

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS July 17, 2007

MINUTES

Approved with no changed at the August 7, 2007 meeting

1. **Call to Order, Roll Call and Establishment of a Quorum** - Commissioner Banas called the meeting to order at 7:00 p.m. Roll call found Commissioners John Warbiany, Jeffrey Posadzy, Stephen Jarolin, Vickie Barber, Bob Lemon and John Banas present. Commissioner Janet Hale was absent.

Also in attendance were City Planner Jeff Harris and Planning Assistant David DeGroot.

2. **Pledge of Allegiance** – Everyone in attendance participated in the pledge.

3. **Chairman's Comments** – Chairman Banas reminded the audience that anyone wishing to provide testimony must be sworn in by the court reporter before speaking.

4. **Minutes** – Commissioner Warbiany made a motion, seconded by Commissioner Jarolin to approve the July 3, 2007 Minutes with no changes. Voting Yea: Commissioners Warbiany, Posadzy, Jarolin, and Banas. Abstaining: Commissioners Lemon and Barber. Motion carried.

5. **Public Hearing Case PC 05-21 – DuPage Habitat for Humanity, the East side of Sherman Street between Stimmel & Brown Streets, Rezoning**

Mr. Harris read in the request for the record and gave a brief overview. He explained that the three-acre vacant subject property is currently in unincorporated DuPage County. He stated that the applicant, DuPage Habitat for Humanity, is requesting to annex the property into the City of West Chicago and upon annexation is requesting that the property be rezoned to the R-5, Single-Family Residence district. He added that the applicant is also requesting preliminary and final plat approval for a twelve-lot subdivision with deviations. He commented that the requested zoning is consistent with the area and that to maintain that consistency the applicant is requesting four deviations from the City's Subdivision Code. He explained that deviations are needed to allow City storm sewer to be installed with less than three feet of earth cover over the top of the pipe and to allow private storm sewer to be installed with less than two feet of earth cover. He added that the applicant would also like to maintain existing overhead utility lines to be consistent with properties to the north and so not to disrupt their service. The final deviation mentioned was to waive the required installation of public sidewalks, parkway trees, and lighting along the west side of Sherman Street. Mr. Harris stated that staff recommends approval of the annexation, rezoning, and all deviations except the deviation to waive public improvements along the west side of Sherman Street. He mentioned that the applicant is trying to save money, but that the money could be made back through a recapture agreement.

Ken Kubiesa, Sarah Brachle, Morgan Weems, Albert Bloom, and Mike Hughes were sworn in to testify on behalf of DuPage Habitat for Humanity.

Mr. Kubiesa, attorney for DuPage Habitat for Humanity, stated that this is a project that he feels will benefit not only the families receiving the homes, but DuPage County and City of West Chicago as well. He added that the homes built in this subdivision would have a value of around \$200,000 dollars. He informed the

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Commission members that although volunteers build the homes; they are supervised by professionals or have professional experience themselves. He stated that he agreed with City staff's report but added that the deviation to waive the installation of sidewalk, parkway trees, and lighting is not only to save money. He admitted that money is a factor, but added that this waiver would preserve the rural nature of the area and some of the adjacent property owners landscaping. Mr. Kubiesa concluded by introducing Sarah Brachle.

Ms. Brachle stated that Habitat for Humanity is a not for profit Christian organization devoted to helping struggling families achieve their dream of home ownership. She said that Habitat for Humanity is often misrepresented and that she would like to clarify some of those misconceptions. She stated that the organization does not give away homes. Habitat sells homes to families at no interest. The mortgages have a monthly cap based on the family's income. Ms. Brachle commented that the application process is a rigorous one that ensures these homes are given to families who will be able to pay for them and take care of them. She mentioned the Habitat does have support staff to help families should they encounter any challenging situations in the future. She added that the homes are of high quality, typically a three-bedroom, one-bath home. She concluded by stating that DuPage County is the nineteenth wealthiest county in the country and that it is not cheap for anyone to live in when the mean sales price in the County is \$340,000.

