

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET
DEVELOPMENT COMMITTEE

**Monday, December 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. November 11, 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. **Zoning Text Amendment** – A text amendment is proposed to allow Day Care Facilities, without regard to age, by right in the B-2 and M Districts. Plan Commission members supported the Amendment (24-O-0052) unanimously.
 - B. **Turner School** – School District 33 proposes to construct a new 17-stall parking lot with improved drop-off along a new sidewalk, combined with improvements to the existing parking lot. Plan Commission members supported the Ordinance (24-O-0037) unanimously.

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60185

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Ruben Pineda
MAYOR

Michael L. Guttman
CITY ADMINISTRATOR

5. Items for Discussion

C. **Fair Housing Text Amendment** – To be eligible for Community Development Block Grant Funding, the City needs to update its Fair Housing Action Plan. Requirements for training and online publication must be added and are spelled out in 24-O-0051. This did not need to go before the Plan Commission for consideration as it is not a zoning item.

6. Unfinished Business

7. New Business

8. Reports from Staff

9. Adjournment – Next Meeting January 13, 2025

MINUTES
DEVELOPMENT COMMITTEE

November 11, 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. and asked for a moment of silence to honor veterans on Veteran's Day.

Roll call found Aldermen John Banas, Melissa Birch Ferguson, Lori Chassee, Jayme Sheahan, and Rebecca Stout present. Alderman Christopher Swiatek attended via telephone. Alderman Stout announced a quorum.

Also in attendance were Community Development Director, Tom Dabareiner, Assistant Director of Community Development, John Sterrett and Economic Development Director, Kelley Chrisse.

2. Approval of Minutes.

A. October 14, 2024.

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

3. Public Participation. None.

4. Items for Consent.

A. Zoning Text Amendment – A text amendment is proposed to allow data centers in the M-Manufacturing District (24-O-0042). Plan Commission members supported the Amendment unanimously.

B. Redwood Apartments – A Zoning Map Amendment (24-O-0043), Preliminary Plat and Planned Unit Development (24-O-0044) are all required as part of the approval of the 139-unit Redwood Apartments to be located north of the intersection of Route 64 and Atlantic Drive. Plan Commission members supported the Ordinances unanimously.

C. Pioneer School – School District 33 proposes to construct an 18-stall parking lot on the east side of the building. A Zoning Map Amendment (24-O-0039) and Special

Use Permit (24-O-40) are required. Plan Commission members supported the Ordinances unanimously.

- D. Lemay Middle School** – School District 33 proposes to expand its parking lot with 96 new stalls. The school requires a Special Use Permit (24-O-0038). Plan Commission members supported the Ordinance unanimously.
- E. Woodland Court** – Habitat for Humanity seeks to construct four townhouse buildings (with 4-units each), however the property is zoned R-3 Single Family. The zoning must be revised to R-6 Multi-Family (24-O-0041) before a townhouse development may occur. Plan Commission members supported the Ordinance unanimously.

At the request of Alderman Chassee, Item E was pulled from the Consent Agenda for further discussion.

Alderman Banas moved, and Alderman Sheahan seconded a motion to approve Items for Consent A, B, C and D. Voting Aye: Aldermen Banas, Birch Ferguson, Sheahan, Stout and Swiatek. Voting to Abstain: Alderman Chassee.

5. Items for Discussion

- A. Downtown Retail and Restaurant Grant Program** – Comprehensive revisions are being sought by the Economic Development Commission to make the program more accessible and user-friendly. Staff will highlight the changes and recommend approval of 24-R-0085.

Kelley Chrise provided a staff update and highlighted the enhancements and changes to the proposed program. The Economic Development Commission recommended unanimous approval of the revisions and an annual budget of \$30,000.00 at their October 2024 meeting.

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

- B. Downtown Investment Program** – A new program is proposed by the Economic Development Commission, which would replace the underutilized Façade Grant Program. The goal is to create a more attractive and user-friendly program. Staff will highlight the changes and recommend approval of 24-O-0044.

Kelley Chrise provided a staff update. She explained the overall intent is to not only enhance the exteriors but to help to modernize the buildings in the downtown that may have outdated systems. The program revisions hope to attract more businesses and increase the amount of funding per project. The budget request is for \$125,000.00

and the funding levels would be awarded on a level of impact and scope of work. The Economic Development Commission also recommended unanimous approval at their last meeting.

Alderman Chassee cautioned that if staff provides a list of contractors, that it be made clear the City does not and cannot endorse any contractor's business nor attest to the quality of their workmanship. Ms. Chrisse agreed. Alderman Swiatek asked if property owners may receive multiple grant awards, and Ms. Chrisse explained the parameters for each program.

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

Discussion ensued regarding Item 4. E., the Zoning Amendment to Woodland Court.

Alderman Chassee asked about the fencing and light protection requirements. John Sterrett said fencing is not required and street lighting will still have to be determined by engineering. Alderman Chassee urged that more separation be ensured between this multi-family development and the backyards of the affected residents' properties along Easton Avenue.

The Director of Construction for Habitat for Humanity, Chris Stello, was recognized to speak. He stated they would be happy to comply with the wishes of the neighbors. Alderman Chassee expressed the need for a fence.

Alderman Chassee moved, and Alderman Banas seconded a motion to approve Item for Consent 4. E. Voting Aye: Aldermen Banas, Birch Ferguson, Chassee, Sheahan, Stout and Swiatek.

6. Unfinished Business. None.

7. New Business. None.

8. Reports from Staff.

Turner School parking lot expansion continued to December Plan Commission meeting.

9. Adjournment.

Alderman Banas moved to adjourn the meeting at 6:25 p.m., and Alderman Chassee seconded the motion. With a voice vote of all ayes, the motion carried.

Respectfully submitted,
Jane Burke

Development Committee Minutes
November 11, 2024

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Zoning Text Amendment
Daycare Facilities

Ordinance No. 24-O-0052

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

Staff drafted an amendment to the Zoning Code to change the definition of a *Day care center* (Daycare Facility). The definition currently refers to the definition of a *Nursery school*, which is defined as “An establishment for the part-time care and/or instruction at any time of day of five (5) or more unrelated children of pre-elementary school age.” The current definition does not allow for anyone older than essentially 5 years of age to be placed within a Daycare Facility. This is not a practical definition and staff is of the opinion that no age limit should be placed on the definition of a Daycare Facility. All Daycare Facilities, regardless of the age they specialize in, should be permitted. Allowing Daycare Facilities that specialize in adult daycare is in keeping with the City’s Comprehensive Plan, which recommends placing emphasis on this type of care in the community.

Furthermore, staff is proposing to permit a Daycare Facility by right in the B-2 General Business District, which currently requires a Special Use Permit, as well as in the M Manufacturing District, which is currently not permitted at all. A Daycare Facility is already permitted by right in the B-3 Regional Shopping District with no special use permit required. Staff is of the opinion that the same should be for the B-2 General Business District. The Comprehensive Plan recommends allowing Daycare Facilities as a permitted use in the M Manufacturing District to support workers within this district.

