

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS July 31, 2007

MINUTES

Approved with no changes at August 7, 2007 meeting

1. **Call to Order, Roll Call and Establishment of a Quorum** - Commissioner Banas called the meeting to order at 7:01 p.m. Roll call found Commissioners John Warbiany, Jeffrey Posadzy, Stephen Jarolin, Vickie Barber, Janet Hale and John Banas present. Commissioner Bob Lemon 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 during the public hearing must be sworn in by the court reporter before speaking.

4. **Public Hearing Case PC 07-07 – Kipling Development Corporation, Rezoning and Preliminary Planned Unit Development with Deviations**

Mr. Harris gave an overview of the request for a change in zoning to the R-6, Multiple Family Residence zoning district for approximately 30 acres of a 42.4 acre property currently zoned B-3 Regional Shopping zoning district. He added that the change in zoning is in conjunction with a thirty-nine (39) lot preliminary plat of subdivision along with a preliminary Planned Unit Development (PUD) for the entire 42.4-acre subject property. He explained that the proposed rezoning and PUD would allow for the development of one hundred five (105) town home units. He stated that proposed development also includes the dedication of public streets and necessitates multiple deviations to the City's Zoning and Subdivision Codes. Mr. Harris gave a background of the subject property and explained that it was annexed into the City and zoned B-2 General Business District prior to 1975 and has remained mostly undeveloped. He added that there are approximately 9 acres of wetlands on-site distributed across 3 proposed outlots. He noted that there is a 1-acre parcel that is currently unincorporated that this property surrounds along North Avenue. He added that this site is occupied by a painting contractor and is not included in the applicant's development plans. He commented that the applicant is keeping the prime buildable frontage along North Avenue zoned as B-3 for commercial development, including the traffic light controlled intersection at Atlantic Drive. He added that the proposed R-6 zoning and subsequent town home development will act as a transition buffer between the commercial property along North Avenue and the existing single-family residential subdivisions, the Woods of St. Andrews and Ashmore Estates, located north and east of the subject property. Mr. Harris stated that the proposed R-6 zoning is also consistent with the existing R-6 zoning designation for the Wood Glen senior housing development immediately east of the subject property. He stated that the City's Comprehensive Plan designates the entire subject property as Commercial and that the proposed multi-family zoning is not consistent with the Comprehensive Plan designation, however City staff feels that the zoning is an appropriate development buffer between the commercial zoning along North Avenue and the single family zoning to the north and east of the subject property. He added that the Comprehensive Plan should be amended if the proposed rezoning is approved. Mr. Harris stated that the applicant is proposing a 39 lot preliminary plat of subdivision that includes the dedication of new right-of-way and 5 outlots for wetland

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preservation and stormwater detention. He added that a majority of the subject property's stormwater detention is being provided on the adjacent forest preserve property to the west with a small detention facility also being provided in the southeast corner of the site. Mr. Harris gave an overview of the 4 requested subdivision code deviations. He stated that the residential component of the development would consist of units that range from 1,980 to 2,890 square feet in area with a base sales price of \$350,000 exclusive of upgrades. He added that the applicant desires to begin site clearing in Late 2007 or early 2008 with infrastructure improvements complete by the fall of 2009. He commented that the applicant intends on having the residential component of the development fully completed by September of 2010. He explained that the site would also include an entry feature in the form of a 35-foot tall brick and stone tower to be erected within the planted median on Atlantic Drive. He noted that final PUD approval would be required prior to any site development being performed on-site. Mr. Harris gave a detailed overview of parking, traffic circulation, architectural elevations, and landscaping and highlighted areas that require PUD deviations. Mr. Harris gave an overview of the 7 requested PUD deviations. He stated that the City's engineering staff and fire department have reviewed the proposed request and do not have any major objections at this time. He added that the final PUD and final plat of subdivision will required much more detail and may generate more comments from these reviewing bodies. Mr. Harris stated that the standards for the rezoning, subdivision, and planned unit development are all listed in staff's report and that unless otherwise stated, they should be adopted in the Plan Commission's recommendation. Mr. Harris stated that City staff recommends the approval of the Kipling Woods at St. Andrews Preliminary Plat of Subdivision as presented with the requested 4 Subdivision Code deviations. He added that City staff also recommends the approval of the rezoning of the proposed residential component of the development from B-3, Regional Shopping District to the R-6, Multiple Family Zoning District. He concluded by stating that City staff also recommends approval of the preliminary PUD with the requested 7 Zoning Code deviations for the entire development subject to the five conditions listed in the staff report.

