unanimously recommended approval of the special use amendment and lot consolidation by a (4-0) vote.

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 based on the following findings of fact.

*(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 other than what was previously approved in the original Special Use Permit. The purpose of the amendment is to add the previously approved 64,000 square foot area back into the controlling site plan for the special use permit. 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 that will affect the existing stormwater facilities or other nearby properties. The 64,000 square foot area proposed to be paved as Phases 1 and 2 on the Site Plan were previously approved. 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. The same amount of outside storage will occur on the property after the addition of the 64,000 square foot pavement as was approved in the original Special Use Permit. 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.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			Slattery
Banasiak			Kasprak
Henkin			
Billingsley			
Terrazas			

EXHIBIT “C”

(Insert 2024 Paving Plan here)

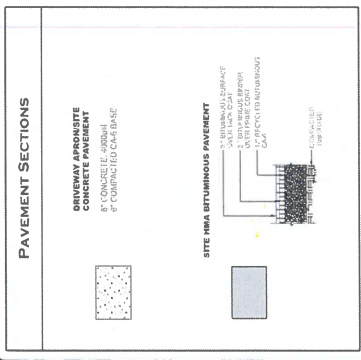
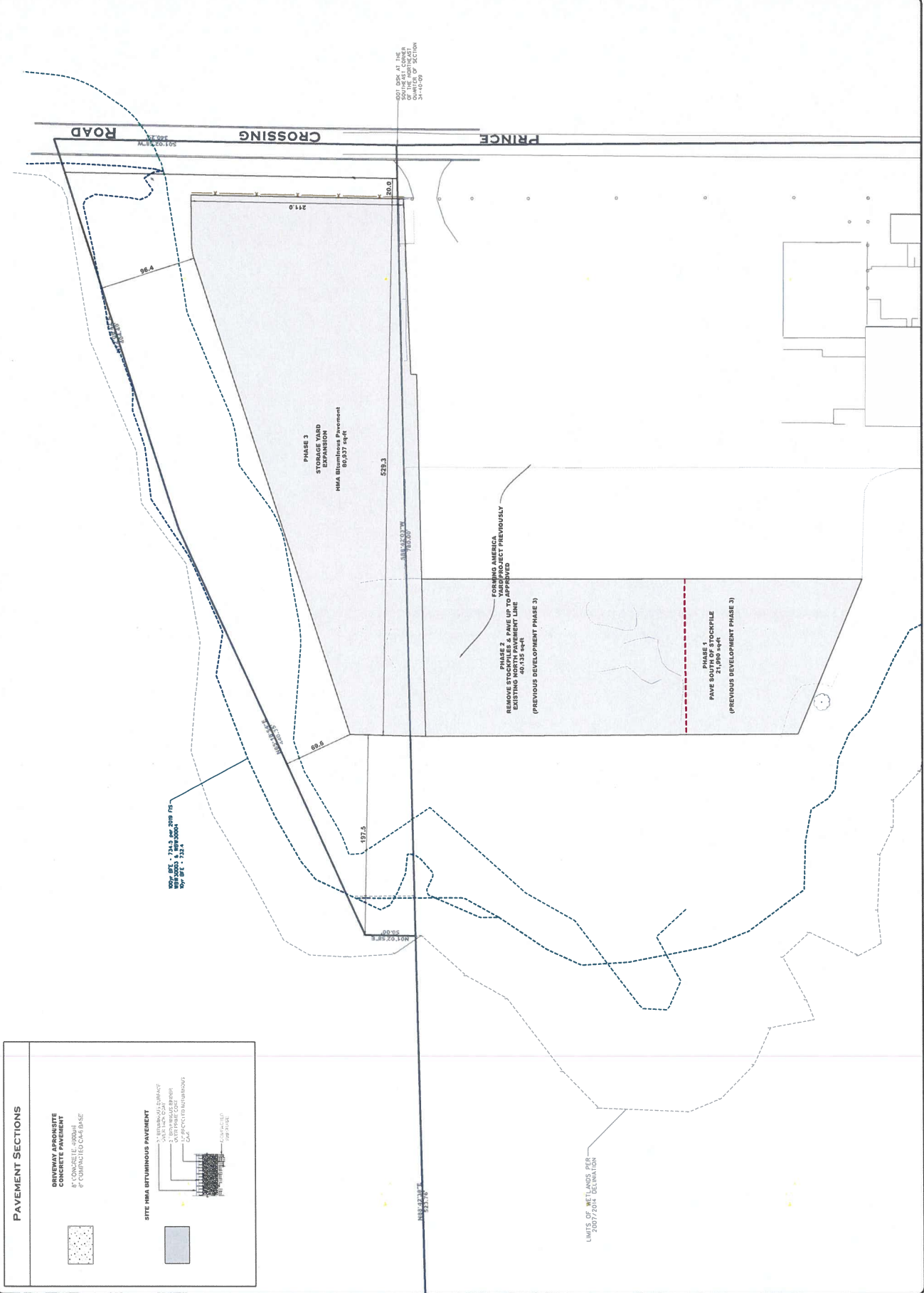


FORMING AMERICA
NORTHERN TRIANGLE PARCEL IMPROVEMENTS
FORMING AMERICA
1300 Prince Crossing Road
Primo, NC 27859

WMA
WESTER, McGRATH & AHLBERG, LTD.
Civil and Structural Engineers & Architects
1100 Park Road, Suite 200
Raleigh, NC 27601
Phone: 919.876.1100
Fax: 919.876.1101

NO.	DATE	BY	DESCRIPTION
1	05/11/2011	WMA	ISSUED FOR PERMITS
2	05/11/2011	WMA	ISSUED FOR PERMITS
3	05/11/2011	WMA	ISSUED FOR PERMITS
4	05/11/2011	WMA	ISSUED FOR PERMITS
5	05/11/2011	WMA	ISSUED FOR PERMITS
6	05/11/2011	WMA	ISSUED FOR PERMITS
7	05/11/2011	WMA	ISSUED FOR PERMITS
8	05/11/2011	WMA	ISSUED FOR PERMITS
9	05/11/2011	WMA	ISSUED FOR PERMITS
10	05/11/2011	WMA	ISSUED FOR PERMITS

PAVING & LAYOUT
C-2



DATE OF PLOT: 05/11/2011 10:58 AM DATE OF PLOT: 05/11/2011 10:58 AM DATE OF PLOT: 05/11/2011 10:58 AM

RESOLUTION NO. 24-R-0068

**A RESOLUTION APPROVING FORMING AMERICA PLAT OF CONSOLIDATION
1200 NORTH PRINCE CROSSING ROAD**

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled as follows:

Section 1. That the Plat of Forming America Consolidation, as prepared by Webster, McGrath & Ahlberg Ltd consisting of one (1) sheet attached hereto and incorporated herein as Exhibit "A", be and the same is hereby approved and that the Mayor and City Clerk and all other necessary and appropriate officers of the City are authorized to execute said plat.