Commissioner Lemon asked if there was a requirement that these homes only be given to residents of West Chicago.

Ms. Brachle stated that Habitat would solicit applications from throughout the County.

Morgan Weems introduced herself as a 23 year-old resident of West Chicago who has purchased a home through Habitat for Humanity. She stated that she and her husband both have good paying jobs, she works in the health care industry and he works as a driver for Fed Ex. She added that they have three kids together and are struggling to make it in DuPage County. Mrs. Weems concluded by saying that recipients of these homes do go through an intense application process and that they are good people who want to be good neighbors.

Mr. Kubiesa mentioned that this public hearing had been originally scheduled for June 19, 2007 and a lot of residents had shown up from the area and were upset with the proposal. He stated that they met with the residents afterwards and answered their questions. He pointed out that none of the residents had returned to protest.

Commissioner Warbiany asked if these homes are built to the City's minimum standards or if they go above and beyond to ensure that the homes have a longevity at least as long as a thirty-year mortgage.

Mr. Bloom, the project architect, stated that all of the homes will meet the City's minimum standards. He added that Habitat is a non-profit organization and tries to keep costs minimal, however will go above and beyond the minimum standards when possible.

Ms. Brachle stated that they do try to keep their costs down by taking a lot of donations. She added that many of these donations are of a higher quality than they could otherwise afford. She stated that the families are also counseled to prepare them for the costs of future repairs that may arise.

Commissioner Lemon asked Mr. Bloom if Habitat had a select number of architectural styles that they use in their developments.

Ms. Brachle stated that they do have a number of models that they use frequently but that they are not limited to those models. She added that they do variations of those models as well.

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Commissioner Lemon asked how they help families prepare for future costs.

Ms. Brachle stated that they have a continuing education series that offers a workshop about once every two months. She mentioned that this month the topic is how to landscape on a budget.

Commissioner Lemon asked how long the families are offered support for.

Ms. Brachle stated that the families are given a mentor that they work closely with for a few years and then are offered group support for as long as they feel they need it.

Commissioner Lemon asked how much they give the family if they couldn't pay for the house and have to sell it.

Ms. Brachle stated that they give them fair market value and split any appreciation.

Commissioner Lemon asked if they allowed multiple families or extended families to live in a single home.

Ms. Brachle stated that multiple families or extended families living in a single home are prohibited.

Commissioner Lemon asked if it is really necessary to have this in West Chicago.

Ms. Brachle stated that the need is in all of DuPage County and that they could afford to buy this property in West Chicago.

Commissioner Lemon stated that West Chicago is a more affordable community to live in within the County. He then asked why it is necessary here when there are many other communities that are in need of affordable housing.

Ms. Brachle stated that Habitat is working in other communities as well including Glen Ellyn, Westmont, and Lombard.

Commissioner Lemon stated that if approved, West Chicago would have more than half of the houses built by Habitat for Humanity in DuPage County. He then asked if there is a maximum dollar amount that Habitat is allowed to spend on house.

Ms. Brachly stated that she has never come across a situation where a maximum dollar amount was set.

Commissioner Lemon passed around a map showing affordable housing in DuPage County. He stated that West Chicago is one of the more affordable municipalities and is not convinced that this is needed here.

Ms. Brachle stated that Habitat is trying to work with other municipalities.

Commissioner Lemon mentioned that Habitat had applied for a subdivision at the northeast corner of Prince Crossing and Geneva Roads in the past and was turned down because there was a concern of grouping these homes together. He asked why Ms. Brachle felt clumping these homes together would be acceptable.

Ms. Brachle stated that the homes would be built out over a three year period and when completed would blend into the existing neighborhood. She added that there is no way to tell a Habitat house apart from any other house except during the construction phase.

