

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS October 7, 2008

### MINUTES

#### Approved at the December 30, 2008 Meeting

1. **Call to Order, Roll Call and Establishment of a Quorum** – Chairman Banas called the meeting to order at 7:00 p.m. Roll call found Commissioners Warbiany, Posadzy, Jarolin, and Banas present. Commissioners Barber, Hale, and Lemon were 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 of Allegiance.

3. **Chairman's Comments** – Chairman Banas reminded all in attendance to turn off or silence all electrical devices. Chairman Banas also stated that anyone wishing to provide testimony must state their name and address and be sworn in before speaking.

4. **Minutes** – Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to approve the minutes of September 16, 2008. The Commissioners unanimously agreed. Motion carried.

5. **Review of Case PC 08-02 – Pearl A. Marziani, 500 Fenton Lane, Plat of Consolidation.**

David DeGroot provided an overview of the staff report for the requested plat of consolidation. He stated that the City's Zoning Code requires developments involving multiple lots to consolidate the lots within the unified development and that the petitioner is requesting the plat of consolidation to bring the property into compliance with the City's Code. He added that the subject property is currently improved with a 62,697 square foot office and industrial building and eighty-five (85) parking stalls that cross over the shared boundary line of the two (2) lots involved.

Jeff Harris added that the applicant is also required to consolidate the two parcels in order to obtain a final occupancy permit.

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to approve the plat of consolidation for Case PC 08-02. The Commissioners unanimously agreed. Motion carried.

Mr. DeGroot stated that the request will be considered by the Development Committee on October 13, 2008.

6. **Public Hearing Case: PC 08-05 – Rodolfo Mendoza, Highland Avenue, Plat of Vacation.**

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Mr. DeGroot provided an overview of the request. He stated that the applicant, on behalf of Autumncrest Condominiums, is requesting approval of a plat of vacation for an unimproved portion of Highland Avenue bordered by Autumncrest Condominiums to the north and West Chicago Plaza to the south. He add that the applicant has indicated that approximately fifteen (15) percent of the vacated area would be used for additional parking for Autumncrest Condominiums while the remaining eight-five (85) percent of the area would be used for open space. Mr. DeGroot explained that the abutting properties have been notified of the public hearing and that notification was published in the Daily Herald. He added that the City has received no objection from the adjacent property owners. He explained that the City of West Chicago does require monetary compensation for any lands conveyed, typically fair market value (\$150,000.00 per acre) and an administrative fee equal to five (5%) percent of the fair market value for any lands conveyed. He added that City staff recognizes that the size and location of the subject property make it unbuildable as an individual lot in any one of the three adjacent zoning districts and therefore recommends that only the administrative fee be required if the Plat of Vacation is approved. He stated that the administration fee is equal to \$7,050.00. He noted that the City's engineering staff has reviewed the requested plat of vacation and has verified that the City does not intend make any improvements to subject property. Mr. DeGroot stated that the City did identified the presence of a watermain on the subject property and therefore requests a watermain easement be recorded with DuPage County prior to the property being conveyed to the applicant.

Commissioner Warbiany asked if the there is enough area to accommodate stormwater detention for the proposed parking lot expansion.

Jeff Harris stated that stormwater detention is only required if the area disturbed is more than 25,000 square feet. He added that the applicant has indicated that only 15 percent of the property would be used for parking, which would be significantly less than 25,000 square feet.

Commissioner Warbiany asked why City staff is recommending that the property be conveyed to the applicant at such a low price.

Mr. Harris stated that the property is unbuildable as an individual parcel and both adjacent lot are fully developed, which reduces its value. He added that when conveyed to the applicant the property will be taxable by the City and that the City will no longer be responsible for maintenance of the property. He also stated that the applicant is proposing to fence the subject property in order to reduce car theft in the existing parking areas, which would also benefit the City.

Rodolfo Mendoza was sworn in and stated that cars parked at Autumncrest are broken into frequently and that the quick escape route for the burglars is through the subject property. He confirmed that Autumncrest does intend to fence the perimeter of the subject property in the hope that it will reduce the risk of theft.

Commissioner Jarolin asked the applicant when the applicant intends to expand the existing parking area and install a fence around the perimeter of the property.

Mr. Mendoza stated that he would make the improvements to the property as soon as the City would allow. He added that he does not intend to remove any of the existing trees in the subject property.

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to close the public hearing for Case PC 08-05. The Commissioners unanimously agreed. Motion carried.

**7. Review of Case PC 08-05 – Rodolfo Mendoza, Highland Avenue, Plat of Vacation.**

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to approve the plat of vacation for Case PC 08-05 as recommended by City staff. The Commissioners unanimously agreed. Motion carried.

Mr. DeGroot stated that the request will be considered by the Development Committee on October 13, 2008.

**8. Public Hearing Case PC 08-19 – City of West Chicago, 475 Main Street, Text Amendments.**

Mr. DeGroot provided an overview of the staff report for the proposed text amendments. He stated that the Zoning Code establishes minimum dwelling standards for residential properties in the City of West Chicago. He added that in the R-1 through R-5 districts the dwelling standards establish a minimum ground floor area in square feet. He explained that each district also requires the second floor of a multiple story dwelling to be equal to at least fifty (50) percent of the square footage of the first floor. Mr. DeGroot stated that City staff has encountered several situations where an applicant desires to construct a second floor with an area that does not equal at least (50) percent of the ground floor area and that, upon review of such situations, it does not appear that any negative impacts to the health, safety, or general welfare of the community would result from a second floor area that does meet this requirement. He added that it is City staff's opinion that this requirement is excessive and unnecessarily restricts architectural design. Mr. DeGroot noted that the current dwelling standards were adopted by the City Council of December of 2003. He added that City staff has reviewed the staff report, ordinance, and minutes relevant to the current dwelling standards and has not found any justification for requiring the second floor of a multiple story residence to be equal to at least fifty (50) percent of the square footage of the first floor. He also stated that City staff has compared this requirement to the dwelling standards of several other communities in the surrounding area and has found it to be unique to the City of West Chicago.