Section 2. That the recommendation and findings of fact of the Plan Commission, pursuant to Recommendation No. 24-RC-0008, a copy of which is attached hereto and incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all resolutions, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, expressly repealed.

Section 4. That this Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

APPROVED this ____ day of _____, 2024.

AYES: _____

NAYES: _____

ABSTAIN: _____

ABSENT: _____

Mayor, Ruben Pineda

ATTEST:

Executive Office Manager, Valeria Perez

EXHIBIT "A"

(INSERT PLAT OF CONSOLIDATION HERE)

EXHIBIT "B"

RECOMMENDATION # 24-RC-0008

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-11
Forming America Lot Consolidation
181 North Prince Crossing Road

DATE: September 7, 2022

DECISION: The motion to approve the requested Lot Consolidation passed by a unanimous (5-0) vote.

RECOMMENDATION

After review of the proposed Forming America Lot Consolidation, the Plan Commission/Zoning Board of Appeals recommends approval and includes the following findings of fact, per Section 8.7-2(1) of the Subdivision Regulations Code, with its recommendation:

1. That Star Assets are the owners of record of the following described property:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND RUNNING THENCE SOUTH 00°21'51" EAST ON THE EAST LINE THEREOF, 870.30 FEET TO THE NORTHERLY LINE OF PROPERTY CONVEYED TO COMMONWEALTH EDISON COMPANY BY DOCUMENT R62-27934; THENCE NORTH 83°57'05" WEST ON SAID NORTHERLY LINE (BEING A LINE DRAWN PARALLEL WITH AND 50 FEET NORTHERLY OF THE NORTHERLY LINE OF THE FORMER CHICAGO GREAT WESTERN RAILROAD RIGHT OF WAY), 1317.39 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER OF SECTION 34; THENCE NORTH 00°05'22" EAST ON SAID WEST LINE, 702.05 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°42'25" EAST ON SAID NORTH LINE, 1303.76 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

2. That all matters have been performed by the petitioners required by this ordinance.
3. That a Plat of Consolidation is attached hereto and has been duly attested by Joel Vietti of Webster McGrath & Ahlberg, a registered land surveyor, contains all certifications required by law, and is in a condition to record once all signatures have been obtained.
4. That said Plat of Consolidation will be recorded in the Recorder of Deeds Office of the County of DuPage upon approval by the West Chicago City Council.
6. That said Lot Consolidation contains no additional public ways, nor are any public ways vacated therein.
7. That said Lot Consolidation contains no additional public improvements nor are any public improvements vacated.

8. The purpose of said Consolidation is to construct pavement for outside storage.

Respectfully submitted,

Barbara Laimins
Chairman

VOTE:

For

B. Laimins
A. Banasiak
H. Billingsley
B. Henkin
Terrazas

Against

Abstain

Absent

Slatter
D. Kasprak

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
THIS INSTRUMENT NO. _____ WAS FILED FOR
RECORD IN THE RECORDERS OFFICE OF DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

OWNER CERTIFICATE (GRANTOR)

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
THIS IS TO CERTIFY THAT THE UNDERSIGNED
IS THE LEGAL OWNER OF THE PROPERTY DESCRIBED ON THE ATTACHED PLAT AND
HAS CAUSED THE SAME TO BE SURVEYED AND CONSOLIDATED AS SHOWN BY THE PLAT

DATED THIS _____ DAY OF _____ A.D. 20__

NOTARY CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
I HEREBY CERTIFY THAT
CERTIFICATE IS KNOWN TO BE AS SUCH OWNER,
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D. 20__

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
I, _____ COUNTY CLERK OF DU PAGE COUNTY DO HEREBY CERTIFY THAT
ARE NO DELINQUENT TAXES, NO UNPAID OR PREFERRED TAXES AND NO REDEMPTIBLE TAX SALES
ADVERSE ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
WE HEREBY CERTIFY TO THE BEST OF OUR KNOWLEDGE AND BELIEF THAT ADEQUATE
PROVISIONS HAVE BEEN MADE FOR THE PROPER AND SAFE DRAINAGE OF SURFACE
WATERS INTO PUBLIC MAIN DRAINAGE SYSTEMS OF THE SUBDIVISION AND THAT
SUCH SURFACE WATER WILL NOT BE DEPOSITED ON ADJACENT LAND OWNERS
PROPERTY IN SUCH CONCENTRATION THAT MAY CAUSE DAMAGE BY DIVERSION OR
SEDIMENTATION TO SUCH PROPERTY BECAUSE OF CONSTRUCTION OF THE SUBDIVISION.

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
I, _____ MAYOR OF THE CITY OF WEST CHICAGO.
ILLINOIS DO HEREBY CERTIFY THAT THE ANNEXED PLAT WAS PRESENTED TO AND BY
RESOLUTION NUMBER _____ DAILY APPROVED BY THE COUNCIL
OF THE CITY OF WEST CHICAGO AT ITS REGULAR MEETING HELD ON _____ A.D. 20__
IN WITNESS WHEREOF I HAVE HEREUNTO SET THE SEAL OF THE CITY OF WEST CHICAGO, ILLINOIS.

FOREST FOUNDATION LOT ASSESSMENT PLAT
DOC. #1998-024254

FOREST FOUNDATION LOT ASSESSMENT PLAT
DOC. #1998-024254

PLANNING COMMISSION CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
I, _____ CHAIRMAN OF THE PLANNING COMMISSION
OF THE CITY OF WEST CHICAGO, COUNTY OF DU PAGE, STATE OF ILLINOIS DO HEREBY CERTIFY
THAT SAID COMMISSION HAS DULY RECOMMENDED APPROVAL OF THIS PLAT OF CONSOLIDATION.

AREA TO BE CONSOLIDATED
1180.027 SQUARE FEET OR 27.319 ACRES

P.I.N.
01-34-202-019
01-34-403-003

FORMING AMERICA
PLAT OF CONSOLIDATION

IN PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

PERMISSION TO RECORD

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
I, J. ADL C. VETTH, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 055-00551, HEREBY
DESIGNATE A REPRESENTATIVE OF THE CITY OF WEST CHICAGO TO RECORD THIS
DOCUMENT ON BEHALF OF WEBSTER, MCGRATH AND AHLBERG, LTD. ALL DIMENSIONS
ARE IN FEET AND DECIMAL PARTS THEREOF.