At their December 3rd meeting, members of the Plan Commission voted unanimously (4-0, with three absent) in support of the proposed Zoning Text Amendment.

ACTION PROPOSED:

Discuss and recommend approval of the proposed Zoning Text Amendment.

COMMITTEE RECOMMENDATION:

Attachments: Proposed Zoning Text Amendment
 Draft Ordinance 24-O-0052
 Plan Commission Report and Recommendation to the City Council

ORDINANCE NO. 24-O-0052

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A, THE ZONING CODE SECTION 4.1, SECTION 10.3-3, SECTION 10.3-4, AND SECTION 11.2-3 RELATING TO DAYCARE FACILITIES

WHEREAS, the City of West Chicago periodically reviews the text of the Zoning Code for consistency with current trends in development and land use; and

WHEREAS, an increase in demand for day care centers for adults has been seen throughout the region; and

WHEREAS, the current definition of a day care center contained in Section 4.1 of Appendix A of the Code of Ordinances does not allow for anyone older than essentially five years of age to be placed within a day care center; and

WHEREAS, allowing Daycare Facilities that specialize in adult daycare is in keeping with the City's Comprehensive Plan, which recommends placing emphasis on this type of care in the community; and

WHEREAS, the City's Comprehensive Plan describes day care centers as an essential work supportive use that should be permitted in the City's M Manufacturing District,

WHEREAS, a day care center is permitted by right only in the B-3 Regional Shopping District and permitted by special use only in the B-1 Central Business District and in the B-2 General Business District; and

WHEREAS, the City of West Chicago has proposed an amendment to the text of Section 4.1, Section 10.3-3, Section 10.3-4, and Section 11.2-3 of the Zoning Code, Appendix A of the Code of Ordinances of the City of West Chicago; and

WHEREAS, Notice of Public Hearing on said amendment was published in the Daily Herald on or about November 18, 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 on December 3, 2024 pursuant to said Notice; and

WHEREAS, at the Public Hearing 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-0021, a copy of which is attached hereto as Exhibit "A" which is, by this reference, made a part hereof.

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. That Section 4.1 (Definitions – Construction of Terms), of Article IV, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to delete the definition of a *Day care center* and to add a definition for a *Daycare Facility* as shown below:

~~“Day care center: See “Nursery School,” per state standards.~~

Daycare Facility: A facility providing care for five (5) or more people during only part of a 24-hour day. Such care may also include instruction. This does not include public and private school nor any facility offering care to people for a full 24-hour period.”

Section 2. That Section 10.3-3 (Business – B-2 General Business District – Permitted Uses), of Article X, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to add the use of a *Daycare Facility* as a permitted use in the B-2 General Business District, as shown below:

“(PP) Daycare Facility”

Section 3. That Section 10.3-4 (Business – B-2 General Business District – Special Uses), of Article X, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to remove the use of a *Daycare Facility* as a special use in the B-2 General Business District, as shown below:

~~“(H) Daycare Facilities”~~

Section 4. That Section 11.2-3 (Manufacturing – M Manufacturing District – Permitted Uses), of Article XI, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to add the use of a *Daycare Facility* as a permitted use in the M Manufacturing District, as shown below:

“(JJ) Daycare Facility”

Section 5. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 6. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this _____ day of _____, 20____.

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 _____, 20____.

Mayor Ruben Pineda

ATTEST:

Executive Office Manager Valeria Perez

PUBLISHED: _____

EXHIBIT “A”

RECOMMENDATION # 24-RC-0021

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-20
Proposed Zoning Text Amendment to Section 4.1 (Construction of Terms), Section 10.3-3 (B-2 General Business District – Permitted Uses), Section 10.3-4 (B-2 General Business District – Special Uses), and Section 11.2-3 (M Manufacturing District – Permitted Uses) of Appendix A (the Zoning Code), of the Code of Ordinances of the City of West Chicago.

DATE: December 3, 2024

DECISION: The motion to recommend approval of the proposed amendment was approved by a vote of four (4) “yes” and zero (0) “no”.

RECOMMENDATION:

After a review of the proposed Zoning Text Amendment as presented, the Plan Commission/Zoning Board of Appeals finds that the proposed Amendment does not pose a threat to the health, safety and welfare of the community. It is the Commission’s opinion that the proposed Amendment will be beneficial to the City of West Chicago.

The Amendment is in keeping with the purpose of the Zoning Code and the Comprehensive Plan. The Plan Commission is of the opinion that the proposed amendments will protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity and the general welfare of the citizens of West Chicago community.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

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

**Proposed Text Amendments to Appendix A (Zoning Code)
of the Code of Ordinances of the City of West Chicago
Daycare Facilities**

Underline = New Text; ~~Strikethrough~~ = Deleted Text

ARTICLE IV
Definitions

1. **Amend Section 4.1 (Definitions – Construction of Terms) to delete the term and definition of a Day care center, and to add the term and definition of Daycare Facility.**

~~Day care center: See “Nursery School,” per state standards.~~

Daycare Facility: A facility providing care for five (5) or more people during only part of a 24-hour day. Such care may also include instruction. This does not include public and private school nor any facility offering care to people for a full 24-hour period.

ARTICLE X
Business

2. **Amend Section 10.3-3 (Business – B-2 General Business District – Permitted Uses) to allow a Daycare Facility as a permitted use in the B-2 General Business District**

(PP) Daycare Facility

3. **Amend Section 10.3-4 (Business – B-2 General Business District – Special Uses) to remove a Daycare Facility as a special use in the B-2 General Business District**

(H) ~~Daycare Facilities~~

ARTICLE XI
Manufacturing

4. **Amend Section 11.2-3 (Manufacturing – M Manufacturing District – Permitted Uses) to allow a Daycare Facility as a permitted use in the M Manufacturing District**

(JJ) Daycare Facility

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE
AGENDA ITEM SUMMARY

ITEM TITLE:

Special Use Permit
Turner Elementary School
750 Ingaltton Avenue

Ordinance No. 24-O-0037

AGENDA ITEM NUMBER: 4.B.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Dec. 9, 2024

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

West Chicago Elementary School District 33 is proposing to reconfigure the existing parking lot and construct a new parking lot immediately south of the existing parking lot at Turner Elementary School. The School District is proposing these improvements to improve student drop-off. The location and dimensions of the proposed parking lot and reconfigured parking lot comply with Zoning Code. The property does not have a formalized Special Use Permit for an elementary school. With the proposed changes to the property, the petitioner is seeking to formally obtain a Special Use Permit as an elementary school.

At their December 3rd meeting, members of the Plan Commission voted unanimously (4-0, with three absent) in support of the proposed Special Use Permit.

ACTION PROPOSED:

Discuss and recommend approval of the proposed Special Use Permit.

