

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## MINUTES

### Development Committee

**August 13, 2007, 7:00 P.M.**

**Approved with no changes at September 10, 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 7:30 P.M.

Also in attendance were Alderman Sandy Dimas, Alderman Russell Radkiewicz, City Administrator Michael Guttman, and Community Development Director Joanne Kalchbrenner.

#### 2. Approval of Minutes.

**A. Development Committee, June 11, 2007. Alderman Stout made a motion, seconded by Alderman Monroe, to approve the minutes of the June 11, 2007 Development Committee Meeting. Voting Yea: Aldermen Beifuss, Dzierzanowski, Monroe, Murphy, Pineda, and Stout. Voting Nay: 0. Motion carried.**

**3. Public Participation.** Attorney Ken Kubiesa indicated that he would like an opportunity to speak in regard to the Habitat for Humanity proposal when the issue is considered.

#### 4. Items for Consent.

Chairman Pineda asked if any aldermen wanted to remove an item from the consent agenda. Alderman Beifuss requested that item B, Kipling Development Corporation be removed from the Consent agenda. Chairman Pineda read the following items for Consent:

- A. Press-A-Lite Corporation – 300 Industrial Drive, Stormwater Deviation
- B. Kipling Development Corporation – North side of Route 64 and west of Route 59, Rezoning and Preliminary PUD with Deviations – moved to Items for Discussion
- C. Bowling Green Office Center – 245 W. Roosevelt Road, Amendment to Final PUD
- D. Gloria's Jewelry – 178 W. Washington, Plat of Consolidation

**Chairman Pineda advised that the items would be placed on the August 20, 2007 City Council Agenda under Consent.**

## 5. Items for Discussion.

**A. DuPage Habitat for Humanity – East side of Sherman Street between Stimmel and Brown Streets, Annexation, Annexation Agreement, Rezoning, Final Plat of Subdivision and Recapture Agreement.** Chairman Pineda asked for a brief summary. Ms. Kalchbrenner responded that Habitat for Humanity is requesting annexation, an annexation agreement, rezoning, final plat of subdivision and a recapture agreement for the proposed subdivision. The proposed resolution does not include three deviations that were recommended by staff and supported by the Plan Commission, including allowing a private stormsewer with less than two feet of cover, allowing a public stormsewer with less than three feet of cover and allowing the existing overhead power lines that serve existing homes north of the proposed subdivision. If acceptable to the Development Committee, the resolution should be revised to include those deviations. The resolution also does not include the deviations requested by the applicant for improvements on the west side of Sherman including parkway trees, sidewalks and streetlights that were not recommended by staff or the Plan Commission. Chairman Pineda asked for a motion on this item.

**Alderman Beifuss made a motion, seconded by Alderman Dzierzanowski, to approve the proposed annexation, annexation agreement, rezoning, final plat of subdivision and recapture agreement for DuPage Habitat for Humanity east of Sherman Street between Stimmel and Brown Streets with the elimination of Article IX, entitled Deviation from Subdivision Regulations, of the Annexation Agreement, and Article XI, entitled Waiver of Fees, of the Annexation Agreement, and a revision to Resolution 07-O-0097 to provide three deviations including a private stormsewer with less than 2 feet of cover, a public stormsewer with less than 3 feet of cover and to permit overhead electricity lines for the existing homes.**

Chairman Pineda requested any discussion. Alderman Stout and Beifuss recognized the applicant. Mr. Kubesia requested reconsideration of the deviations for improvements along Sherman Street because the developer is a non profit organization and because the improvements will not improve the neighborhood. Habitat for Humanity Executive Director Sarah Brachle explained the financial justification for the proposed deviations. She advised that this is a very expensive project and there have been significant engineering issues. Habitat has to raise funds for the development, including all the infrastructure requirements. Alderman Murphy asked if the homes would be provided to families and Ms. Brachle responded that she didn't have statistics but that families would occupy most of the homes. Alderman Murphy responded that children should have sidewalks to play on. Alderman Beifuss added that the development is within an area that has sidewalks, the city has required other developers to install public improvements and that the city would set a poor precedent by waiving the requirements. Ms. Brachle responded that she believes there should be special consideration for a non-profit agency such as Habitat for Humanity and thought that there are other areas that do not have sidewalks. Ms. Kalchbrenner responded that the only area that does not have sidewalks is the unincorporated area. Chairman Pineda added that if deviations are granted here it would be difficult to justify the requirements for other developers. Ms. Brachle asked if the other developers are non-profit organizations and Chairman Pineda responded that it is irrelevant and that the city needs to consistently enforce our regulations. Alderman Murphy added that we need to be concerned with the Emerald Ash Borer and need to make sure that we plant as many trees

as possible, rather than waive tree planting requirements. Ms. Brachle thanked the Committee for the opportunity to present her case.