SURVEY CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS
THIS IS TO CERTIFY THAT WEBSTER, MCGRATH AND AHLBERG, LTD. HAVE SURVEYED AND
CONSOLIDATED THE FOLLOWING PROPERTY:
PARCEL 1:
THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH,
RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING
AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER AND ENDING THENCE
SOUTH 89 DEGREES 51 MINUTES 51 SECONDS EAST ON THE EAST LINE THEREOF
820.50 FEET TO THE NORTHERLY LINE OF PROPERTY CONVEYED TO COMMONWEALTH
EDISON COMPANY BY DOCUMENT #82-27934; THENCE NORTH 83 DEGREES 57 MINUTES
46 SECONDS WEST ON SAID NORTHERLY LINE BEING A LINE DRAWN PARALLEL WITH
AND 50 FEET NORTHERLY OF THE NORTHERLY LINE OF THE FORMER CHICAGO GREAT
WESTERN RAILROAD RIGHT OF WAY 121.22 FEET TO THE WEST LINE OF THE EAST ONE-HALF
OF SAID SOUTHWEST QUARTER OF SECTION 34; THENCE NORTH 01 DEGREE 03 MINUTES
22 SECONDS EAST ON SAID WEST LINE 782.05 FEET TO THE NORTH LINE OF SAID SOUTHWEST
ONE-QUARTER; THENCE NORTH 18 DEGREES 44 MINUTES 25 SECONDS EAST ON SAID NORTH
LINE 1303.78 FEET TO THE PLACE OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

WE FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS WITHIN
THE CORPORATE LIMITS OF THE CITY OF WEST CHICAGO WHICH HAS AUTHORIZED A COMPREHENSIVE
PLAN AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF
ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS HERETOFORE AND HEREAFTER AMENDED.

WE FURTHER CERTIFY THAT THIS PROPERTY IS WITHIN ZONE UNSHADED 'A' AREAS DETERMINED
BY THE CITY OF WEST CHICAGO ANNUAL CHANNEL FLOODPLAIN ZONE AE, ZONE AE FLOODWAY, AS DESIGNATED
BY THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF WEST CHICAGO, ILLINOIS, MAP NUMBER
1200 N. PRINCE CROSSING ROAD WEST CHICAGO, ILLINOIS, AS EFFECTIVE DATE OF AUGUST 1, 2011.

ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR
A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND CORPORATE SEAL AT WHEATON, ILLINOIS, THIS _____ DAY OF _____ A.D. 20__

WEBSTER, MCGRATH AND AHLBERG, LTD.
BY: _____

I, _____ PROFESSIONAL LAND SURVEYOR NO. 3661
LICENSE EXPIRATION DATE: NOVEMBER 30, 2024
270 S. MAPLEVILLE STREET
WHEATON, ILLINOIS 60187
PHONE: (815) 868-7803

DATE: 7-30-2024
SCALE: 1"=100'

JOB # 41423
DATE 7-30-2024
SCALE 1"=100'

BY: JCV
DRAWN: JCV
CHECK: JCV
DATE: 07-29-2024
SHEET # 1 of 1

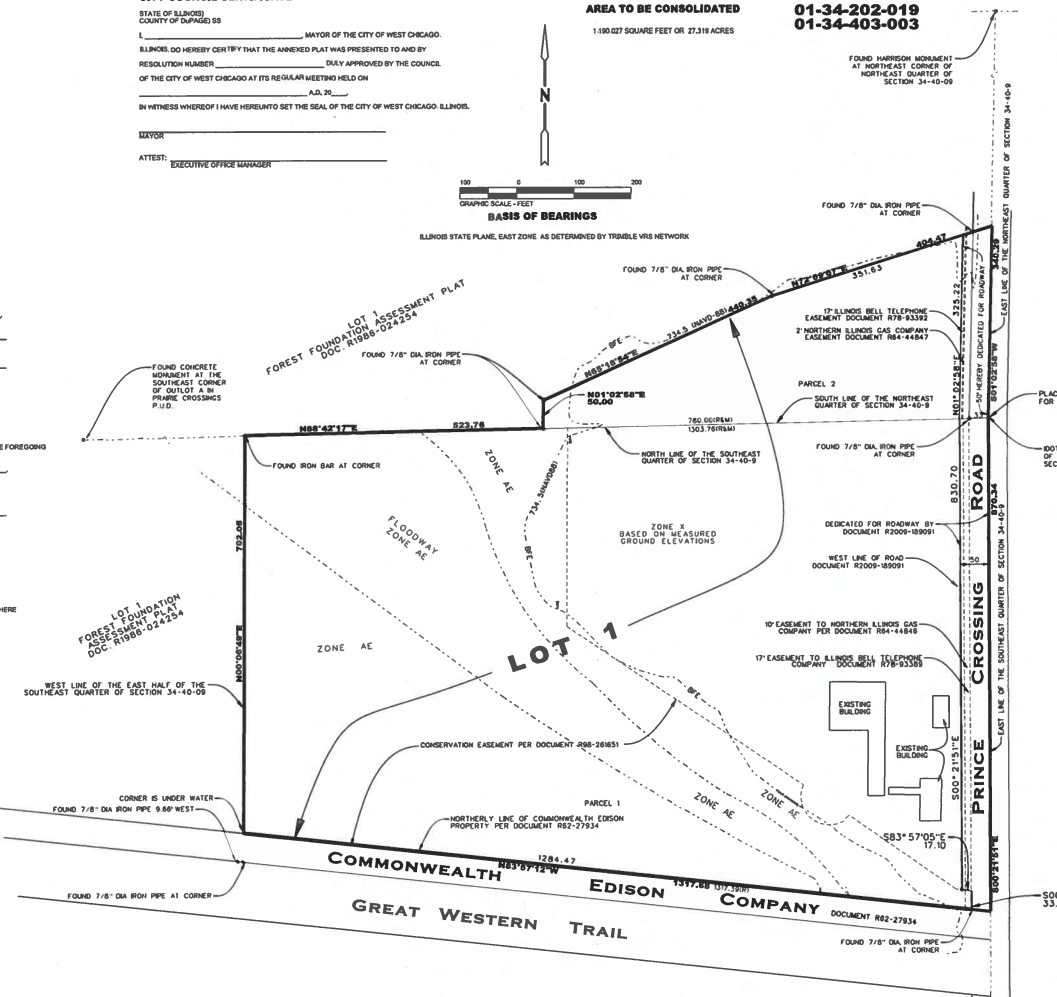
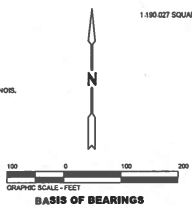



Table with columns: No., Date, Description, No., and Plat of Consolidation details including location, job number, date, scale, and sheet information.