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Commissioner Warbiany stated that he has no problem with the people these homes would be sold to. He commented that his priority is to make sure that they are quality homes that would bring value to the community.

Mr. Harris reminded the board that consideration should be given to the rezoning, and subdivision requests and that decisions should only be based on facts that pertain to the zoning or subdivision regulations and not who the developer is.

Chairman Banas asked Mr. Harris to clarify what improvements are specifically requested to be waived along the west side of Sherman Street.

Mr. Harris stated that the request is to waive the requirement for streetlights, sidewalks, and parkway trees. He added that any other ancillary improvement is meant to cover any minor improvements that would arise if the deviation were granted.

Chairman Banas asked if these improvements are required by City Code.

Mr. Harris said that these are required by the City's Subdivision Code.

Commissioner Warbiany stated that he felt such improvements would bring the property value up.

Chairman Banas asked the applicant if the project would be feasible if the deviation to waive public improvement requirements on the west side of Sherman Street was denied.

Ms. Brachle stated that they would have to reevaluate the project costs to answer the question with certainty.

Commissioner Lemon asked how much Ms. Brachle thought the improvements would cost.

Ms. Brachle stated that the improvements would cost between \$15,000 and \$20,000 dollars.

Chairman Banas asked if there were any other questions from the Commissioners or anybody present that would like to speak. Hearing none he then asked if the petitioner would like to provide closing statements.

Ms. Brachle stated that the City is getting a good deal because the property is being improved with eleven homes that will be occupied by taxpayers. She added that through the extension of the City sewer, the West Chicago Park District will be allowed connect for free and the City is getting service to an area that had none.

Mr. Kubiesa stated that the proposed development is the highest and best use possible for the property and the deviations requested are minor compared to the benefits the project will provide for the City of West Chicago.

Mrs. Weems stated that these homes are for hardworking families in need and they are not just given away. She commented that each family has a different background but that they all are hardworking people that want to be good neighbors.

Commissioner Warbiany made a motion, seconded by Commissioner Posadzy, to close the public hearing for Case PC 05-21. The Commissioners unanimously agreed. Motion carried.

6. Review of Case PC –05-21 – DuPage Habitat for Humanity, the East side of Sherman Street between Stimmel & Brown Streets, Rezoning & Final Plat of Subdivision

Commissioner Warbiany stated that the applicant, while their actions are admirable, is irrelevant. He added that the City has standards that should be upheld whenever possible.

Chairman Banas stated that he did not want to set a precedent by giving an unnecessary deviation to Habitat.

Commissioner Lemon stated that he felt Habitat should be treated just like any other developer would be treated. He added that the public improvements would be required for any other developer. He commented that he also had concerns regarding the amount of earth cover over the storm sewer.

Chairman Banas stated that he did not have a problem with the storm sewer deviations. He added that he felt the required public improvements are necessary because they encourage safety.

Mr. Harris commented that the required sidewalk would provide connectivity to existing sidewalks to the north and the existing park to the south.

Commissioner Jarolin stated that no one from the neighborhood testified in opposition of the request.

Commissioner Lemon stated that West Chicago has a median home value of \$205,000 dollars and that other communities have a lower median home value. He expressed concern about the impact these homes could have on the value of homes in the neighborhood.

Chairman Banas stated that he did not believe these homes would lower property values.

Commissioner Warbiany stated that the City engineering staff did not object to the storm sewer deviations.

Commissioner Lemon stated that the code should be revised to allow less earth cover over storm sewers.

Mr. Harris stated that the code was revised about one and a half years ago, but that it could be looked at again.

Commissioner Lemon made a motion to approve PC 05-21 with deviations from the City's Subdivision Code to allow a City maintained storm sewer to have 1.72 feet of earth cover instead of the required 3 feet and to allow a privately maintained storm sewer to have 1.69 feet of earth cover instead of the required 2 feet. The motion failed to receive a second.

