

CITY OF
WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

MINUTES

Development Committee

June 11, 2007, 7:00 P.M.

Approved with no changes at August 13, 2007 meeting

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

Chairman Pineda called the meeting to order at 7:00 P.M. Roll call found Aldermen James E. Beifuss, Jr., Nicholas Dzierzanowski, H. Ronald Monroe, Alan Murphy, and Rebecca Stout present. Alderman Gregory Bunch arrived at 7:05 P.M.

Also in attendance were Mayor Michael Kwasman, Alderman Matthew Fuesting, City Administrator Michael Guttman, and Community Development Director Joanne Kalchbrenner.

2. Approval of Minutes.

A. Development Committee, May 14, 2007. Alderman Dzierzanowski made a motion, seconded by Alderman Murphy, to approve the minutes of the May 14, 2007 Development Committee Meeting with corrections made by Alderman Beifuss. Voting Yea: Aldermen Beifuss, Dzierzanowski, Murphy, Pineda, and Stout. Voting Nay: 0. Alderman Monroe abstained. Motion carried.

B. Development Committee, May 30, 2007. Alderman Murphy made a motion, seconded by Alderman Stout, to approve the minutes of the May 30, 2007 Development Committee Meeting. Alderman Beifuss advised that the discussion did not occur in the manner depicted in the minutes and that the motion was inaccurate. In his opinion, the motion required approval of the proposed RFP at a future Development Committee meeting. Chairman Pineda responded that his recollection was that the motion as written was accurate and asked for comments from the remainder of the Committee. The remaining committee members concurred. Voting Yea: Alderman Bunch, Dzierzanowski, Murphy, Monroe, Pineda and Stout. Voting Nay: Alderman Beifuss. Motion carried.

3. Public Participation. None.

4. Items for Consent.

Chairman Pineda read the following item:

A. Jeffery Riner – 130 Fremont Street, Façade Grant

Chairman Pineda advised that the item would be placed on the June 18, 2007 City Council Agenda under Consent.

5. Items for Discussion.

A. Forming America – 1200 Prince Crossing Road, Special Use. Chairman Pineda requested a summary of the proposal. Ms. Kalchbrenner advised that staff had recommended denial of the proposed special use permit for outside storage because the applicant was not willing to agree with conditions of dedicating right of way for Prince Crossing Road or install a bike path. The Plan Commission recommended approval with the conditions of installing a bike path and dedicating right of way. The applicant has requested compensation for the right of way dedication, which was not discussed by the Plan Commission.

Chairman Pineda asked if the applicant had any information to present and Dave Sabathne advised that he is the Executive Director of the Chamber of Commerce, but not at the meeting in that capacity. Mr. Sabathne advised that the applicant is of the opinion that the required bike path does not make sense on the west side because of the wetland north of the property. He indicated that the applicant is willing to install the bike path when it becomes necessary and dedicate the right of way when it becomes necessary. The owner and Mark Richards, the engineer, are also present.

Chairman Pineda asked for questions and comments from the Committee. Alderman Stout indicated that it appears that the right of way dedication and landscaping requirement are contradictory, and that installing landscaping within the right of way is not a good idea. Ms. Kalchbrenner clarified that staff had recommended that the applicant apply for a variance to reallocate the required landscaping elsewhere on site, rather than install it in the right of way, with the possibility that it be removed later, but the applicant choose not to apply for the variance because he did not want to dedicate the right of way. Alderman Murphy noted that it would be more appropriate to install the path on the east side of the right of way and Ms. Kalchbrenner advised that the applicant had been advised that either side would be acceptable. Chairman Pineda indicated that it would be more appropriate to obtain the right of way now, but not to install landscaping within the right of way. Alderman Beifuss inquired if the applicant finds the Plan Commission conditions acceptable. Mr. Sabathne responded that the conditions are not that different from what they propose. He clarified that the owner agrees not to litigate when the city acquires the right of way, and that the condition will run with the property so future purchasers would also be obligated to comply. They are concerned with requesting a variance for the landscaping because it could be denied, and the City Council does not always agree with staff. The owner does not have a problem putting in the landscaping, it is pennies on the dollar.