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE: SRH Properties, LLC 1307 S Neltnor Blvd Special Use Permit – Third Amendment Ordinance No. 24-O-0028	AGENDA ITEM NUMBER: <u>4.B.</u>
	FILE NUMBER: _____
	COMMITTEE AGENDA DATE: Sept. 9, 2024
	COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP	SIGNATURE 
APPROVED BY CITY ADMINISTRATOR: Michael Guttman	SIGNATURE _____

ITEM SUMMARY:

SRH Properties, LLC has petitioned the City to amend the existing special use permit for a third time at 1307 S Neltnor Boulevard in the B-2 General Business District for a gas station on the property. The property received Special Use approval for a gas station in 1988 until it closed in early 2022. The gas pump canopy, convenience store, and car wash building remain on the site. The petitioner purchased the property in 2023 and intends to make several changes to the site. Among them include demolishing the convenience store, car wash building, and canopy. The petitioner is proposing to construct an 8,900 square foot commercial structure that will include a 6,249 square foot convenience store with a drive-through restaurant and two additional commercial spaces for future occupancy. A new canopy, slightly larger than the existing canopy, will be constructed over 10 pumps for a total of 20 vehicle positions. The petitioner also intends to reconfigure the parking lot with additional spaces to accommodate the proposed commercial building. Other improvements include restriping, new landscaping, and lighting.

At their September 4th meeting, members of the Plan Commission voted unanimously (5-0, with two absent) in support of the third amendment to the Special Use Permit.

ACTION PROPOSED:

Discuss and recommend approval of the requested Third Amendment to the Special Use Permit for 1307 S Neltnor Boulevard.

COMMITTEE RECOMMENDATION:

Attachments: Draft Special Use Permit Amendment Ordinance
 PC Report
 Plans

ORDINANCE NO. 24-O-0028

AN ORDINANCE GRANTING A THIRD AMENDMENT TO A SPECIAL USE PERMIT AT 1307 SOUTH NELTNOR BOULEVARD

WHEREAS, on or about April 17, 2024, SRH Properties, LLC, (the “APPLICANT”), filed an application for a third amendment to a special use for an existing gas station and convenience store, with respect to the property legally described on Exhibit “A” attached hereto and incorporated herein (the “SUBJECT REALTY”); and,

WHEREAS, the corporate authorities of the City of West Chicago granted the original gas station and car wash special use by Ordinance 88-O-2088 on August 15, 1988; and,

WHEREAS, the corporate authorities of the City of West Chicago granted a first amendment to the special use for a car wash by Ordinance 17-O-0012 on April 17, 2017; and,

WHEREAS, the corporate authorities of the City of West Chicago granted a second amendment to the special use for a car wash by Ordinance 18-O-0042 on April 17, 2017; and,

WHEREAS, Notice of Public Hearing on said amendment application was published in the Daily Herald on August 19, 2024, all 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 September 4, 2024; 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 which contains specific findings of fact, pursuant to Recommendation No.24-RC-0009, 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, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. A third amendment to a special use for a revised site plan for a gas station in conformance with Sections 5.5 and 10.3-4(G) of the Zoning Ordinance is hereby granted for the SUBJECT REALTY, subject to compliance with the following condition:

1. That the site be developed in substantial conformance with the following plans:

- a. Site Plan, consisting of one page (Sheet G1), prepared by Advantage Consulting Engineers, dated April 1, 2024 with a latest revision date of August 28, 2024.
 - b. Landscape Plan, consisting of one page (Sheet L1), prepared by G Studio, dated March 26, 2024 with a latest revision date of August 27, 2024.
 - c. Building Elevations, consisting of one page (Sheet A-2, prepared by Nova Design Building, Inc. dated August 19, 2024.
 - d. Floor Plan and Dumpster Enclosure Plan, consisting of one page (Sheet A-1), prepared by Nova Design Building, Inc. dated August 26, 2024.
2. That the columns on the proposed gas pump canopy be clad in brick and stone to match the building.

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

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

PASSED this ____ day of _____, 2024.

Alderman D. Beebe	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman C. Dettmann	_____
Alderman M. Birch-Ferguson	_____	Alderman S. Dimas	_____
Alderman J. Smith, Jr.	_____	Alderman C. Swiatek	_____
Alderman R. Stout	_____	Alderman J. Short	_____
Alderman J. Morano	_____	Alderman J. Banas	_____

APPROVED as to form: _____
City Attorney

APPROVED THIS ____ day of _____, 2024.

Mayor Ruben Pineda

ATTEST:

Executive Office Manager Valeria Perez

PUBLISHED: _____

EXHIBIT "A"

LEGAL DESCRIPTION

Lot 1 in Sonni Nguyen Shell Resubdivision, being a subdivision located in part of the southeast quarter of Section 15, Township 39 North, Range 9, East of the Third Principal Meridian, according to the plat thereof recorded October 26, 2015 as Document No. R2015-118259, in DuPage County, Illinois.

P.I.N.: 04-15-400-009.

EXHIBIT “B”

RECOMMENDATION 2024-O-0009

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-07
1307 S. Nelntor Boulevard
Third Amendment to a Special Use Permit

DATE: September 4, 2024

DECISION: The motion to approve the special use amendment request unanimously passed (5-0).

RECOMMENDATION

After review of the requested special use amendment, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval according to the following condition:

1. That the site be developed in substantial conformance with the following plans:
 - a. Site Plan, consisting of one page (Sheet G1), prepared by Advantage Consulting Engineers, dated April 1, 2024 with a latest revision date of August 28, 2024.
 - b. Landscape Plan, consisting of one page (Sheet L1), prepared by G Studio, dated March 26, 2024 with a latest revision date of August 27, 2024.
 - c. Building Elevations, consisting of one page (Sheet A-2, prepared by Nova Design Building, Inc. dated August 19, 2024.
 - d. Floor Plan and Dumpster Enclosure Plan, consisting of one page (Sheet A-1), prepared by Nova Design Building, Inc. dated August 26, 2024.
2. That the columns on the proposed gas pump canopy be clad in brick and stone to match the building.

After review of the requested special use amendment, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval according to the following findings of fact:

(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*****

A motor vehicle service station (i.e. gas station) 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 such as Illinois Route 59. Furthermore, the property has been used since 1988 as a gas station until its recent closure in 2022. 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 design of the proposed development for the use is similar with other previously approved motor vehicle service stations in the City and is relatively consistent with the layout of the previously approved gas station. The existing location of the access onto Route 59 and Dayton Avenue will remain the same for the new gas station. 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 proposed gas station use is consistent with other uses in the immediate vicinity near the intersection of Illinois Route 59 and Roosevelt Road. The use of the property will not change with the exception of the removal of the car wash use. The configuration of the property will remain relatively similar to the previously approved layout. 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:

A motor vehicle service station is listed as a special use in the B-2 Regional Shopping District, per Section 10.3-4 (G) of the West Chicago Zoning Code. Staff is of the opinion the petitioner has satisfied this finding.