Mr. Kubesia asked if the proposed annexation agreement could be the formal consideration of the fee waiver and Ms. Kalchbrenner responded yes. It was her understanding that Habitat planned to submit a separate formal request for funding, but this could be considered the request. She advised Mr. Kubesia that the proposed fee waiver does not comply with city policy for fee waivers, but that they are entitled to request a fee waiver. With no further comments, Chairman Pineda requested a vote.

**Voting Yea: Aldermen Beifuss, Dzierzanowski, Murphy, Monroe, Stout and Pineda.  
Voting Nay: 0. Motion carried.**

**B. Forming America – 1200 Prince Crossing Road, Special Use and Variances.**  
Chairman Pineda asked for a motion on this item.

**Alderman Murphy made a motion, seconded by Alderman Beifuss, to approve the proposed special use permit an variances with the additional condition on the special use permit that the applicant provide a monthly progress report in person to the Development Committee.**

Chairman Pineda requested any discussion. Alderman Dzierzanowski asked staff what the proposed timeline for the conditions would be and if the applicant has been provided a copy of the timeline. Ms. Kalchbrenner read the following timeline from the staff memo:

September 1, 2007	Complete wetland delineation and submit to DuPage County for approval.
September 21, 2007	Remove gravel that was added since occupancy
September 21, 2007	Submit revised engineering plans to City of West Chicago and full submittal to DuPage County
September 21, 2007	Submit a plat of dedication for right of way to the City
October 1, 2007	Address all outstanding building code violations, obtain a building inspection and obtain a certificate of occupancy
October 1, 2007	Install all required landscaping within the public right of way and within the landscape setback
Within 30 days of receipt of DuPage County comments (each time)	Resubmit engineering plans addressing DuPage County comments
Within 20 days of DuPage County certification of plans	Obtain a site utility permit from the City of West Chicago including establishing a letter of credit for the entire project.
Within 20 days of completion of grading and	Submit storm water management as-built plan

detention pond	for review and seed future paving phases
November 1, 2008	All outside storage shall be on a paved surface

She advised that the applicant has been provided a copy of the memo and timeline on August 10, 2007. Alderman Dzierzanowski asked if the applicant finds the timeline acceptable. Mr. Sabathne advised that he represents the applicant and that the timeline is very tight and they request and extension of the time to install the landscaping until November 1, 2007 because they may not be able to get it completed by the deadline. He also believes it unnecessary to remove the gravel that was recently installed because they could have a permit within 45 days and it would be costly to remove the gravel and pour it again in 45 days just to pave. He also asked for a copy of the punchlist items that are required to bring the property into compliance with the minimum codes to obtain a certificate of occupancy. Alderman Dzierzanowski asked when this would stop? The owner has occupied the site since 2004 and has done little to comply with the codes but continues to ask for extensions and more time. Now is the time for the owner to comply. There should be no more extensions. Chairman Pineda asked for any more discussion and then to call the vote.

**Voting Yea: Aldermen Beifuss, Dzierzanowski, Murphy, Monroe, Pineda, and Stout.**  
**Voting Nay: 0. Motion carried.**

**C. Kipling Development Corporation – North side of Route 64 and west of Route 59, Rezoning and Preliminary PUD with Deviations.** Chairman Pineda requested that staff provide a summary of the proposal. Ms. Kalchbrenner summarized that the applicant proposes to rezone a portion of the property on the north side of North Avenue from B-3 to R-6 and obtain preliminary PUD approval for 105 townhomes and a commercial development. The applicant will be required to apply for final PUD approval if this is approved. Alderman Dzierzanowski advised that he would like the developer to have a conservation easement along the north property line, and is not in favor of granting the rear yard setback variance for Building #20. He asked if there would be a monument sign and Ms. Kalchbrenner responded yes. Alderman Dzierzanowski advised that the area around the monument sign should have a sprinkler system to allow greater landscaping flexibility. He asked if there has been discussion with the applicant in regard to tying the residential development to the commercial development because he doesn't want to see the residential complete with no commercial development. Ms. Kalchbrenner responded that the issue has not been raised. Alderman Beifuss asked if lot 33 is buildable. Paul Giuntoli from Kipling Homes asked if he could respond to the issues raised and Chairman Pineda responded yes. Mr. Giuntoli advised that Kipling Homes agrees to place a conservation easement along the northern property boundary but that there is grading required in the area. They propose to establish the conservation easement to protect the trees that remain after the grading is complete. They also agree to no rear yard setback variance for Building #20, and to sprinkle the area near the monument sign. He noted that the current commercial market is not strong and they have been actively marketing the site with little success. Kipling Homes would have significant concern with tying the residential development to the commercial. Alderman Murphy asked how many square feet of commercial is possible. Terry Mach from Olsen Design responded that the buildings shown are illustrative only, but that he estimates 98,000 square feet of commercial development. Alderman Murphy asked the number of bedrooms in the townhomes and the number of children anticipated. Mr. Mach responded that there would be 45 two bedroom units and 60 three bedroom units and a total of 29 children. Per

the City of West Chicago land/cash tables there would be 18.39 children in K through 6<sup>th</sup> grade, 5.25 children in 7<sup>th</sup> and 8<sup>th</sup> grade and 9.25 children in 9<sup>th</sup> through 12<sup>th</sup> grade. Chairman Pineda expressed concern with the commercial component of the plan. He would like to see the marketing plan as well as an update on the developer' efforts to market the property every few months. Alderman Murphy asked the average cost of upgrades for the townhomes and Mr. Giuntoli responded that the homes sell for \$350,000 to \$410,000 with \$30,000 to \$40,000 in upgrades.