Ms. Kalchbrenner clarified the Plan Commission motion by adding that the Plan Commission did not include revisions to the phasing schedule as part of its motion, and concurred with the staff recommendation that the owner may only store on a paved surface and that he could pave according to his own schedule, since there would be no storage until such time as an area is

paved. Mr. Sabathne responded that it does not work for the owner due to the amount of material he has on-site. Chairman Pineda asked for the phasing plan and Mr. Sabathne responded that Phase 1 would be complete within one year of approval. Mark Richards then explained the extent of the paving within each phase. Phase 1 is the parking lot and some storage, Phase 2 is more storage area and the covered storage area and Phase 3 is the expanded storage area further west. Chairman Pineda asked the current status of the Phase 3 area and Mr. Richards responded that it is unimproved. Chairman Pineda asked if anything is being stored in that area and the owner responded that the previous owner's items are stored in the area. Chairman Pineda asked if any of the owner's items are in the area and the owner responded may be some items are there.

Chairman Pineda asked for clarification on the requested timing and the owner responded one year for Phase 1, two additional years for Phase 2 and two additional years for Phase 3 for a total of 5 years.

Ms. Kalchbrenner also advised that staff recommended the additional condition that all new gravel be removed from the site prior to occupancy because the owner advised the Plan Commission that he had added additional gravel, which is a violation of the zoning regulations. Alderman Dzierzanowski asked for clarification on the length of time for the paving and Mr. Richards responded that it is a large expense and everything needs to be moved around on site as they pave. Alderman Dzierzanowski asked staff if there is any precedent to allowing storage on an unpaved surface and Ms. Kalchbrenner responded no. Alderman Dzierzanowski then asked how long the owner has been in violation and Ms. Kalchbrenner responded that it has been since early 2003, when staff discovered that the owner had moved on to the property. Alderman Bunch advised that the property should be upgraded and look nice. There should be no violations of the code, which should be enforced.

Alderman Murphy advised that the phasing plan should be considered and Ms. Kalchbrenner reviewed the conditions of right of way dedication and phasing the installation of pavement. Alderman Beifuss advised that the right of way should be dedicated as part of the approval process. The issues have been occurring for four years and there should be some closure on the outstanding violations. Alderman Beifuss asked if the phasing was only for the paving or for other items as well and the owner responded that it would only be for the paving. Alderman Beifuss added that the new gravel should be removed. The owner responded that the gravel was installed to prevent truck drivers from using the Forest Preserve property as a turn around site.

Alderman Dzierzanowski asked why the owner could not pave now and the owner responded that it would be too expensive. The owner advised that he has helped out the City because he had to remove radioactive waste from the site and that he tried to disconnect from the City but then agreed to work with the City rather than disconnect. At this point the Chair recognized City Administrator Michael Guttman who advised that those issues are irrelevant to the proposed special use and that staff takes issue with the accuracy of the statements. It would be more appropriate to table consideration of the proposal to the next meeting so that staff may prepare a

summary of the issues. The owner advised that that would not be necessary, he was only trying to make the point that the City promised to work with them.

Chairman Pineda asked the committee members their opinions on dedicating the right of way. All committee members responded that it would be appropriate to dedicate the right of way now. Alderman Beifuss added that some phasing of the pavement and landscaping could be considered. Mr. Guttman advised that the committee should be cautious of approving a phasing plan because the financial hardship the owner raised is self-imposed by the fact that they moved in without approval. Alderman Murphy advised that he believes everything should be completed by May of 2008. Alderman Dzierzanowski indicated that he is not comfortable with allowing any storage on an unpaved surface. Mr. Guttman advised that some date should be set to come into compliance with the minimum requirement, since they are already in violation. Chairman Pineda asked the owner how long he needs to come into compliance and the owner responded that he needs until the end of 2008. Ms. Kalchbrenner urged caution with having one deadline because many items need to be completed, including creating the detention pond, providing as-built drawings for the pond, grading, and paving. It would be more appropriate to have incremental deadlines to gauge compliance in over time. Chairman Pineda suggested that the item be tabled until the next meeting so that staff can work with the applicant on a realistic phasing schedule.