COMMITTEE RECOMMENDATION:

Attachments: Draft Ordinance 24-O-0037
Plan Commission Report and Recommendation to the City Council

ORDINANCE NO. 24-O-0037

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AT TURNER ELEMENTARY SCHOOL FOR A SCHOOL 750 INGALTON AVENUE

WHEREAS, on or about September 9, 2024, West Chicago School District 33, (the “APPLICANT”), filed an application for a Special Use Permit 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 October 21, 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 November 6, 2024 and on December 3, 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-0020, 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 Special Use Permit for a school in conformance with Sections 5.5 and 9.2-4(A) of the Zoning Ordinance is hereby granted for the SUBJECT REALTY, subject to compliance with the following conditions:

1. That the site be developed in substantial conformance with the following plans:
 - a. Site Layout Plan, consisting of one page (Sheet C200.T), prepared by RASmith, dated November 1, 2024.
 - b. Site and Grading Plan for Drive to National Street, consisting of one page (Sheet C400.T), prepared by RA Smith, dated November 1, 2024
 - c. Landscape Plan, consisting of one page (Sheet L100.T), prepared by RASmith, dated September 6, 2024.

2. The existing ADA sidewalk curb ramp south of James Avenue on both the west and east sides of Ingaltan Avenue shall be removed and restored with B.6-12 curb and gutter and necessary parkway restoration.
3. An ADA sidewalk curb ramp shall be installed in the southwest quadrant of Ingaltan Avenue and James Avenue for east-west pedestrian crossing.
4. An ADA curb ramp on the south side of National Street shall be removed and shall be realigned perpendicular to the proposed ADA sidewalk curb ramp on the north side.
5. At the time of submission of an application for a permit for the proposed work, the petitioner shall prepare and submit a landscape plan in substantial compliance with the Landscape Plan, consisting of one page (Sheet L100.T), prepared by RASmith, dated September 6, 2024, except that the proposed driveway to National Street shall match, in location and size, the same driveway as is shown on the aforementioned Site Layout Plan.
6. The gate located at the parking lot entrance for the south parking lot at Ingaltan Avenue shall be equipped with a Knox padlock, as approved by the West Chicago Fire Protection District.

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

THAT PART OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 9, DESCRIBED BY COMMENCING AT THE DIVISION CORNER IN THE WEST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 3; THENCE EAST ALONG THE DIVISION LINE, 683 FEET; THENCE SOUTH PARALLEL WITH THE SECTION LINE, 423.1 FEET MORE OR LESS TO AN OLD IRON PIPE, AT AN OLD FENCE CORNER FOR A POINT OF BEGINNING; THENCE EAST ALONG SAID OLD FENCE LINE, 796.4 FEET MORE OR LESS TO THE CENTER LINE OF SAID INGALTON AVENUE (AS FORMERLY LOCATED); THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF SAID INGALTON AVENUE (AS FORMERLY LOCATED) 438.8 FEET MORE OR LESS TO THE NORTH LINE OF THE PARK VIEW ADDITION TO WEST CHICAGO, ILLINOIS; THENCE WEST ALONG SAID NORTH LINE 904.8 FEET MORE OR LESS TO A POINT 683 FEET EAST OF THE WEST LINE OF SAID SECTION 3, THENCE NORTH PARALLEL WITH SAID WEST LINE OF SAID SECTION 3, 445.3 FEET MORE OR LESS TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS, (EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 9, DESCRIBED BY COMMENCING AT THE DIVISION CORNER IN THE WEST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 3; THENCE EAST ALONG SAID DIVISION LINE, 683 FEET; THENCE SOUTH PARALLEL WITH SAID SECTION LINE 423.1 FEET MORE OR LESS TO AN OLD IRON PIPE AT AN OLD FENCE CORNER; THENCE EAST ALONG SAID OLD FENCE LINE 796.4 FEET MORE OR LESS TO THE CENTER OF INGALTON AVENUE (AS FORMERLY LOCATED); THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID INGALTON AVENUE (AS FORMERLY LOCATED) 246.5 FEET MORE OR LESS TO A POINT OF BEGINNING; THENCE WEST PARALLEL WITH SAID DIVISION LINE 214.8 FEET; THENCE SOUTH AT RIGHT ANGLES WITH SAID DIVISION LINE 187.25 FEET TO THE NORTH LINE OF PARK VIEW ADDITION TO WEST CHICAGO; THENCE EAST ALONG SAID NORTH LIKE, 258.54 FEET MORE OR LESS TO THE CENTER OF INGALTON AVENUE (AS FORMERLY LOCATED); THENCE NORTHWESTERLY ALONG SAID CENTER LINE 192.3 FEET MORE OR LESS TO THE POINT OF BEGINNING).

PIN 04-03-100-033

EXHIBIT “B”

RECOMMENDATION 2024-O-0020

TO: The Honorable Mayor and City Council

SUBJECT: PC 24-15
750 Ingaltan Avenue
Special Use Permit for a School

DATE: December 3, 2024

DECISION: The motion to approve the special use permit unanimously passed (4-0).

RECOMMENDATION

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 property has been used as a school for several decades and was located within a neighborhood to serve the needs of the students .

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

The proposed parking reconfiguration and new parking lot, each with a dedicated drop-off lane, will improve circulation on the site.

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

The use of the property will not change as a result of the new parking/access enhancements.

(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 public elementary school is listed as a special use in the R-1 Residential District, per Section 9.2-4 (A) of the West Chicago Zoning Code