Paul Giuntoli was sworn in and stated that he was with Kipling Development. He stated that he thought City staff did a good job of explaining the various requests associated with the development and thanked City staff for their efforts. He also thanked the Commission for taking the time to review the materials and consider the proposal.

William Babyar was sworn in and stated that he live at 2030 Arapaho Drive. He stated that he had a problem with the proposed access road that would connect to Norris Avenue. He added that he likes the idea of having a buffer between the commercial use and single-family uses. He asked if the on-site retention pond would have a water feature like a fountain.

Phil Wolf was sworn in and stated that he was the project engineer with Manhard Consulting. He stated that the retention ponds would have naturalized plantings with a wet bottom and would be reviewed by DuPage County for compliance.

Mr. Babyar asked who would maintain the retention pond.

Mr. Wolf stated that it would be the responsibility of the homeowners association.

Mr. Babyar asked if there was any way to prevent the emergency access to the development from being located at the northeast corner of the development and instead relocated to the southeast corner of the development off of North Avenue.

Mr. Wolf stated the emergency access drive is being requested by the Fire District and that it may not be feasible to provide the access at the southeast corner of the development given the existing site conditions.

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Mr. Babyar stated that he would like to see the emergency access drive come from the small commercial lot along North Avenue and loop around the retention pond. He added that he felt it was worth looking into.

There was general agreement from members of the audience regarding the relocation of the emergency access drive.

Scott Bublitz was sworn in and stated that he lived at 355 Indianwood Lane. He stated that he is concerned about tree preservation on the site. He commented that sight lines would be impacted. He added that many people enjoy the view of the trees and having a wooded area behind their houses. He asked if the proposed emergency access drive off of Norris Avenue would be a one or two lane.

Mr. Wolf stated that the proposed emergency access drive is 20 feet wide to tie into the existing road. He added that a gate would be placed at the north end to prohibit cut-through traffic. He commented that the gate would be similar in nature to that of a toll booth.

Mr. Bublitz asked if the existing tree line along Norris Avenue would be preserved.

Mr. Harris explained that any trees located on private property cannot be removed without the permission of the property owner and that the developer has the right to remove trees on the subject property if deemed necessary as part of the development.

Mr. Bublitz stated that he wants to make sure that the least amount of trees possible are removed.

Jim Sill was sworn in and stated that he lives at 490 St. Andrews Court. He stated that he is concerned about the off-site retention of storm water. He commented that the water will need to be conveyed to the opposite side of the development to the off-site storm water detention facility on forest preserve property and that he is concerned about what grade changes will take place and how his property might be impacted.

Mr. Wolf explained that the extreme grade change at the southeast corner of the development is a benefit to removing storm water from that area. He added that the roadways will take the bulk of the excess runoff and that little changes in the existing grades will be necessary. He commented that the development of this site would probably improve storm water flow on the adjacent properties.

Mr. Sill asked if grade changes on adjacent properties would change. He added that he has a low lying lot that already collects water during rain events.

Mr. Wolf stated that they are required to meet existing grades at all property lines, which in this case will probably result in more water being taken away from his property.

Mr. Babyar asked if street lights would be installed along the emergency access drive.

Mr. Giuntoli stated that no lights would be installed. He added that he felt the emergency vehicles would have sufficient lighting to make it through the access drive safely.

Mr. Sill asked how this development would impact lots that are currently on private well and septic.

Mr. Harris stated that there should not be any adverse impact on those systems.

Mr. Giuntoli stated that the storm sewer would be installed at no deeper than 12 feet and that the water wells typically draw from deep aquifers. He added that it would difficult to impact the existing systems.

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Sandy Scott was sworn in and stated that she lived at 450 St. Andrews Court. She asked that if the emergency access drive is for the Fire District in emergency situations why they would want to go all the way up Route 59 and through the adjacent subdivisions in order to gain access to the proposed development when there will be multiple access points off of North Avenue.

Mr. Harris stated that the emergency access drive is a secondary entrance and would only be used if all other access points to the development were obstructed.

Ms. Scott asked if there would be any additional landscaping provided to accommodate for the request rear yard setback of 26 feet instead of the required 30 feet.

Mr. Harris stated that the developers are attempting to preserve as many existing trees as possible and that no grade changes or additional landscaping are proposed in that area.