Respectfully submitted,

Barbara Laimins
Chairman

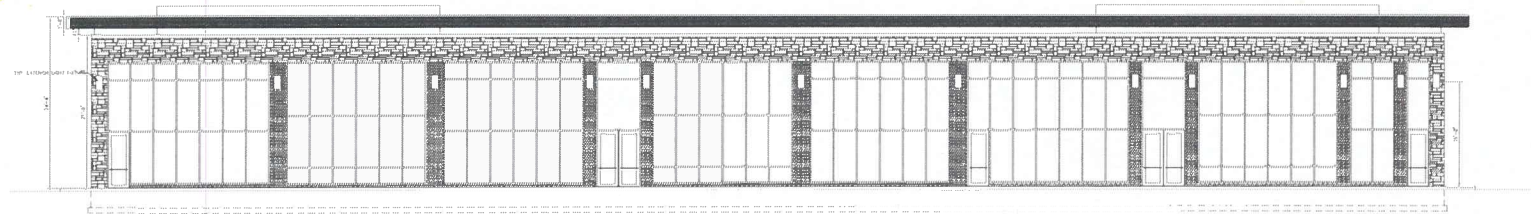
VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			Slattery
Banasiak			Kasprak
Henkin			
Billingsley			
Terrazas			

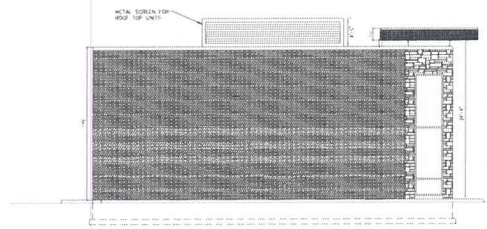
EXHIBIT “C”

(Insert Plans here)

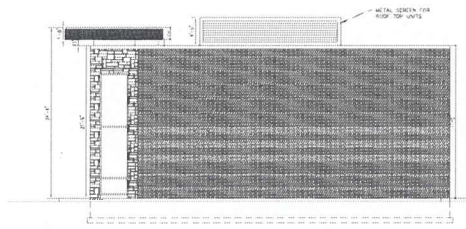
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1 PROP. WEST ELEVATION

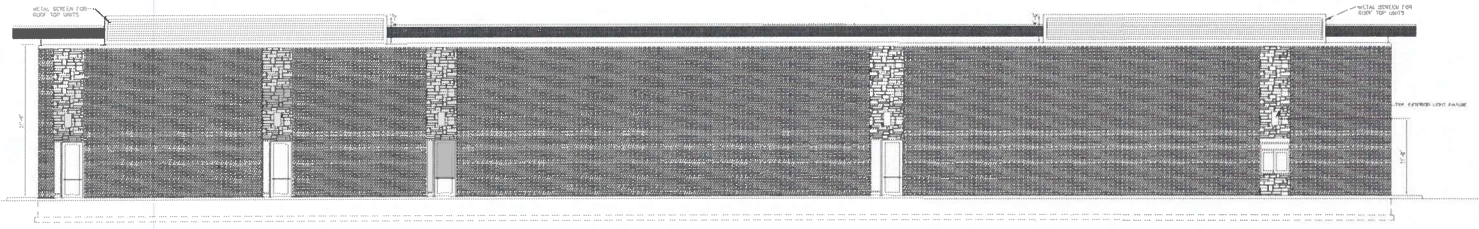


2 PROP. NORTH ELEVATION

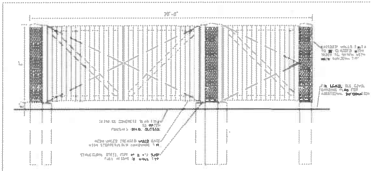


3 PROP. WEST ELEVATION

■ CLASSED METAL CLADDING
 ■ SEE ATTACHED DETAILS
 ■ EDGE HANDED CLADDING
 ■ SEE ATTACHED DETAILS
 ■ SEE METAL CLADDING
 ■ SEE ATTACHED DETAILS



4 PROP. EAST ELEVATION



2 DUMPSTER ENCLOSURE ELEVATION
 SEE SHEET A-1-01-004 FOR PLAN

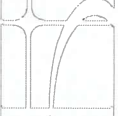
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NOTICE TO BIDDERS
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NOVA DESIGN BUILD, INC.
 ARCHITECTS ENGINEERS
 2044 TECHWAY ROAD NORTHBROOK, IL 60062
 P: (847) 514 0704 EMAIL: hprood@gmail.com

PROPOSED FAZE AND REBUILD CONCEPTUAL DESIGN
GAS STATION C-STORE RETAIL
 1307 S NELTNOR BLVD., WEST CHICAGO, IL 60185

CONCEPTUAL DESIGN	
NO.	DATE
01	06/15/24
02	06/17/24
DRAWN BY: [Signature]	
CHECKED BY: [Signature]	
REMARKS: [Text]	
PROGRESS PRINTING FOR CONCEPTUAL DESIGN REVIEW. APPROVED FOR PRINTING BY: ANNSA BUILDERS LLC	
DWG. NO. A-2	

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

The Kitchen Table
100 Hahndorf Street
Special Use Permit

Ordinance No. 24-O-0029

AGENDA ITEM NUMBER: 4. C.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Sept. 9, 2024

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael
Guttman

SIGNATURE _____

ITEM SUMMARY:

The Kitchen Table LLC has petitioned the City for approval of a Special Use permit at 100 Hahndorf in the R-6 Multi-Family Residential District for a school on the property. The petitioner has leased the space and intends to use 2,000 square feet of the building for training classes in the arts, such as music, culinary, art, and drama. This type of use is considered a *School* in the R-6 District and requires approval of a Special Use Permit. The petitioner is not planning any site improvements nor any exterior modifications to the building. The building has been served with existing parking stalls and the petitioner intends to continue utilizing these stalls for private classes. The petitioners will not live on the property.

At their September 4th meeting, members of the Plan Commission voted unanimously (5-0, with two absent) in support of the Special Use Permit.

ACTION PROPOSED:

Discuss and recommend approval of the requested Special Use Permit for 100 Hahndorf Street.

COMMITTEE RECOMMENDATION:

Attachments: Draft Special Use Permit Ordinance
 PC Report

ORDINANCE NO. 24-O-0029

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT AT
100 HAHNDORF STREET FOR A SCHOOL**

WHEREAS, on or about August 9, 2024, Aaron O’Brien of The Kitchen Table, LLC, (the “APPLICANT”), filed an application for a special use for a school, with respect to the property legally described on Exhibit “A” attached hereto and incorporated herein (the “SUBJECT REALTY”); and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on August 19, 2024, all 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 September 4, 2024; 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 which contains specific findings of fact, pursuant to Recommendation No.24-RC-0010, 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, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. A third amendment to a special use for a revised site plan for a gas station in conformance with Sections 5.5 and 9.7-4(A) of the Zoning Ordinance is hereby granted for the SUBJECT REALTY.

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

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

PASSED this ____ day of _____, 2024.