Alderman Murphy made a motion, seconded by Alderman Monroe, to table consideration of the special use permit for Forming America at 1200 Prince Crossing Road until the July 9, 2007 meeting. Voting Yea: Aldermen Beifuss, Bunch, Dzierzanowski, Murphy, Monroe, Stout and Pineda. Voting Nay: 0. Motion carried.

B. Revisions to Sprinkler Requirements, Single Family Homes. Ms. Kalchbrenner summarized that Alderman Stout and the Development Committee directed staff to include discussion of requiring sprinklers for residential development on the Development Committee agenda for discussion. City staff and Fire District staff have had initial discussions on the sprinkler requirements and are seeking direction from the Development Committee on whether or not to move forward with preparing a residential sprinkler ordinance. Fire Chief Ackerman indicated that the Fire District supports the concept of requiring fire sprinklers in residential homes. Requiring sprinklers in commercial buildings has been successful in putting out fires before the Fire District arrives on the scene and minimizes the damage to properties. It would be appropriate to extend this protection to residential construction. Staff already met to discuss some of the issues that will need to be addressed such as impact on tear downs, building additions, minimum thresholds and other items.

Alderman Beifuss requested additional information and Chief Ackerman responded that there is an approximate one to one-and-one-half increase in the construction cost when sprinklers are included. Additionally, not all the sprinkler heads go off at the same time if they are activated, so water damage is minimized. Sprinkler systems are 96% effective at putting out a fire or keeping it under control until the Fire District can arrive at the scene. There is typically one head per room in a home. Alderman Murphy advised that in new construction they should be allowed

to be constructed of PVC piping to keep the price down. Alderman Stout added that there will be some cost in dollars, but the cost is nothing compared to saving a life of residents and firefighters. The City needs to move in that direction. Chief Ackerman agreed, noting that sprinkler systems increase the survival rate by 82% and that insurance companies give discounts to those with sprinkler systems. Alderman Beifuss asked how the systems would be maintained and monitored. Chief Ackerman responded that there would be minimum maintenance if the system is from a public water source, and would require an RPZ if on a private well. Alderman Bunch asked if Naperville and Wheaton require sprinkler systems and Chief Ackerman responded that staff would conduct research but that St. Charles and Glen Ellyn do require sprinkler systems

Chairman Pineda indicated that the cost of sprinkler systems is similar to the cost of upgrading carpet in a new home. The system does not flow constantly. A question on the inspection requirement was raised and Chief Ackerman responded that we would research requirements in other municipalities but it is likely that there would be an annual inspection requirement. Committee members discussed having a zero square footage threshold for sprinkler systems for new construction.

Alderman Stout made a motion, seconded by Alderman Dzierzanowski, to direct staff to prepare an ordinance requiring sprinkler systems for residential construction. Voting Yea: Aldermen Beifuss, Bunch, Dzierzanowski, Murphy, Monroe, Pineda, and Stout. Voting Nay: 0. Motion carried.

C. Temporary Moratorium on the Approval of Multi-Unit Commercial Buildings. Ms. Kalchbrenner summarized that there is a proposal to place a moratorium on multi-tenant commercial buildings in order to encourage single purpose development and allow the existing centers to be fully occupied.

Alderman Murphy made a motion, seconded by Alderman Monroe, to approve a temporary moratorium on the approval of mutli-unit commercial buildings. Voting Yea: Aldermen Beifuss, Bunch, Dzierzanowski, Murphy, Monroe, Pineda, and Stout. Voting Nay: 0. Motion carried.

D. North Industrial Park – Charles Court, Truck Terminal, Concept Review. Ms. Kalchbrenner indicated that Mike Lee, the developer, is seeking guidance on a special use for a proposed truck terminal for a lot within the North Industrial Park. Alderman Murphy inquired about the status of the dirt pile that is currently on the property and Mr. Lee responded that he is working on removing it. Chairman Pineda added that it is his understanding that removing the pile is necessary to allow other development to move forward. Mr. Tim Gallagher, the broker, advised that the proposed truck terminal would be for Arrow Logistics, which is currently located in Carol Stream. It is a cartage facility that stores vehicles outside. Chairman Pineda requested input from Committee members. All members agreed that the use is conceptually acceptable.