Darren Dandre was sworn in and stated that he lives at 420 St. Andrews Court. He stated that he understands the emergency access drive is being requested by the Fire District and that it will not be used for through traffic. He added that he agrees it must be gated but that it should be done in an attractive manner. He commented that it should not look like a toll booth gate. Mr. Dandre stated that he did not approve of the request for a rear yard setback of only 26 feet. He added that setbacks are created for a reason and that everyone else has setbacks they must adhere to. He commented that trees would be damaged even if they were not removed. He asked that trees that die due to construction be replaced whenever possible.

Pat Selvaggio was sworn in and stated that he was with Kipling Development. He stated that he wanted to make sure everybody understood that the rear yard setback of 26 feet would only potentially apply to 10 of the 105 units and that the would only be for the patio section of the unit, the rest of the unit would adhere to the 30 foot setback requirement. He added that he felt the additional architectural feature would enhance the view of the property.

Mr. Giuntoli stated that the gate in the access lane could be dressed up. He added that all drainage is regulated by the City of West Chicago, DuPage County, and State of Illinois and that they have every intention of following their direction.

Commissioner Posadzy asked if they would like to comment about replacing trees that die as a result of construction.

Mr. Giuntoli stated that they are trying to preserve as many trees as possible and that they would like to market the development as a wooded area. He added that they will replace trees where possible but that they cannot replace a 200 year old oak tree with another; replacements would have to be of a much younger tree.

Commissioner Banas asked if there were any other comments from the audience.

Mr. Dandre asked where the public utilities would be coming from.

Mr. Harris stated that the sanitary sewer would be extended from North Avenue and that it would not impact surrounding properties. He added that water would also come from North Avenue but that it would also be extended up Norris Avenue to connect to an existing line that services Ashmore Estates. He explained that this connection on Norris Avenue would improve water flow for the Kipling development.

Mr. Dandre asked if those currently without City water on St. Andrews Court would be required to connect.

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Mr. Harris stated that they would not be required to connect because water service would not be provided to them as part of these improvements.

Mr. Dandre asked if he had the option to connect.

Mr. Harris stated that he would because of his lots location on the corner of Norris Avenue and St. Andrews Court.

Mr. Babyar asked what side of Norris Avenue the water line would be installed on.

Mr. Harris stated that the existing line is on the east side of Norris Avenue but that the specific connection plans have not been completed at this stage.

Tom Scott was sworn in and stated that he lives at 450 St. Andrews Court. He stated that he fears this development would land-lock his subdivision and prevent them from ever receiving public services. He added that he also feels the access gate should be located at the southeast corner of the development. He commented that the access point would eliminate any buffer between the proposed development and the existing residences. He stated that he was not confident that his property value would not be negatively affected by this development. He asked who would monitor the trees to ensure compliance with the preservation plan.

Mr. Giuntoli stated that most of the trees being preserve are located in the wetland buffer strips required by DuPage County. He added that such strips are fenced off and are not affected by construction. He stated that DuPage County and the City of West Chicago would monitor the site to ensure compliance with the plan.

Commissioner Hale stated that the rear yard setback is not a big issue for her. She explained that the additional 4 feet is only required to allow the patios to be enclosed. She stated that a concrete patio with no roof or walls would be permitted regardless of the rear yard setback.

Brian Banducci was sworn in and stated that he lives at 2015 Arapaho Drive. He asked if alternatives to the location of the access lane would be looked at.

Mr. Harris stated that City staff and the developer would examine the possibility of relocating the access point and present the option to City Council.

Mr. Banducci asked when the residents would have another opportunity to voice their opinions.

Mr. Harris explained that after the Plan Commission makes a recommendation, the case goes forward to the Development Committee and City Council, both of which are meetings open to the public. He added that even if approved, this petition is only preliminary and that the developer would have to apply for final approval prior to any construction taking place.

Mr. Sill asked if the Triple A Painting property along North Avenue has been acquired by the developer.

Mr. Wolf stated that it has not.

Mr. Sill asked if it were to be acquired, who would be responsible for cleaning up any site contamination.

Mr. Harris stated that the property is not part of the development and is not directly relevant to the request.

Commissioner Banas asked if there were any concluding comments from the developer and residents.

Mr. Selvaggio thanked City staff and the Plan Commission for their time and consideration and stated that he understands the concerns of the surrounding homeowners. He added that they are trying to do the best job possible to minimize any adverse impacts on surrounding properties.