Alderman D. Beebe _____

Alderman L. Chassee _____

Alderman J. Sheahan _____
Ordinance 24-O-0029

Alderman H. Brown _____

Alderman A. Hallett _____

Alderman C. Dettmann _____

Alderman M. Birch-Ferguson _____

Alderman S. Dimas _____

Alderman J. Smith, Jr. _____

Alderman C. Swiatek _____

Alderman R. Stout _____

Alderman J. Short _____

Alderman J. Morano _____

Alderman J. Banas _____

APPROVED as to form: _____
City Attorney

APPROVED THIS _____ day of _____, 2024.

Mayor Ruben Pineda

ATTEST:

Executive Office Manager Valeria Perez

PUBLISHED: _____

EXHIBIT "A"

LEGAL DESCRIPTION

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN: THENCE NORTH 1 DEGREE 4 MINUTES EAST ALONG THE WEST LINE OF SAID SECTION 34, 2004.1 FEET FOR A PLACE OF BEGINNING: THENCE NORTH 1 DEGREE 4 MINUTES EAST ALONG THE SECTION LINE 157.4 FEET: THENCE EAST 254.1 FEET TO THE CENTER LINE OF HIGHWAY: THENCE SOUTH 15 DEGREES 24 MINUTES EAST ALONG CENTER LINE OF HIGH 163.3 FEET, THENCE WEST 300.4 FEET, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PIN 01-34-302-007

EXHIBIT "B"

RECOMMENDATION 2024-O-0010

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-12
100 Hahndorf Street
Special Use Permit for a School

DATE: September 4, 2024

DECISION: The motion to approve the special use permit unanimously passed (5-0).

RECOMMENDATION

After review of the requested special use amendment, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval. After review of the requested special use permit, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval according to the following findings of fact:

(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 as a *School* for small training classes at the location is ideal fronting a major commercial thoroughfare such as Illinois Route 59. 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 school use will be relatively consistent with the former office use that has taken place on the property for several decades. No site modifications are proposed that would negatively impact any adjacent properties. 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 proposed use of the property will not change significantly. The site and building will remain unchanged to keep the existing residential appearance and character of the property. 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:

A *school* is listed as a special use in the R-6 Multiple-Family District, per Section 9.7-4 (A) of the West Chicago Zoning Code. Staff is of the opinion the petitioner has satisfied this finding.

Respectfully submitted,

Barbara Laimins
Chairman

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			Slattery
Banasiak			Kasprak
Henkin			
Billingsley			
Terrazas			

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Trillium Farm
Zoning Map Amendment – ER-1 to R-5
Zoning Variances

Ordinance No. 24-O-0030
Ordinance No. 24-O-0031

AGENDA ITEM NUMBER: 4.D.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Sept. 9, 2024

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael
Guttman

SIGNATURE _____

ITEM SUMMARY:

Trillium Farm residential subdivision consists of 84 single-family home lots. The development was approved in 2020 by DuPage County and construction of the subdivision and all of the homes was completed summer 2024. Following completion of the development, the subdivision was annexed to the City of West Chicago on August 19, 2024 in accordance with a Pre-Annexation Agreement between the City and the developer, Pulte Homes. According to the pre-annexation agreement, the City shall conduct a public hearing after the annexation to consider the reclassification of the property from ER-1 Estate Residence to R-5 Single-Family Residence and the approval of zoning variations for certain setbacks and lot coverage.

Per Article V of the Pre-Annexation Agreement, the City shall conduct a public hearing to consider the passage of an ordinance amending the Zoning Map to reclassify the property from ER-1 Estate Residence to R-5 Single-Family Residence with zoning variances based on improvements that were previously approved by DuPage County, including:

1. A variance to allow a side yard setback of six (6) feet for all of the lots in lieu of the minimum required side yard setback equal to 10 percent for each lot;
2. A variance to allow a rear yard setback of 25 feet for lots 9-84 in lieu of the minimum required rear yard setback of 30 feet.
3. A variance to the allow a rear yard setback of 0 feet for lots 1-8 in lieu of the minimum required rear yard setback of 30 feet.
4. A maximum lot coverage of 65 percent for all of the lots in lieu of the maximum allowable lot coverage of 40%.

At their September 4th meeting, members of the Plan Commission voted unanimously (5-0, with two absent) in support of the Zoning Map Amendment and the Zoning Variances

ACTION PROPOSED:

Discuss and recommend approval of the Zoning Map Amendment from ER-1 Estate Residence to R-5 Single-Family Residence and the Zoning Variances.

COMMITTEE RECOMMENDATION:

Attachments: Draft Zoning Map Amendment Ordinance
Draft Zoning Variances Ordinances
PC Reports

ORDINANCE NO. 24-O-0030

AN ORDINANCE REZONING THE TRILLIUM FARM RESIDENTIAL SUBDIVISION FROM ER-1 ESTATE RESIDENCE TO R-5 SINGLE-FAMILY RESIDENTIAL EAST OF PURNELL ROAD AND SOUTH OF GARY'S MILL ROAD

WHEREAS, on August 3, 2020, the City of West Chicago (the "City") approved Resolution 20-R-0045, entering into a Pre-Annexation Agreement (the "Agreement") with Pulte Home Company, LLC (the "Developer") and Chicago Title Land Trust Company as successor Trustee to LaSalle Bank National Association, as Successor Trustee to American National Bank and Trust Company Chicago, as Trustee under a Trust Agreement dated February 25, 1987 and known as Trust No. 1029 (the "Owner"); and,

WHEREAS, the Agreement, among other things, provides for the eventual annexation of the 34.97 acre residential subdivision know as Trillium Farm (the "Property"), legally described on Exhibit "A", attached hereto and made a part of; and,

WHEREAS, the Property was annexed by the City of West Chicago on August 19, 2024 according to Ordinance 24-O-0025; and,

WHEREAS, per Article V of the Pre-Annexation Agreement, the City shall conduct a public hearing to consider the passage of an ordinance amending the Zoning Map to reclassify the property from ER-1 Estate Residence to R-5 Single-Family Residence; and,

WHEREAS, a Notice of Public Hearing on the zoning variances on the Property was published in the Daily Herald on August 19, 2024, all as required by the ordinances of the CITY and the statutes of the State of Illinois; and,

WHEREAS, all other notices required by law have been given; and,

WHEREAS, a public hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago on September 4, 2024, pursuant to said Notice; and,

WHEREAS, the corporate authorities of the CITY have received the recommendation of the Plan Commission/Zoning Board of Appeals, which contains specific findings of fact, pursuant to Recommendation No. 24-RC-0011, a copy of which is attached hereto as Exhibit "B" which is, by this reference, made a part hereof.

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. That the Property is hereby rezoned from the ER-1 Estate Residence District to the R-5 Single-Family Residence District zoning classification.

Section 2. That the recommendation and findings of fact of the Plan Commission/Zoning Board of Appeals previously incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this ____ day of _____, 2024.