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to approve PC 05-21 as recommended by City staff. The Commissioners unanimously agreed. Motion carried.

The Commissioners took a five-minute break at 8:35 p.m.

7. Public Hearing Case PC 06-51 – Pressalite, 300 Industrial Dr., Stormwater Deviation.

Mr. Harris read the request in for the record and gave a brief overview. He stated that the applicant, Pressalite, is requesting the approval of two deviations to the City's Subdivision Code in order to construct a parking lot addition adjacent to his existing manufacturing facility located at the northwest corner of Industrial and Downs Drives. He explained that the first deviation is to allow storm water storage depth within the parking lot greater than one foot during a 100-year storm event and the second

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deviation is to allow for private storm sewer to have less than two feet of earth cover over the top of the pipe. He commented that the DuPage County Stormwater Committee had reviewed and approved the request. He added that DuPage County is undertaking a project along Kress Creek that is anticipated to lower the overall established floodplain elevation by 3.7 feet. He explained that when this project is complete, the stormwater storage variance would no longer be necessary. Mr. Harris added that the deviation to allow less than two feet of earth cover over the storm sewer is only for a small portion of the parking lot. He explained that to connect with the existing storm sewer, this deviation is necessary. He concluded by recommending approval of both deviations.

Commissioner Lemon expressed his desire to revise the Subdivision Code regarding the amount of earth cover required over storm sewers. He added that the Plan Commission reviews a lot of deviation requests to allow less than the required amount of earth cover over storm sewers.

Chairman Banas asked if there was anyone in the audience that would like to testify on behalf or in opposition to the proposed request.

Ben Bussman, the engineer for the project, was sworn in and stated that he has no concerns with allowing less than two feet of earth cover over the storm sewer. He added that he would like the Plan Commission to consider staff's recommendation.

Commissioner Warbiany made a motion, seconded by Commissioner Posadzy, to close the public hearing of Case PC 06-51. The Commissioners unanimously agreed. Motion carried.

8. Review of Case PC 06-51 – Pressalite, 300 Industrial Dr., Stormwater Deviation.

Commissioner Lemon made a motion, seconded by Commissioner Posadzy, to approve PC 06-51 as recommended by City staff. The Commissioners unanimously agreed. Motion carried.

9. Public Hearing Case PC 07-14 – Forming America, LTD., Front Yard Setback Variances.

Mr. Harris read in the request for the record and gave a brief overview. He explained that the applicant, Forming America, is requesting five (5) variances as a result of the requirement to dedicate seventeen (17) feet of right-of-way in conjunction with their special use request for an outside storage yard. He added that the dedication of the right-of-way would render their existing storage yard, office building, and proposed parking lot improvements adjacent to Prince Crossing Road as legal nonconforming unless the variances are approved by the City Council. He explained that all five variances are to reduce the front yard building, parking, and landscaping setbacks to bring the property into compliance upon dedicating the right-of-way. Mr. Harris stated that City staff has not approved the proposed Landscape Plan because it is in need of eight (8) modifications to be brought into compliance with the City's landscape regulations. He commented that staff must have a revised plan to determine compliance. He added that variances typically run with the land once they have been approved. He commented that staff is recommending a condition that would only make the variances applicable to specific structures. Mr. Harris noted that the applicant is not in favor of this condition because he feels it would be difficult to sell the property if the existing structures cannot be rebuilt in the same locations. He concluded by recommending approval of the proposed front yard setback variances subject to the conditions that the landscape plan be revised and submitted for approval prior to Development Committee consideration, the variances be tied to individual site features, and that the applicant prepare the plat of right-of-way dedication to be approved before December 31, 2007.