Mr. Dandre stated that he knows that development of the site is inevitable and he is glad that the City and the developers are sensitive to their concerns. He added that the development looks to be high-end and that he is simply asking that the concerns of the surrounding properties be taken into consideration.

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to close the public hearing for Case PC 07-07. The Commissioners unanimously agreed. Motion carried.

5. Review of Case PC 07-07 – Rezoning, Preliminary Planned Unit Development with Deviations, and Preliminary Subdivision.

Commissioner Warbiany asked if the wetland areas would be able to survive with so much added pavement and impermeable surface and with so much water be taken off-site.

Mr. Wolf stated that an analysis has already been done to ensure that the existing water flow to the wetlands is maintained.

Commissioner Warbiany asked how the properties to the north would be affected.

Mr. Wolf stated that the redirected storm water should actually benefit the adjacent properties and that in most situations, when engineering is required for new developments; the surrounding properties see an improvement in storm water drainage. He added that the aquifers used for the neighbors' wells are well below the area being disturbed.

Commissioner Warbiany asked how they account for the additional run off created by all of the new pavement.

Mr. Wolf stated that the amount of retention/detention required is based off the amount of impermeable surface being installed.

Commissioner Warbiany asked what the footprint of the units are.

Mr. Selvaggio stated that the units are about 40 feet wide and 28 feet deep.

Mr. Harris stated that the floor plans are shown in the documents attached to the staff report.

Commissioner Posadzy stated that he agreed that the emergency access drive should be relocated. He added that if the Fire District is building a new fire station just off of North Avenue then it does not make sense to make the access drive at the northeast corner of the development.

Mr. Harris stated that the Fire District will be just south of North Avenue off of Atlantic Drive and that a building date has not yet been determined. He explained that the proposed emergency access drive is only to be used as a secondary access point in cases where all other access to the Kipling development is blocked off.

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Mr. Harris added that gated emergency access lanes have been used in several other subdivisions in the City including Prince Crossing Farms and Willow Creek.

Commissioner Jarolin stated that he felt the emergency access drive is necessary to ensure the safety of the residents. He added that it would only be used if absolutely necessary. He commented that the access drive works both ways in that it also provides emergency access to the existing subdivisions when access off of Route 59 is blocked.

Commissioner Hale stated that the rear yard setback is not an issue for her. She added that most of the patio is recessed into the building and that the variance simply allows the patio to be enclosed if desired.

Mr. Harris stated that the floor plans show the outline of the recessed portion of the patio area. He added that by code patios could extend into the required rear yard building setback.

Commissioner Jarolin asked where the utilities would be coming into the units.

Mr. Giuntoli stated that the utilities would come from the front of the units.

Commissioner Jarolin asked how the wetlands would be maintained once the project is complete.

Mr. Giuntoli stated that the wetlands would not be maintained and are naturally self-sufficient.

Commissioner Jarolin asked who would maintain the commercial properties prior to them being developed.

Mr. Giuntoli stated that Kipling would maintain the commercial properties.

Commissioner Jarolin stated that at future meetings it would be helpful to have an arborist present to answer some of the tree preservation questions.

Mr. Giuntoli stated that they are working with an arborist and will make sure to bring him to future meetings.

Commissioner Hale asked if the proposed access to the larger undeveloped commercial lot would be sufficient.

Mr. Giuntoli stated that the plan is preliminary and those issues will be worked out when the end users are known.

Commissioner Hale asked that access to the western commercial lot be kept in mind when developing the proposed pharmacy/restaurant lot.

Commissioner Warbiany asked if the traffic impact analysis is affected depending on the use of commercial Lot 2 being a restaurant or a pharmacy.

Mr. Harris pointed out that the traffic impact analysis gives different values on the various uses on page 7 of the report.

Commissioner Warbiany asked how the proposed mulch on the berms would be stabilized given the request to make the berms steeper.

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Mr. Giuntoli stated that a variety of shrubs, groundcovers and perennials would be planted to hold the mulch in place.

Commissioner Warbiany agreed that it would be beneficial to have an arborist present at future meetings.

Commissioner Posadzy stated that he is concerned that the proposed strip mall might not succeed. He stated that there are numerous strip malls in town with vacancies and that another could be a problem.

Mr. Giuntoli stated that they share the same concern.