Respectfully submitted,
Barbara Laimins, Chairperson of the Plan Commission

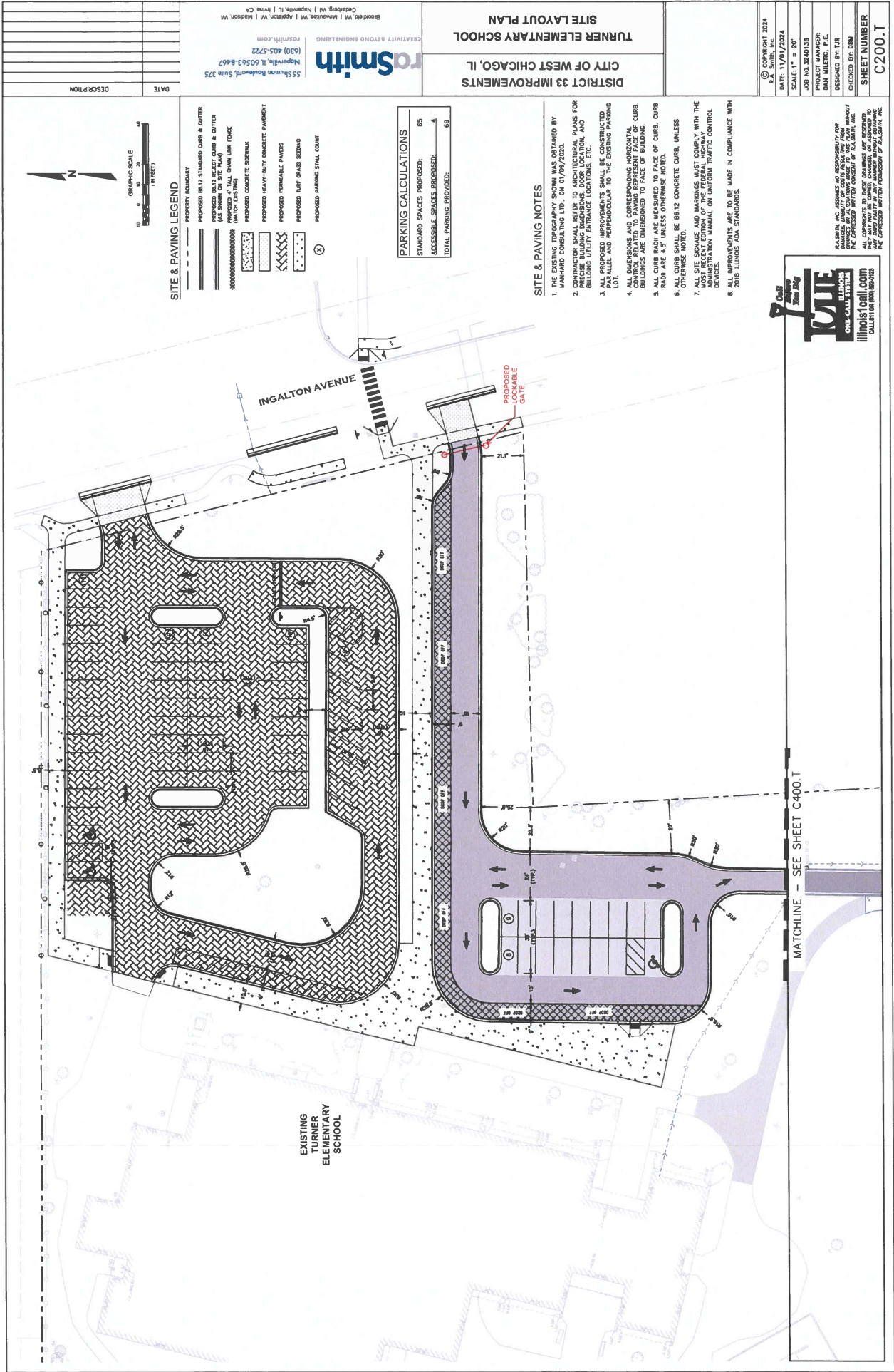
PLAN COMMISSION VOTE:

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

EXHIBIT "C"

Insert Site Plan and Landscape Plan

EXHIBIT "C"



DATE	DESCRIPTION

55 Shuman Boulevard, Suite 375
Naperville, IL 60563-8467
(630) 405-5722
rsmith.com

CREATIVITY BEYOND ENGINEERING
rsmith

Bradford M. | Naperville, IL | Agoston M. | Madison, WI
Cedric W. | Naperville, IL | Irving, CA

DISTRICT 33 IMPROVEMENTS
CITY OF WEST CHICAGO, IL
TURNER ELEMENTARY SCHOOL
SITE LAYOUT PLAN

© Copyright 2024
DATE: 11/01/2024
SCALE: 1" = 30'
SUB NO. 240413B
PROJECT MANAGER: DAN MILLETIC, P.E.
DESIGNED BY: JAR
CHECKED BY: DBM
SHEET NUMBER C200.T

SITE & PAVING LEGEND

- PROPERTY BOUNDARY
- PROPOSED 8x12 STANDARD CURB & GUTTER
- PROPOSED 8x12 SELECT CURB & GUTTER (AS SHOWN ON SITE PLAN)
- PROPOSED 4" TALL CHAIN LINK FENCE
- PROPOSED CONCRETE SIDEWALK
- PROPOSED HEAVY-DUTY CONCRETE PAVEMENT
- PROPOSED REMOVABLE PAVES
- PROPOSED TURF GRASS SEEDING
- PROPOSED PLANTING STALL COUNT

PARKING CALCULATIONS

STANDARD SPACES PROVIDED:	65
ACCESSIBLE SPACES PROVIDED:	4
TOTAL PARKING PROVIDED:	69

SITE & PAVING NOTES

- THE EXISTING TOPOGRAPHY SHOWN WAS OBTAINED BY MANHARD CONSULTING LTD., ON 01/09/2020.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS, DOOR LOCATION, AND FINISHES.
- ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED PARALLEL AND PERPENDICULAR TO THE EXISTING PARKING LOT.
- ALL DIMENSIONS AND CORRESPONDING HORIZONTAL CURB BUILDINGS ARE DIMENSIONED TO FACE OF BUILDING. RADI ARE 4.5' UNLESS OTHERWISE NOTED.
- ALL CURB SHALL BE 8x12 CONCRETE CURB, UNLESS OTHERWISE NOTED.
- ALL SITE SIGNAGE AND MARKINGS MUST COMPLY WITH THE ADMINISTRATION MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
- ALL IMPROVEMENTS ARE TO BE MADE IN COMPLIANCE WITH 2018 ILLINOIS ADA STANDARDS.