**Alderman Murphy made a motion, seconded by Alderman stout, to approve the proposed Rezoning and Preliminary PUD with Deviations. Voting Yea: Aldermen Beifuss, Bunch, Dzierzanowski, Murphy, Monroe, Pineda, and Stout. Voting Nay: 0. Motion carried.**

**D. Driveways in Front of Homes.** Ms. Kalchbrenner noted that Alderman Beifuss requested that this item be placed on the agenda for discussion. Alderman Beifuss noted that he asked that this item be placed on the agenda for discussion because there have been several new driveways and driveway expansions in the R-5 district that are in front of the house. Many homes have driveways on the side of the house but have obtained permits to expand the driveways in front of the homes. This is aesthetically unattractive and poor public policy. Chairman Pineda asked if the code had previously prohibited driveways in front of homes. Ms. Kalchbrenner provided a brief history and explained that several years ago the City Council approved comprehensive revisions to the driveway regulations that ere ultimately cumbersome and burdensome on the public. The regulations included amortizing gravel driveways, including regulations for ribbon driveways, and prohibiting driveways in front of homes. The City Council amended the regulations shortly after approval to regulate driveways based on lot coverage. The current provisions allow driveways that dead end into the front of homes. Alderman Beifuss added that this is just an oversight and that the provisions in regard to driveways in front of homes should have been left in the code. Alderman Dzierzanowski asked if it would be just as effective to prohibit additional curb cuts and Ms. Kalchbrenner responded that some of the expanded or new driveways do not even include new curb cuts. There are some areas of town with roll curbs that do not need to be cut for a new driveway and other areas where home owners just access the expansion through the original curb cut. Chairman Pineda requested input from Committee members. Members unanimously agreed to direct staff to prepare revisions to the zoning regulations to prohibit driveways in front of homes.

**6. Unfinished Business.** None.

**7. New Business.** None.

**8. Reports from Staff.** None.

**9. Adjournment.** Alderman Murphy made a motion, seconded by Alderman Stout, to adjourn. The members unanimously agreed. Motion carried. The meeting adjourned at 7:47 p.m.

Respectfully submitted,  
Joanne L. Kalchbrenner  
Community Development Director

Min061107/jk

Development Committee Meeting  
August 13, 2007  
Page 5 of 5

## TOBACCO SALES - 2007

### Customer Name

### Address

64 / 59 CITGO	1905 Franciscan Way
AMERICAN DRUG STORES - OSCO DRUG #101	177 E. Roosevelt Rd.
ARBOR LIQUORS	110 Arbor
BOWLING GREEN SPORTS CENTER	30W150 Roosevelt Rd.
CHURILLO & WESTERMAN INC (Extra Value Liquors)	334 S. Neltnor
CITGO QUIK MART	250 S. Neltnor
COBBLESTONE RD INC	216 Main St
GMAC INTERNATIONAL (Dollar Palace Plus)	181 N. Neltnor
GUZALDO'S GOURMET COFFEE	2013 Franciscan Way
HAPPY DOLLAR & THINGS INC.	137 W. Roosevelt Rd.
JEWEL EXPRESS #3338	181 E. Roosevelt Rd.
KING JAMES REFUGE	1200 W. Hawthorne Lane
LA CRIOLLA GROCERY STORE	110 S. Neltnor
LA INDIA (Wilson)	329 Wilson
LA INDIA INC (Joliet)	653 Joliet
LA VILLITA LIQUOR INC	906 E. Roosevelt
MR A'S EMPORIUM WINE	1941 Franciscan Way
OASIS CAFE	2009 Franciscan Way
PRAIRIE LANDING GOLF CLUB	2325 Longest Drive
SJK OF WEST CHICAGO	1307 Rt. 59
SUPERMAERCADO LA VILLITA	932 E. Roosevelt
SUPERMERCADO LA CHIQUITA	133 W. Roosevelt
WALGREENS (Bond Drug Co)	125 N. Neltnor
WEST CHICAGO CITGO #1	1491 W. Roosevelt
WEST CHICAGO MARATHON	139 W. Washington
WEST CHICAGO MOBIL (Neltnor)	219 S. Neltnor
WEST CHICAGO MOBIL (Roosevelt)	60 W. Roosevelt
WEST CHICAGO SHELL - SANT INC	184 W. North Ave.