Commissioner Banas stated that with the removal of the sidewalk on the west end of the development, and the tight turning radius, he is concerned about the ability of cars to see pedestrians at the proposed crosswalk.

Mr. Wolf stated that landscaping around the crossing would be kept minimal to ensure visibility and that proper signs would be provided.

Mr. Harris read a letter from the Forest Preserve in for the record. The letter stated that the Forest Preserve does not object to the proposed development and that they are working with the developer to ensure a quality development.

Commissioner Warbiany asked why there was a need to allow the structure to be 28 feet tall and not to provide a greater front yard setback.

Mr. Harris stated that the need is due to the slopes of some of the units and because moving the structures back could encroach into areas that they are trying to use as wetland buffer strips.

Commissioner Warbiany asked how the highest point is measured.

Mr. Harris stated that it is measured from the highest point of the individual unit to the grade for that individual unit.

Commissioner Posadzy asked why St. Andrews Woods does not have sewer and water.

Mr. Harris stated that it was approved as a rural subdivision without sidewalks, curbs, street lights, sanitary sewer and water. He added that some of the services could be extended to the homes, but the issue is who would be responsible for facilitating the improvements and at what cost.

Commissioner Warbiany asked why staff recommended that the units have full basements.

Mr. Harris explained that many people tend to store items in their garage when a basement is not present. Staff wanted to ensure that cars are being parked in the garage, thereby leaving additional parking available on driveways.

Commissioner Warbiany asked the height of the basements would be.

Mr. Giuntoli stated that they would be the standard height of 8 feet, but could be upgraded to a taller height if necessary.

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Commissioner Hale stated that she felt this is a high-end development and that the developers are doing an excellent job of addressing the issues. She added that the development could be much worse because the property is zoned commercial.

Commissioner Banas stated that it is nice to see developers working with a difficult site instead of clear cutting and starting from scratch.

Commissioner Warbiany stated that he felt surrounding property values are likely to rise due to the quality of the development. He added that property values could be low now because of the fear of what might be developed on the site.

Commissioner Barber stated that it is common to see lower property values near undeveloped site due the fear of what may be developed in the future.

Commissioner Jarolin made a motion, seconded by Commissioner Warbiany, to approve the rezoning from B-3 to R-6, the preliminary plat of subdivision with four (4) deviations, and the preliminary PUD with seven (7) deviations for PC 07-07 as recommended by City staff. The Commissioners unanimously agreed. Motion carried.

6. Review of Case PC 06-37 – Amendment to the final PUD for Bowling Green Office Center.

Mr. Harris gave an overview of the request. He stated that the amendment to the previously approved final PUD for the Bowling Green Business Center is to allow for a master signage plan within the business center. He explained the Bowling Green development consists of the business center, bowling complex, and retail shopping center. He stated that the applicant desires to replace the existing directional and identification signage used throughout the business center in order to enhance tenant recognition and to enhance visitor circulation once on-site. He added that the main entrance to the center is off of Roosevelt Road between the bowling complex and the retail shopping center. He commented that this entrance is identified by an existing sixty (60) square foot monument sign and that it is proposed to remain as it exists. He added that the site has a secondary shared access off of Joliet Street north of the retail shopping center, but said entrance does not display any type of signage pertaining to the business center. Mr. Harris then gave an overview of the existing and proposed directional signs on the site. He commented that the applicant also desires to install a thirty-three (33) square foot monument sign at the southwest corner of Building 14. He stated that this sign would be utilized exclusively for one of the applicant's more high profile tenants in the center, Access Medical. He added that City staff is opposed to the use of this sign as it only displays a single tenant, is much larger than those used to identify the other tenants in the center, and is not of a design consistent with the other proposed tenant signs. He stated that City staff is recommending that the proposed sign use a similar sign as shown in the packets as elevation "D". He added that City staff is also recommending that the applicant install landscape beds at the base of each newly proposed ground sign. He acknowledged that the applicant is not in favor of the changes to the Access Medical sign or the recommended landscape beds due to the initial install and long-term maintenance costs. Mr. Harris stated that staff is also recommending a condition of approval that will allow the applicant to install additional signs on-site of a similar nature to what is being proposed without requiring another amendment to the PUD. He concluded by recommending approval of the final PUD amendment subject to the 4 conditions listed in the staff report.

Tom Kolschowski was sworn in and stated that he is the applicant's attorney. He stated that this request began as a simple sign permit application but has evolved into a much larger sign plan for the entire