Alderman D. Beebe	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman C. Dettmann	_____
Alderman M. Birch-Ferguson	_____	Alderman S. Dimas	_____
Alderman J. Smith, Jr.	_____	Alderman C. Swiatek	_____
Alderman R. Stout	_____	Alderman J. Short	_____
Alderman J. Morano	_____	Alderman J. Banas	_____

APPROVED as to form: _____
City Attorney

APPROVED THIS ____ day of _____, 2024.

Mayor Ruben Pineda

ATTEST:

Executive Office Manager Valeria Perez

PUBLISHED: _____

Exhibit "A"

SUBJECT PROPERTY LEGAL DESCRIPTION

Lots 37 through 55, and outlots B, C, And D, of the Final Plat of Subdivision for Trillium Farm Phase 1, being a part of the north half of Section 23, Township 39 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded July 29, 2020 as document R2020-081360, in Dupage County, Illinois.

Lots 1 through 8, lots 30 through 36, and lots 56 through 84 of the Final Plat of Subdivision for Trillium Farm Phase 2, being a part of north half of Section 23, Township 39 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded July 30, 2021 as document R2021-115128, in Dupage County, Illinois.

Lots 9 through 29 of the Final Plat of Subdivision for Trillium Farm Phase 3, being a part of north half of Section 23, Township 39 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded May 5, 2022 as document R2022-045270, in Dupage County, Illinois.

PIN(s): 04-23-102-028; 04-23-102-027; 04-23-102-026; 04-23-102-025; 04-23-102-024; 04-23-102-023; 04-23-102-022; 04-23-102-021; 04-23-102-050; 04-23-102-049; 04-23-102-048; 04-23-102-047; 04-23-102-046; 04-23-102-045; 04-23-102-044; 04-23-102-043; 04-23-102-042; 04-23-102-041; 04-23-102-040; 04-23-102-039; 04-23-102-038; 04-23-102-037; 04-23-102-036; 04-23-102-035; 04-23-102-034; 04-23-102-033; 04-23-102-032; 04-23-102-031; 04-23-102-030; 04-23-102-020; 04-23-102-019; 04-23-102-018; 04-23-102-017; 04-23-102-016; 04-23-102-015; 04-23-102-014; 04-23-102-012; 04-23-102-011; 04-23-102-010; 04-23-102-009; 04-23-102-008; 04-23-102-007; 04-23-102-006; 04-23-102-005; 04-23-102-004; 04-23-102-003; 04-23-102-002; 04-23-103-002; 04-23-103-003; 04-23-103-004; 04-23-103-005; 04-23-103-006; 04-23-103-007; 04-23-103-008; 04-23-103-009; 04-23-103-010; 04-23-103-011; 04-23-103-012; 04-23-103-013; 04-23-103-014; 04-23-103-015; 04-23-103-016; 04-23-103-017; 04-23-103-018; 04-23-103-019; 04-23-104-012; 04-23-104-013; 04-23-104-014; 04-23-104-015; 04-23-104-016; 04-23-104-017; 04-23-104-018; 04-23-104-019; 04-23-104-001; 04-23-104-002; 04-23-104-003; 04-23-104-004; 04-23-104-005; 04-23-104-006; 04-23-104-007; 04-23-104-008; 04-23-104-009; 04-23-104-010; 04-23-104-011; 04-23-102-029; 04-23-102-013; 04-23-102-001; 04-23-103-001; and 04-23-104-020.

Exhibit "B"

RECOMMENDATION # 24-RC-0010

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-11
Rezoning from ER-1 Estate Residence to R-5 Single-Family Residence
Trillium Farm Subdivision

DATE: September 4, 2024

DECISION: A motion to approve the proposed rezoning passed (5-0).

RECOMMENDATION

After review of the proposed rezoning, the Plan Commission/Zoning Board of Appeals recommends approval. The recommendation is based on the following findings of fact:

1. The existing uses and zoning of the property in question.

The subject property is developed with 84 single-family home lots that average roughly 9,000 square feet in size with average lot widths ranging from 50 feet to 60 feet in the ER-1 Estate Residence District.

2. The existing uses and zoning of other lots in the vicinity.

The subject property is located in a predominately residential area in unincorporated DuPage County.

3. Suitability of the property in question for uses already permitted under the existing regulations.

The existing lots and improvements in the development are not compatible with the ER-1 District. The development was zoned ER-1 following annexation to the City because this is the default zoning district for any property annexed to the City until such time a property is rezoned. The size of the existing lots conforms to the R-5 District rather than the ER-1 District.

4. Suitability of the property in question for the proposed use.

The property was approved and developed as a single-family residential subdivision in unincorporated DuPage County. The use of the property as this will not change nor will any of the properties be further subdivided.

5. The trend of development in the vicinity of the property in question, including any recent zoning activity.

The trend in the development in the general area will not substantially change and will remain residential.

6. *The effect the proposed rezoning would have on implementation of the Comprehensive Plan.*

The City's Comprehensive Plan identifies the property and general surrounding area as single-family residential.

7. *Impact on surrounding properties.*

The proposed rezoning will not affect the surrounding properties. The development has already been approved and constructed while located in unincorporated DuPage County. No changes to the use or development are proposed.

8. *Impact on health, safety, or welfare of the community.*

The proposed rezoning will not have a detrimental impact on the health, safety, nor welfare of the community. The rezoning is to place the development into a zoning district that will make the lots conforming with the Zoning Code.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Henkin			Slattery
Terrazas			Kasprak
Banasiak			
Laimins			
Billingsley			

ORDINANCE NO. 24-O-0031

AN ORDINANCE GRANTING CERTAIN ZONING VARIATIONS FOR TRILLIUM FARM SUBDIVISION LOCATED ON THE EAST SIDE OF PURNELL ROAD, SOUTH OF GARY'S MILL ROAD

WHEREAS, on August 3, 2020, the City of West Chicago (the "City") approved Resolution 20-R-0045, entering into a Pre-Annexation Agreement (the "Agreement") with Pulte Home Company, LLC (the "Developer") and Chicago Title Land Trust Company as successor Trustee to LaSalle Bank National Association, as Successor Trustee to American National Bank and Trust Company Chicago, as Trustee under a Trust Agreement dated February 25, 1987 and known as Trust No. 1029 (the "Owner"); and,

WHEREAS, the Agreement, among other things, provides for the eventual annexation of the 34.97 acre residential subdivision know as Trillium Farm (the "Property"), legally described on Exhibit "A", attached hereto and made a part of; and,

WHEREAS, the Property was annexed by the City of West Chicago on August 19, 2024 according to Ordinance 24-O-0025; and,

WHEREAS, per Article V of the Pre-Annexation Agreement, the City shall conduct a public hearing to consider the approval of zoning variances on the Property based on improvements that were previously approved by DuPage County; and,

WHEREAS, a Notice of Public Hearing on the zoning variances on the Property was published in the Daily Herald on August 19, 2024, all as required by the ordinances of the CITY and the statutes of the State of Illinois; and,

WHEREAS, all other notices required by law have been given; and,

WHEREAS, a public hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago on September 4, 2024, pursuant to said Notice; and,

WHEREAS, the corporate authorities of the CITY have received the recommendation of the Plan Commission/Zoning Board of Appeals, which contains specific findings of fact, pursuant to Recommendation No. 24-RC-0012, a copy of which is attached hereto as Exhibit "B" which is, by this reference, made a part hereof.