E. Sedes Corporation – Text Amendment for Health Club Parking Regulation, Concept Review. Ms. Kalchbrenner advised that the Sedes Corporation is requesting consideration of a reduction in the parking requirements for free-standing fitness facilities. Mr. Anthony Armocida explained that he has been working with LA Fitness, who proposes to locate south of the Wendy's site on Route 59 for a 45,000 square foot facility. This is a medium sized facility, compared to the 100,000 square foot buildings of facilities such as Lifetime Fitness. Sedes hired KLOA to conduct a traffic study, which is included in the submittal. The traffic study, survey of other communities and information from LA Fitness found that a parking ratio of 4 to 6 spaces per 1,000 square feet of floor area is adequate for fitness facilities, while West Chicago requires 10 spaces per 1,000 square feet of floor area. Additionally, there is a cross-access agreement on this site with the remainder of the shopping center. Approving LA Fitness will increase traffic in the center and increase the likelihood that a traffic signal will be approved at Heritage Woods Drive and Route 59.

Alderman Dzierzanowski indicated that he is very concerned about the signal at Heritage Woods Drive and Route 59 and Representative Ramey is working with IDOT to get a signal approved, but IDOT has not yet made a ruling. Representative Ramey has gotten IDOT to reduce the speed limit on Route 59 in that area. Alderman Dzierzanowski is concerned with reducing the parking ratio due to the precedent it would set. If this were the last developable parcel he might consider it, but there is sufficient land elsewhere to meet the code. Mr. Armocida responded that LA Fitness likes this site. Alderman Murphy advised that he does not like the amendment and the shared parking was approved to get the other outlots filled. The Aldermen recognized Alderman Matthew Fuesting. Alderman Fuesting indicated that he is one of the aldermen from this ward and that, although he likes LA Fitness he is concerned with the precedent amending the code would set. There is other developable property. He is also concerned with moving the building further south and having parking near residents. Alderman Fuesting asked the Development Committee members not to support the amendment.

Chairman Pineda expressed concern with eliminating 138 of the required parking spaces and that the text amendment would impact all health clubs, not just this proposal. Future developers would not even have to ask for approval of reduced parking. Alderman Monroe added that the city has been firm on the parking requirements and should stay that way. Alderman Beifuss clarified that the developer is requesting a text amendment and not a variance and asked for clarification from the alderman from the ward in regard to parking near the residential area. Alderman Bunch pointed out that the specific location is irrelevant because the proposal is a text amendment and not site specific. Alderman Beifuss asked what communities were surveyed and Mr. Armocida responded that they surveyed Alsip, Aurora, Bartlett, Batavia, Bolingbrook, Evanston, Geneva, Hoffman Estates, Naperville, Oswego, Schaumburg, St. Charles, Streamwood and Tinley Park, as well as conducted a traffic study and used specifications from LA Fitness. Alderman Beifuss advised that it is important to make sure that there is adequate parking as well as adequate stacking on site. Mr. Armocida responded that there would be adequate parking for peak periods.

Alderman Dzierzanowski made a motion, seconded by Alderman Monroe, not to support a text amendment to reduce the parking ratio for fitness facilities. Voting Yea: Aldermen Beifuss, Bunch, Dzierzanowski, Murphy, Monroe, Pineda, and Stout. Voting Nay: 0. Motion carried.

6. Unfinished Business. Alderman Dzierzanowski inquired about the status of right of way language for the project light speed issue and Ms. Kalchbrenner responded that staff is investigating the requirements.

7. New Business. None.

8. Reports from Staff. None.

9. Adjournment. Alderman Stout made a motion, seconded by Alderman Bunch, to adjourn. The members unanimously agreed. Motion carried. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Joanne L. Kalchbrenner
Community Development Director

Min061107/jk