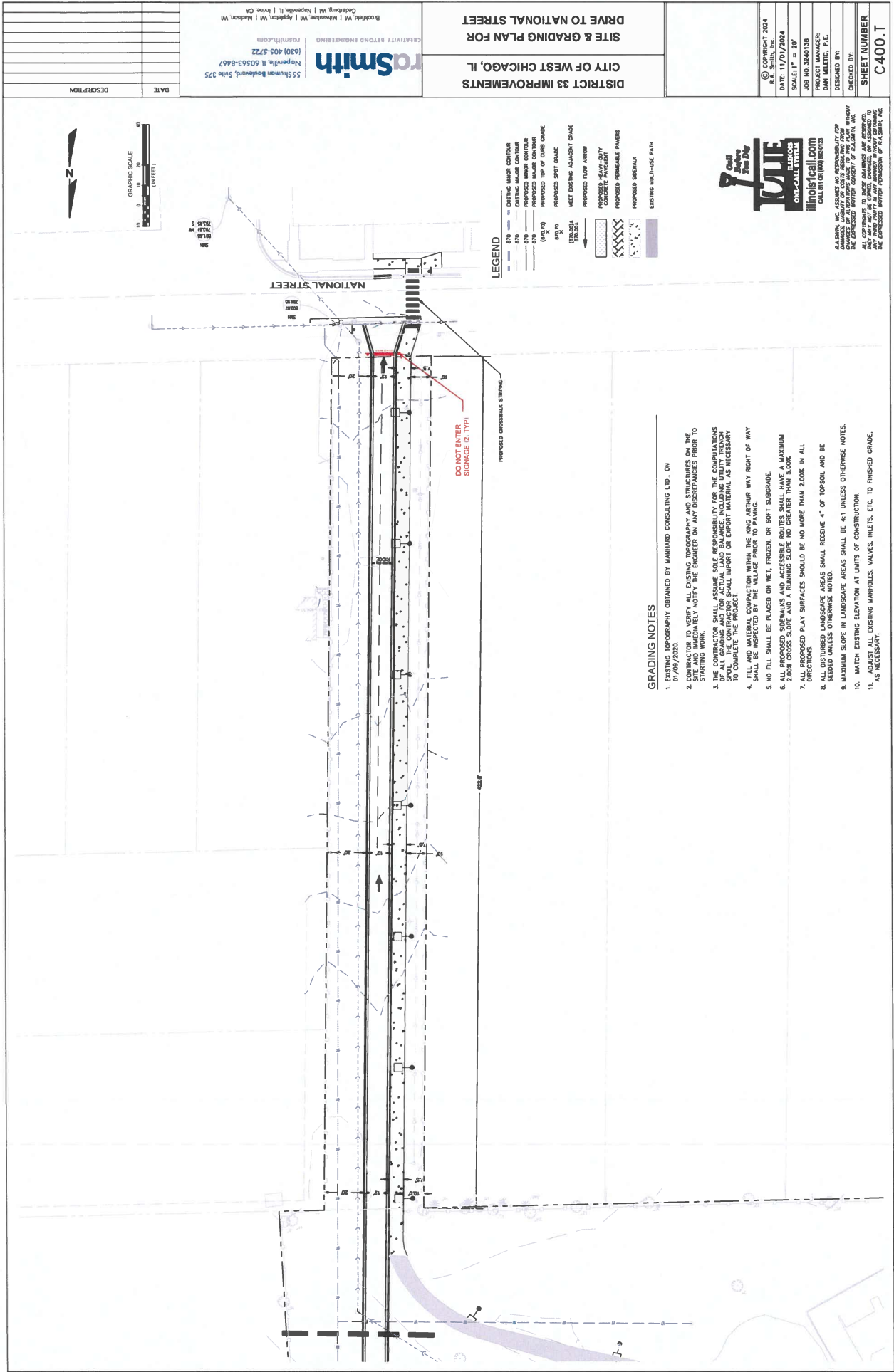
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MATCHLINE - SEE SHEET C400.T

EXHIBIT "C"



DISTRICT 33 IMPROVEMENTS
CITY OF WEST CHICAGO, IL
DRIVE TO NATIONAL STREET

raSmith
 CONSULTING ENGINEERING
 55 Shuman Boulevard, Suite 275
 Naperville, IL 60563-8467
 (630) 405-5722
 ra@raSmith.com

DATE	DESCRIPTION

Call The Job
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 THE PROFESSIONAL PERSONNEL OF ALABIN, INC.

- LEGEND**
- 870 --- EXISTING MAJOR CONTOUR
 - 870 --- EXISTING MAJOR CONTOUR
 - 870 --- PROPOSED MAJOR CONTOUR
 - 870 --- PROPOSED MAJOR CONTOUR
 - 870 --- PROPOSED TOP OF CURB GRADE
 - 870 --- PROPOSED SPOT GRADE
 - 870 --- MET EXISTING ADJACENT GRADE
 - 870 --- PROPOSED FLOW ARROW
 - 870 --- PROPOSED ASPHALT-QUALITY CONCRETE PAVEMENT
 - 870 --- PROPOSED PERMEABLE PAVEMENT
 - 870 --- EXISTING MAJOR-USE PATH

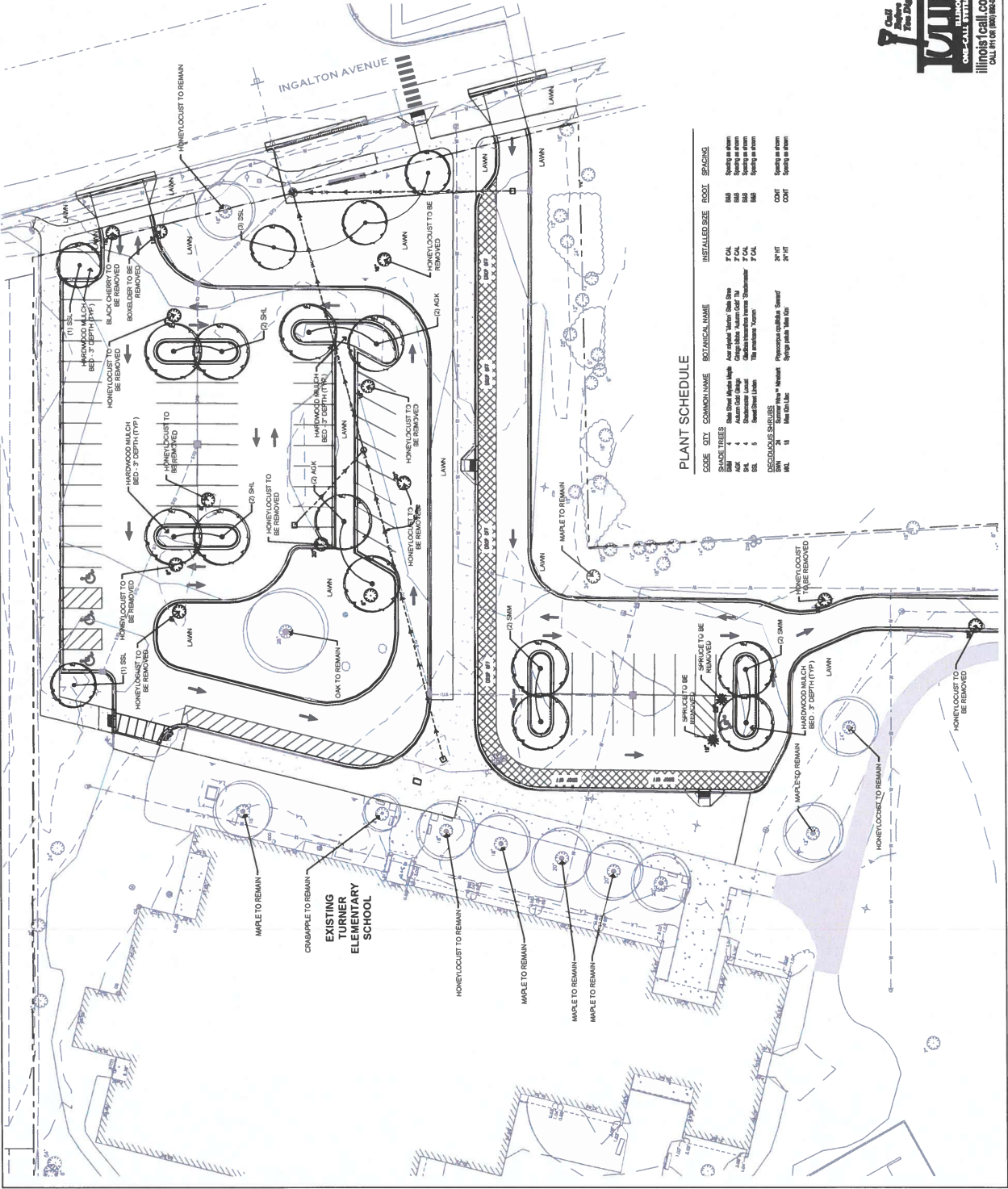
- GRADING NOTES**
1. EXISTING TOPOGRAPHY OBTAINED BY MANHARD CONSULTING LTD., ON 07/09/2020.
 2. CONTRACTOR TO VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON THE SITE AND IMMEDIATELY NOTIFY THE ENGINEER ON ANY DISCREPANCIES PRIOR TO START OF CONSTRUCTION.
 3. THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPUTATIONS OF ALL GRADING AND TOP ACTUAL LAND BALANCE, INCLUDING UTILITY TRENCH TO COMPLETE THE PROJECT.
 4. FILL AND MATERIAL COMPACTION WITHIN THE KING ARTHUR WAY RIGHT OF WAY SHALL BE INSPECTED BY THE VILLAGE PRIOR TO PAVING.
 5. NO FILL SHALL BE PLACED ON WET, FROZEN, OR SOFT SUBGRADE.
 6. ALL PROPOSED SIDEWALKS AND ACCESSIBLE ROUTES SHALL HAVE A MAXIMUM 2.00% CROSS SLOPE AND A RUNNING SLOPE NO GREATER THAN 3.00% IN ALL DIRECTIONS.
 7. ALL PROPOSED PLAY SURFACES SHOULD BE NO MORE THAN 2.00% IN ALL DIRECTIONS.
 8. ALL DISTURBED LANDSCAPE AREAS SHALL RECEIVE 4" OF TOPSOIL AND BE SEED OR MULCH UNLESS OTHERWISE NOTED.
 9. MAXIMUM SLOPE IN LANDSCAPE AREAS SHALL BE 4:1 UNLESS OTHERWISE NOTED.
 10. MATCH EXISTING ELEVATION AT LIMITS OF CONSTRUCTION.
 11. ADJUST ALL EXISTING MANHOLES, VALVES, INLETS, ETC. TO FINISHED GRADE, AS NECESSARY.