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. That the Property is hereby granted the following zoning variances:

1. A variance to allow a side yard setback of six (6) feet for all of the lots in lieu of the minimum required side yard setback equal to 10 percent for each lot;
2. A variance to allow a rear yard setback of 25 feet for lots 9-84 in lieu of the minimum required rear yard setback of 30 feet.

3. A variance to the allow a rear yard setback of 0 feet for lots 1-8 in lieu of the minimum required rear yard setback of 30 feet.
4. A maximum lot coverage of 65 percent for all of the lots in lieu of the maximum allowable lot coverage of 40%.

Section 2. That the recommendation and findings of fact of the Plan Commission/Zoning Board of Appeals previously incorporated herein as Exhibit “B” be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this ____ day of _____, 2024.

Alderman D. Beebe	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman C. Dettmann	_____
Alderman M. Birch-Ferguson	_____	Alderman S. Dimas	_____
Alderman J. Smith, Jr.	_____	Alderman C. Swiatek	_____
Alderman R. Stout	_____	Alderman J. Short	_____
Alderman J. Morano	_____	Alderman J. Banas	_____

APPROVED as to form: _____
City Attorney

APPROVED THIS ____ day of _____, 2024.

Mayor Ruben Pineda

ATTEST:

Executive Office Manager Valeria Perez

PUBLISHED: _____

Exhibit "A"

PROPERTY LEGAL DESCRIPTION

Lots 37 through 55, and outlots B, C, And D, of the Final Plat of Subdivision for Trillium Farm Phase 1, being a part of the north half of Section 23, Township 39 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded July 29, 2020 as document R2020-081360, in Dupage County, Illinois.

Lots 1 through 8, lots 30 through 36, and lots 56 through 84 of the Final Plat of Subdivision for Trillium Farm Phase 2, being a part of north half of Section 23, Township 39 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded July 30, 2021 as document R2021-115128, in Dupage County, Illinois.

Lots 9 through 29 of the Final Plat of Subdivision for Trillium Farm Phase 3, being a part of north half of Section 23, Township 39 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded May 5, 2022 as document R2022-045270, in Dupage County, Illinois.

PIN(s): 04-23-102-028; 04-23-102-027; 04-23-102-026; 04-23-102-025; 04-23-102-024; 04-23-102-023; 04-23-102-022; 04-23-102-021; 04-23-102-050; 04-23-102-049; 04-23-102-048; 04-23-102-047; 04-23-102-046; 04-23-102-045; 04-23-102-044; 04-23-102-043; 04-23-102-042; 04-23-102-041; 04-23-102-040; 04-23-102-039; 04-23-102-038; 04-23-102-037; 04-23-102-036; 04-23-102-035; 04-23-102-034; 04-23-102-033; 04-23-102-032; 04-23-102-031; 04-23-102-030; 04-23-102-020; 04-23-102-019; 04-23-102-018; 04-23-102-017; 04-23-102-016; 04-23-102-015; 04-23-102-014; 04-23-102-012; 04-23-102-011; 04-23-102-010; 04-23-102-009; 04-23-102-008; 04-23-102-007; 04-23-102-006; 04-23-102-005; 04-23-102-004; 04-23-102-003; 04-23-102-002; 04-23-103-002; 04-23-103-003; 04-23-103-004; 04-23-103-005; 04-23-103-006; 04-23-103-007; 04-23-103-008; 04-23-103-009; 04-23-103-010; 04-23-103-011; 04-23-103-012; 04-23-103-013; 04-23-103-014; 04-23-103-015; 04-23-103-016; 04-23-103-017; 04-23-103-018; 04-23-103-019; 04-23-104-012; 04-23-104-013; 04-23-104-014; 04-23-104-015; 04-23-104-016; 04-23-104-017; 04-23-104-018; 04-23-104-019; 04-23-104-001; 04-23-104-002; 04-23-104-003; 04-23-104-004; 04-23-104-005; 04-23-104-006; 04-23-104-007; 04-23-104-008; 04-23-104-009; 04-23-104-010; 04-23-104-011; 04-23-102-029; 04-23-102-013; 04-23-102-001; 04-23-103-001; and 04-23-104-020.

Exhibit “B”

RECOMMENDATION # 24-RC-0011

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-11
Zoning Variances
Trillium Farm Subdivision
East of Purnell Road, South of Gary’s Mill Road

DATE: September 5, 2024

DECISION: A motion to approve the zoning variances passed (5-0).

RECOMMENDATION

Per Section 5.4-4 of the Zoning Code, the Plan Commission/Zoning Board of Appeals shall recommend a variation only upon making findings of fact based on evidence presented for the variations. The following draft findings of fact are offered for consideration by the Plan Commission/Zoning Board of Appeals:

- (1) *The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or loss of revenue, if the strict letter of the regulations were carried out:*

The subject property was approved in DuPage County as a Planned Unit Development which included approval of the setbacks and lot coverage currently being sought for zoning variations.

- (2) *The condition upon which the requested variances are based would not be applicable, generally, to other property within the same zoning classification:*

The development is unique in that it was planned, approved, and constructed all in DuPage County. The existing conditions seeking variances from the Zoning Code were approved as part of the public process within DuPage County.

- (3) *The alleged difficulty or hardship has not been created by any person presently having an interest in the property:*

As previously mentioned, the subject property was approved in DuPage County as a Planned Unit Development which included approval of the setbacks and lot coverage currently being sought for zoning variations.

- (4) *The granting of the variances will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located:*

Granting the variations within the development will not have any impact on properties surrounding the development. The granting of the variations will bring all of the lots into

conformance with the Zoning Code rather than allowing the lots to remain as nonconforming, which could have an impact on property values.

- (5) *The proposed variances will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values within the neighborhood:*

The proposed variances are to address existing conditions. Those existing conditions are not currently impairing or impacting the supply of light or air to adjacent properties nor are they increasing the congestion of public streets, increasing the danger of fire, or endangering public safety. The granting of the variations will bring all of the lots into conformance with the Zoning Code to strengthen property values. If the lots remain as nonconforming, the ability to rebuild any damaged improvement on the property is diminished and could therefore have a negative impact on property values.

- (6) *The proposed variances comply with the spirit and intent of the restrictions imposed by this Code:*

The variances will bring previously approved conditions into compliance with the West Chicago Zoning Code and eliminate nonconformity with the Code.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Henkin			Slattery
Terrazas			Kasprak
Banasiak			
Laimins			
Billingsley			