Chairman Banas noted that there was no one present in the audience. He also stated that he had no objections to the proposed amendments and commended staff for doing the research to remove unnecessary regulations.

Commissioner Jarolin made a motion, seconded by Commissioner Warbiany, to close the public hearing for Case PC 08-19. The Commissioners unanimously agreed. Motion carried.

**9. Review of Case PC 08-19 – City of West Chicago, Text Amendments.**

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to approve the text amendments for Case PC 08-19 as presented in the staff report. The Commissioners unanimously agreed. Motion carried.

**10. Public Hearing Case PC 08-16 – City of West Chicago, 475 Main Street, Text Amendments.**

Mr. DeGroot provided an overview of the staff report for the proposed text amendments to the City's off-street parking and loading regulations. He explained that City staff is proposing to clarify that accessible parking is required, modify the required parking stall dimensions, amend the parking lot lighting requirements, establish specific regulations for various types of educational facilities, require bicycle parking spaces, and permit delivery and service vehicle parking in all business districts.

Chairman Banas noted that there was no one present in the audience.

Commissioner Warbiany stated that he was concerned with Amendment 5(A) of the staff report; specifically the proposed ratio of parking required for colleges and universities. He stated that he did not feel the proposed ratio would not provide an adequate amount of spaces for such uses.

The Commissioners discussed the proposed ratio of parking for colleges and universities and reached a consensus that more spaces should be required. The Commissioners agreed that Amendment 5(A) in Staff Report PC 08-16 should be revised to require colleges, junior colleges, and universities to provide parking at a rate of one (1) space per full-time employee, plus one (1) space per three (3) students, instead of the proposed four (4) students.

Chairman Banas stated that he did not agree with Amendment 5(B); specifically the proposed requirements for bicycle parking. He stated that the City should not require private businesses to provide bicycle parking spaces. He added that he felt the decision should be up to the private business owner to determine whether or not there is a need for bicycle parking.

Mr. DeGroot stated that the proposed requirement would only apply to new construction and is intended to incorporate bicycle parking into the overall site design.

The Commissioners discussed the proposed requirement for bicycle parking and reached a consensus that bicycle parking should not be required but should be encouraged. The Commissioners agreed that Amendment 5(B) in Staff Report PC 08-16 should be revised to encourage bicycle parking by allowing private businesses to reduce the number of required vehicle parking spaces by one (1) space for every ten (10) bicycle parking spaces provided. In addition, the Commissioners recommended that the required number of vehicle parking spaces shall not be reduced by more than two (2) spaces.

Commissioner Warbiany made a motion, seconded by Commissioer Jarolin, to close the public hearing for Case PC 08-16. The Commissioners unanimously agreed. Motion carried.

**11. Review of Case PC 08-16 – City of West Chicago, Text Amendments.**

Commissioner Posadzy made a motion, seconded by Commissioner Warbiany, to approve the text amendments for Case PC 08-16 as amended by the Plan Commission. The Commissioners unanimously agreed. Motion carried.

**12. Public Hearing Case PC 08-17 –City of West Chicago, 475 Main Street, Text Amendments.**

Mr. DeGroot provided an overview of the staff report for the proposed text amendments to the City's landscaping requirements. He explained that City staff is proposing to establish landscaping requirements for retention and detention ponds and basins, building foundations, and freestanding signs. He stated that City staff is proposing to include perennials and ornamental grasses towards meeting the required number of landscape points and clarify that all plant materials used to achieve the required number of landscape points shall be located in the require landscape yard. He also noted that City staff is proposing several minor revisions aimed towards making the Zoning Code a more organized and user friendly document, such as removing unused Sections and renumbering or relocating other Sections.

Chairman Banas noted that there was no one present in the audience.

The Commissioners briefly discussed the proposed text amendments to the City's landscaping regulations. There were no objections or recommended revisions to the amendments as presented by staff.

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to close the public hearing for Case PC 08-17. The Commissioners unanimously agreed. Motion carried.

**13. Review of Case PC 08-17 –City of West Chicago, 475 Main Street, Text Amendments.**

Commissioner Posadzy made a motion, seconded by Commissioner Warbiany, to approve the text amendments for Case PC 08-17 as presented in the staff report. The Commissioners unanimously agreed. Motion carried.

**14. Other Commission Business** – The Commissioners did not have any additional business to discuss.

**15. Previous petitions and general development update.**

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Mr. Harris stated that the Development Committee will consider Case PC 08-04 regarding special use, comprehensive plan, zoning map, and text amendments for St. Andrews Golf and Country Club on Monday, October 13, 2008. He also stated that City staff does not currently have anything scheduled for the next Plan Commission/Zoning Board of Appeals meeting.

Mr. DeGroot stated that he will no longer be attending Plan Commission/Zoning Board of Appeals meetings. He explained that he has accepted a position as the City Planner for the City of Geneva. He added that he has enjoyed working for the City of West Chicago and with the Plan Commission/Zoning Board of Appeals.

**16. Adjournment** – Commissioner Posadzy made a motion, seconded by Commissioner Warbiany, to adjourn the October 7, 2008 Plan Commission/Zoning Board of Appeals meeting at 9:24 p.m. The Commissioners unanimously agreed. Motion carried.

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