DO NOT ENTER
 SIGNAGE (Q.TYP)

PROPOSED SIDEWALK STRIPING

425' ±

EXHIBIT "C"



PLANT SCHEDULE

CODE	QTY	COMMON NAME	BOTANICAL NAME	INSTALLED SIZE	ROOT	SPACING
SHADE TREES						
1	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
2	1	Crabapple	Malus sp.	2" CAL	10'	Spacing as shown
3	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
4	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
5	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
6	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
7	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
8	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
9	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
10	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
11	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
12	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
13	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
14	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
15	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
DISCOLORING SHRUBS						
16	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
17	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
18	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
19	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
20	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
21	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
22	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
23	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown
24	1	Maple	Acer sp.	2" CAL	10'	Spacing as shown
25	1	Oak	Quercus sp.	2" CAL	10'	Spacing as shown

16745 Elmwood Road
Brookfield, WI 53005-9938
(262) 781-1000
rsosmith.com

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Cedarburg, WI | Neenah, WI | Iron, WI

DISTRICT 33 IMPROVEMENTS
CITY OF WEST CHICAGO, IL
TURNER ELEMENTARY SCHOOL
LANDSCAPE PLAN

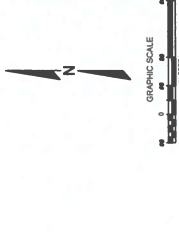
DATE	DESCRIPTION	SHEET NUMBER	L100.T

DRIVE TO NATIONAL STREET

SCALE: 1" = 30'

7-TREE
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CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE
AGENDA ITEM SUMMARY

ITEM TITLE:

Supplemental Fair Housing Action Plan

Ordinance 24-O-0051

AGENDA ITEM NUMBER: 4.C.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Dec. 9, 2024

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

The City's fair housing policy, originally approved in 1969 with a comprehensive amendment approved in 1996, requires an update in the form of a supplemental action plan ("plan") to comply with DuPage County's Community Development Block Grant ("CBDG") requirements. This plan is required for the submission of grant applications from the City to the County for CBDG funds. The required plan must include the City's existing fair housing policy as well as a new section demonstrating how staff is trained to respond to fair housing complaints. A section explaining what methods will be used by the City to notify the public of updates to the City's fair housing policy is also required in the plan.

The plan has been drafted by staff and includes the sections needed to fulfill DuPage County's CBDG requirements. Once approved, the plan will be posted on the City's website for public view.

ACTION PROPOSED:

Discuss and recommend approval of the draft Supplemental Fair Housing Action Plan.

COMMITTEE RECOMMENDATION:

Attachments: Draft Ordinance 24-O-0051
Draft Supplemental Fair Housing Action Plan

ORDINANCE NO. 24-O-0051

**AN ORDINANCE APPROVING A SUPPLEMENTAL
FAIR HOUSING ACTION PLAN FOR THE CITY OF WEST CHICAGO**

WHEREAS, the City of West Chicago (“City”) approved a fair housing policy on September 15, 1969 via Ordinance 1014, amended November 18, 1996 via Ordinance 96-O-3058; and

WHEREAS, the City’s fair housing policy is located in Article IV, Chapter 7 of the Code of Ordinances of the City of West Chicago and includes a declaration of policy on fair housing, defines terms for fair housing, states prohibited actions related to fair housing, and outlines the process for addressing fair housing complaints; and

WHEREAS, the City considers training to be an important priority to effectively provide quality services, which would include implementation of its fair housing policy; and

WHEREAS, the City dedicates significant resources to fair housing training initiatives each year; and

WHEREAS, the City leverages its strong relationships, which provides City staff with ongoing fair housing knowledge and experience gained through continued working partnerships with agencies such as the Hope Fair Housing Center, a not-for-profit organization approved by the U.S. Department of Housing and Urban Development that serves DuPage County Communities to provide opportunities for fair housing; and

WHEREAS, the City cares about fair housing policies and maintaining up-to-date information for the public on the topic of fair housing; and

WHEREAS, the Mayor and City Council of the City have found that it is in the best interests of the City to approve a supplemental fair housing action plan that (a) includes how City staff are trained and given information to respond to fair housing complaints, and (b) includes the methods to be used by the City to regularly notify the public of the City’s fair housing policies and its role in dealing with fair housing complaints.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST CHICAGO, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: Approval. The Supplemental Fair Housing Action Plan (“Plan”) is hereby approved as outlined in Exhibit A (attached).

SECTION 3: Implementation. The City Administrator, or designee, is hereby authorized and directed to post the Plan for public view on the City’s website.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect on the date of its passage and approval.

PASSED this 16th day of December 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 C. Swiatek	_____	Alderman J. Smith, Jr.	_____
Alderman R. Stout	_____	Alderman J. Short	_____
Alderman J. Banas	_____	Alderman J. Morano	_____

APPROVED as to form: _____
City Attorney

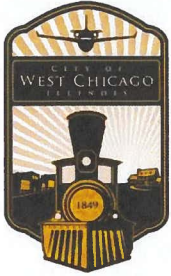
APPROVED this 16th day of December 2024.