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The applicant, James Langkamp, was sworn in. He reminded the Commission that he was before them last month with a special use request and that the dedication of right-of-way along Prince Crossing Road was a point on contention. He stated that he has agreed to dedicate 17 feet of right-of-way to the City of West Chicago but that he was not aware that it would create so many nonconformities on the property. He explained that the requested variances are to bring the property into compliance after the dedication of right-of-way and they would not be needed otherwise. He apologized to the Commission for not having a complete landscaping plan but assured them that they will have one complete as soon as possible to submit to City staff for review and approval. He explained that the variances are needed to proceed with his special use request, which is scheduled to go before the Development Committee in August. He added that the landscape plan is only incomplete because there have been so many changes needed since the agreement to dedicate the 17 feet of right-of-way.

Commissioner Lemon asked the applicant if he understands the difficulty in approving an incomplete plan and asked if his landscape architect understands what needs to be corrected.

Mr. Langkamp acknowledged the Commissioners' dilemma and assured them that his landscape architect is making the required changes to the landscape plan.

Michael Krone was sworn in and introduced himself as an employee of Mr. Langkamp. He explained that they have every intention of making the required changes to the landscape plan and that the only reason it is not complete now is because of time restraints. He commented that the plan needed to be reviewed by the City, returned to him, and then forwarded to the landscape architect. He added that everybody is aware of what needs to be done to achieve compliance and that they just need a little time to get the revised plan to City staff.

Commissioner Lemon stated that he has difficulty approving something that he cannot see is accurate.

Mr. Krone stated that many of the required revisions are minor and can be fixed immediately. He added that the other changes will be done and submitted to City staff for review and approval.

Mr. Harris stated that it is not a matter of whether or not the applicant will comply. He explained that they have to comply with the requested revisions to meet the City's landscaping requirements. He commented that the applicant needs to make the revisions and get them to staff as quickly as possible if they desire to have a Plan Commission recommendation prior to their meeting with the Development Committee in August. He added that the applicant needs to have the revisions completed and to City staff no later than August 1, 2007 to make that possible. Mr. Harris informed the Commissioners that there are two Plan Commission meetings scheduled before the applicant's meeting with the Development Committee and that they could table their decision and wait for a revised landscape plan.

Chairman Banas asked if there was anyone else in the audience that would like to speak in favor or in opposition to Case PC 07-14.

Commissioner Posadzy made a motion, seconded by Commissioner Warbiany, to close the public hearing of Case PC 07-14. The Commission unanimously agreed. Motion carried.

10. Review of Case PC 07-14 – Forming America, LTD., Front Yard Setback Variances.

There was discussion amongst the Commissioners and the applicant regarding a date to continue the meeting.

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Mr. Langkamp stated that he would not be able to attend the July 31, 2007 Plan Commission meeting but that he could attend the August 7, 2007 Plan Commission meeting.

Commissioner Posadzy made a motion, seconded by Commissioner Jarolin, to continue the review of Case PC 07-14 to the Plan Commission meeting on August 7, 2007. The Commissioners unanimously agreed. Motion carried.

11. Other Commission business.

Mr. Harris stated that the Plan Commission would have a meeting on July 31, 2007 at 7:00 p.m. He explained that this special meeting date is intended to keep the agenda for Plan Commission meeting on August 7, 2007 as light as possible. He noted that the public hearing for Case PC 07-10, St. Andrew's Golf & County Club, is scheduled for the August 7, 2007 meeting and that City staff is anticipating a lot of testimony to be taken at that meeting. He added that the August 7, 2007 Plan Commission meeting will be held at Wheaton Academy to accommodate the anticipated large crowd and that the meeting will begin at 7:00 p.m. He assured the Commissioners that maps would be mailed out to help them find their way through the school campus.

Mr. Harris informed the Commissioners that the Final PUD for Lot 7 in Jigged Ventures Subdivision, reviewed by the Commissioners at their previous meeting, has been approved by the City Council.

12. Adjournment – Commissioner Jarolin made a motion, seconded by Commissioner Warbiany, to adjourn. The Commissioners unanimously agreed. The meeting adjourned at 9:35 p.m.

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