Mayor Ruben Pineda

ATTEST:

Valeria Perez, Executive Office Manager

PUBLISHED:



City of West Chicago Supplemental Fair Housing Action Plan

This Supplemental Fair Housing Action Plan was approved on December 16, 2024 by Ordinance 24-O-0051. The complete fair housing policies of the City of West Chicago's can be found in Chapter 7, Article IV of the Code of Ordinances of the City of West Chicago.

Declaration of Policy

It is hereby declared to be the policy of the City in the exercise by the City of its police and regulatory powers for the protection of the public health, safety and welfare and for the maintenance and promotion of commerce, industry and good government in the City, to secure to all persons living or desiring to live in the City, a fair opportunity to purchase, lease, rent or occupy housing or other real estate, to provide all persons desiring employment in the City fair and equal employment opportunities and to provide all persons full and equal access to all public places of accommodation, regardless of race, sex, religion, color, age, marital status, handicap or national origin.

Definitions

Age. The chronological age of a person who is at least forty (40) years old.

Commission. The human relations commission established pursuant to section 2-311.

Discriminate. To extend differential treatment on the basis of race, sex, religion, color, age, marital status, handicap or national origin.

Handicap. A determinable physical or dental characteristic of a person, including but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or function disorder and which characteristic:

- (1) For purposes of section 7-43(a) is unrelated to the person's ability to acquire, rent or maintain real estate;
- (2) For purposes of section 7-43(b) is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

Investigator. An employee of the City designated by the City Administrator to investigate a complaint filed under this article.

Lending institution. Any bank, insurance company, savings and loan association or any other person in the business of lending money or guaranteeing loans, any person in the business of obtaining, arranging or negotiating loans or guarantees as agent or broker, and any person in the business of buying or selling loans or instruments for the payment of money which are secured by title to or a security interest in real estate.

Marital status. The legal status of being married, single, separated, divorced or widowed.

National origin. The place in which a person or one of his or her ancestors was born.

Operator. Any owner, lessee, proprietor, manager, superintendent, agent, or occupant of a place of public accommodation or an employee of any such person or persons.

Person. Includes one (1) or more individuals, partnerships, associations or organizations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

Public official. Any officer or employee of the state or any agency thereof, including political subdivisions, municipal corporations, park districts, forest preserve districts, educational institutions and schools.

Public place of accommodation. A business, accommodation, refreshment, entertainment, recreation or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold or otherwise made available to the public. Such term includes, but is not limited to, restaurants, hotels, stores, taverns, soft drink or ice cream parlors, barber shops, beauty shops, theaters, places of amusement, taxicabs, funeral homes, public swimming pools, public golf courses, public driving ranges and other places of public accommodation and amusement.

Real estate. The term "real estate" shall be construed to include the following real property within the corporate limits of the City of West Chicago:

- (1) Multiple-family dwellings of three (3) or more units.
- (2) Multiple-family dwellings containing two (2) or fewer units, if the owner does not reside in one of the units.
- (3) Single-family houses not owned by private individuals.
- (4) Single-family houses owned by a private individual who owns more than three (3) such houses or who, in any two-year period, sells more than one (1) in which he was not the last resident.
- (5) Single-family houses owned by private individuals if they are sold or rented through a broker or other person in the business of selling or renting dwellings, or if a discriminatory written notice or advertisement is used in offering to sell or rent.

Real estate broker. The term "real estate broker" means any natural person, partnership, association or corporation, or agent thereof, who for a fee or other valuable consideration sells, purchases, exchanges

or rents real property of another, or offers or negotiates to do any of the foregoing, or manages and collects rental from the real property of another.

Sex. The status of being male or female.

Prohibited acts

- (a) *Real estate.* No contractor, developer, lessee, sublessee, real estate broker or salesman, lending institution, advertiser, or agent of any of the foregoing, shall discriminate against any person because of his race, sex, religion, color, age, marital status, handicap or national origin, or because of the race, sex, religion, color, age, marital status, handicap or national origin of his friends or associates in regard to the sale, leasing, rental, or other dealings concerning real estate. Any such discrimination shall be considered an unfair real estate practice. Without limiting the foregoing, it shall be an unfair real estate practice:
- (1) To publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to the sale, leasing or renting of any real estate which will indicate or express any such discrimination.
 - (2) To exploit or overcharge any person for real estate services because of that person's race, sex, religion, color, age, marital status, handicap or national origin.
 - (3) To solicit for sale, lease, or listing for sale or lease, any real estate on the ground of loss of value due to the present or prospective entry into any neighborhood of any person or person of any particular race, sex, religion, color, age, marital status, handicap or national origin.
 - (4) To make or distribute, or cause to be made or distributed, any written material or statements intended to induce any owner of real estate to sell or lease his property because of any present or prospective change in the race, sex, religion, color, age, marital status, handicap or national origin of persons in the neighborhood.
 - (5) To refuse examination of copies of any listing of real estate to any person because of race, sex, religion, color, age, marital status, handicap or national origin.
 - (6) To refuse to show, sell, lease, or rent, any real estate because of the race, sex, religion, color, age, marital status, handicap or national origin of the proposed buyer or tenant.
 - (7) To enter into an agreement which prohibits the sale, leasing or rental of real estate to any person because of race, sex, color, religion, age, marital status, handicap or national origin.
 - (8) To act or undertake to act with respect to any real estate, the disposition of which is prohibited to any person because of race, sex, color, religion age, marital status, handicap or national origin.
 - (9) For a lending institution to refuse to negotiate, enter into or perform any agreement to lend or guarantee the loan of funds because of race, sex, color, religion, age, marital status, handicap or national origin; or to discriminate because of race, sex, color, religion or national origin in making,

agreeing to make, arranging or negotiating any loan or guarantee of funds, for the purpose of financing the purchase or sale, construction, lease, rehabilitation, improvement, renovation or repair of any real estate; or to offer or agree to terms, conditions or privileges that discriminate against any party to such agreement because of race, sex, religion, color, age, marital status, handicap or national origin.

Nothing in this section shall require an owner to offer property to the public at large before selling or renting it, nor shall this section be deemed to prohibit owners from giving preference to prospective tenants or buyers for any other reason than race, sex, religion, color, age, marital status, handicap or national origin.

(b) Public accommodations.

(1) It shall be unlawful for any person to, on the basis of race, sex, religion, color, age, marital status, handicap or national origin:

- a. Deny or refuse to another the full and equal employment of the facilities and services of any public place of accommodation.
- b. Directly or indirectly, as the operator of a place of public accommodation, publish, circulate, display or mail any written communication, except a private communication sent in response to a specific inquiry, which the operator knows is to the effect that any of the facilities of the place of public accommodation will be denied to any person or that any person is unwelcome, objectionable or unacceptable.
- c. Deny or refuse to another, as a public official, the full and equal enjoyment of the accommodations, advantage, facilities or privileges of the official's office or services or of any property under the official's care.

(2) Nothing in this subsection shall apply to:

- a. A private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities, privileges, advantages, or accommodations of the establishment are made available to the customers or patrons of another establishment that is a place of public accommodation.
- b. Any facility, as to discrimination based on sex, which is distinctly private in nature such as restrooms, shower rooms, bath houses, health clubs and other similar facilities.
- c. Any facility, as to discrimination based on sex, which restricts the rental of rooms to individuals of one sex.

Complaints and Procedures

(a) *Complaints.*

(1) Any person aggrieved in any manner by a violation of any provision of this article may file a written complaint with the City Administrator. The complaint shall be under oath, addressed to the commission, and shall state:

- a. The name and address of the complainant;
- b. The name and address of the person or persons against whom the complaint is brought, if known to the complainant; and
- c. The facts surrounding the alleged violation of this article.

Such complaint shall also include the name and address of all persons believed to have knowledge concerning the alleged violation. The commission shall provide a printed form of complaint for the use of aggrieved persons.

If the complaint is against the City of West Chicago; the complainant shall be referred to the Illinois Department of Human Rights and such complaint shall not be investigated, nor shall a hearing be held by the commission, under the provisions of this article.

(2) No fee shall be charged for the filing of the complaint.

(3) After the filing of the complaint, the City Administrator shall, within three (3) days, serve a copy of the complaint personally or by certified mail on the person or persons charged.

(4) If the complaint alleges a violation of section 7-43(b) and the respondent has rules or policies in effect setting forth internal procedures to address the subject of the complaint, such complaint shall not be investigated by the investigator unless the complainant has followed such procedures through to their conclusion.

(5) Any complaint shall be barred from consideration unless it is filed with the commission within six (6) months after the alleged discriminatory practice occurred. The commission may extend the time for filing the complaint for an additional sixty (60) days when conciliation efforts are pending or when procedures referred to in paragraph (4) above are pending.

(b) *Investigation.* The investigator designated by the City Administrator shall investigate the complaint. Upon completion of the investigation, the investigator shall prepare and submit a report to the commission summarizing the information gathered during the investigation, along with a recommendation as to whether probable cause exists in support of the allegations. No member of the commission shall participate in the investigation of a complaint.

(c) *Hearing.* Upon receipt of the investigator's report, the commission shall determine whether or not to hold a hearing on the complaint. If the commission determines that a hearing shall not be held, all parties shall be so notified in writing. If the commission determines that a hearing shall be held, it

shall set a hearing date, which shall be no later than sixty (60) days from receipt of such report. The investigator shall, if requested by any party, testify at such hearing. The chairperson of the commission shall preside at the hearing, and the commission shall hear testimony and accept relevant evidence. The strict rules of evidence applicable to judicial proceedings shall not apply to the hearings; rather, all evidence shall be admitted if it is the type commonly relied upon by reasonably prudent persons in the conduct of their affairs, so long as it is relevant and material to the subject matter of the complaint. The hearing shall be conducted upon notice by certified mail to all parties, at least forty-eight (48) hours prior to the hearing.

Hearings shall be held in front of the full commission; provided, however, that no commission member shall participate in a hearing in which his or her impartiality might reasonably be questioned, including, but not limited to, instances where such member has a personal bias or prejudice concerning a party to the complaint or in which such member or member's spouse or relatives are a party to the complaint.

The commission shall provide a court reporter to take a transcript of the hearing. All evidence shall be under oath, administered by an officer authorized to administer oaths. All parties may be represented by counsel at their election and shall have the right to call witnesses and to cross examine witnesses. The complainant or the person charged, or the commission on its own motion, may have subpoenas issued in the name of the commission for persons to appear at commission hearings and for the examination of documents. Subpoenas shall only be issued to persons or for documents which have a substantial evidentiary connection with a complaint. Service of such subpoenas shall be made in the same manner as in civil actions and shall be enforceable through the circuit court of DuPage County.

Hearings may be continued by the commission. At the conclusion of the hearing, the commission may hold a closed meeting to consider the evidence and testimony presented to the extent permitted by the Open Meetings Act. The commission shall also prepare:

- (1) A summary of the evidence taken;
- (2) Its findings of fact.

(d) *Action.* The commission shall take any one (1) or more of the following actions:

- (1) Resolve the complaint by conciliation. The commission is authorized to hold closed meetings for conciliation of complaints alleging a violation of section 7-43(a). The complainant and respondent and their advisors are entitled to attend such closed meetings. A written record shall be made of the result of such conciliation.
- (2) Dismiss the complaint.
- (3) Make findings and recommendations to the City Council. Such recommendations may include:
 - a. Filing a complaint for revocation of any applicable state license;

- b. Transferring or referring the matter to an appropriate state agency;
- c. Instructing the City's prosecutor to file a complaint to enjoin the violation or a complaint for any other appropriate relief. If the commission feels that immediate court action is necessary, it may request that the mayor, and the mayor, in his discretion may instruct, the City's prosecutor to file the complaint even though a hearing may be pending.

Such written findings and recommendations shall be served by mail upon the complainant and the party or parties charged within thirty (30) days of the conclusion of the hearing.

- (e) *Relief.* At any time after final action by the commission, or in the event of the refusal of the commission to act on a complaint within the time limits herein set forth, the complainant may file a complaint in the circuit court for appropriate relief for the alleged violation.

West Chicago's Commitment to Addressing Fair Housing Complaints

The City of West Chicago considers training to be an important priority to effectively provide quality services, which would include implementation of its Fair Housing Action Plan and policies. As such, the City dedicates significant resources to training initiatives each year. This includes, as opportunities present, attending seminars and conferences related to fair housing by responsible organizations or agencies.

In addition to formal training events, the City leverages its strong relationships, which provides City staff with ongoing Fair Housing knowledge and experience gained through continued working partnerships with agencies like the Hope Fair Housing Center (which is a HUD-Approved non-profit organization serving DuPage County Communities to provide opportunities for fair housing). Lastly, should a complaint arise, the City's legal counsel is also a valued, trained resource to assist City staff with any response.

West Chicago's Commitment to Maintaining Up-To-Date Information on Fair Housing

The City of West Chicago cares about Fair Housing policies and maintaining up-to-date information for our community on the topic of fair housing. Any updates to the Fair Housing Action Plan will be posted on this web page, and communicated through noticed agendas or postings at City Hall entrances, and as needed, other City communications. This Supplemental Fair Housing Action Plan can be found for public view on the City of West Chicago's website at <https://westchicago.org> and a copy may be obtained during regular business hours at the West Chicago Community Development Department at West Chicago City Hall, 475 Main Street, West Chicago, IL 60185.

Additional Resources:

- City of West Chicago Comprehensive Plan – West Chicago Forward
- City of West Chicago Strategic Plan