

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

MINUTES

DEVELOPMENT COMMITTEE Monday, November 10, 2008, 7:00 p.m. Approved at the January 12, 2009 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 Nicholas Dzierzanowski, H. Ronald Monroe, Alan Murphy, Rebecca Stout and Gregory Bunch present.

Also in attendance was Community Development Director Joanne Kalchbrenner.

2. Approval of Minutes.

- A. **Development Committee, October 13, 2008. Alderman Bunch made a motion, seconded by Alderman Stout to approve the minutes of October 13, 2008 Development Committee Meeting. Voting yea: Aldermen Murphy, Dzierzanowski, Pineda, Bunch, Stout and Monroe. Voting Nay: 0. Motion carried.**

3. Public Participation. None.

4. Items for Consent.

- A. Kipling Development Corporation – Proposed Extension to the Kipling Woods PUD

Alderman Dzierzanowski motioned to move the item to the November 17, 2008 City Council meeting, seconded by Alderman Beifuss. The motion carried unanimously.

5. Items for Discussion.

- A. **Forming America – 1200 Prince Crossing Road, Special Use Permit Update.** Ms. Kalchbrenner updated the committee on significant forward progress regarding Forming America. A permit has been obtained for the dip tank, the fire alarm is completed and the basement has been inspected. The site development permit has been approved and Forming America is arranging financing for a Letter of Credit. The DuPage County Forest Preserve District is currently reviewing the plans due to the conservation easement on the property.

Staff has met with Forming America to establish a mutually agreed upon time frame by which code enforcement will be pursued based on weather restrictions. The site utility permit must be obtained by December 5, 2008 and the pre-construction meeting

must be conducted by December 31, 2008. Earthwork, storm sewers and the detention pond work are to be completed by May 31, 2009, which includes submission of the as-built plan for the detention pond. Paving will begin by June 1, 2009 with all storage to be on pavement by October 31, 2009. The plat of dedication must be submitted by December 5, 2009 to be reviewed by the Development Committee during the December 2009 meeting.

Chairman Pineda is pleased to see continued forward progress, noting the completion of the dip tank and fire alarm installation. However, he cautioned Forming America against losing momentum toward finalizing permits and inspections and specified that they revisit the Development Committee in March 2009 to verify progress.

Forming America noted that they have not yet moved their business back into the basement of 1200 N. Prince Crossing Road due to construction of an escape window in the basement and the necessary permit for a vestibule which includes earth work around the foundation.

B. City of West Chicago – Text Amendments

Ms. Kalchbrenner recapped the committee's previous discussions regarding eliminating bike rack parking for new commercial development and the reexamination of elementary and junior high school parking requirements. Due to the unusual circumstances regarding the location of Norton Creek School in a non-residential setting on a major through street, initial staff recommendations for 1 (one) parking space per employee was found to be insufficient and staff now recommends 4 (four) additional parking spaces per classroom. However, increasing the number of required spaces may be unnecessary for schools located in traditional settings, within neighborhoods with access to on-street parking. Alderman Murphy expressed concern over the high cost to the school district for imposing district-wide parking requirements while Alderman Beifuss suggested that the need for increased parking applied only to Norton Creek School and not schools throughout the entire City. Chairman Pineda questioned whether there might be additional schools built within the City limits in the future that would fall within the need for expanded parking requirements. Alderman Dzierzanowski represents the district in which the school resides and described several safety issues surrounding the need for parents to park on Smith Road during drop-off and pick-up times. Alderman Monroe commented on traffic flow issues, not the lack of parking, as the primary safety issue surrounding Norton Creek School.

After learning from Ms. Kalchbrenner that Norton Creek School has land banked additional parking spaces, the committee decided to table the discussion on required school parking spaces until further investigation into neighboring municipal and school district parking policies could be completed.

C. 2750 Lehman Drive – Easement Encroachment

Ms. Kalchbrenner gave an overview of the original request for a swimming pool and patio permit at 2750 Lehman Drive, which was initially denied due to the proposed intrusion into the easement for the overland flow route for the Cornerstone Lakes

subdivision. The permit was issued after the applicant revised the plans to reduce the size of the patio and there was no longer an intrusion into the easement. A stop work order was issued after the pool was not installed according to the approved plans and the ladder, skimmer and patio intruded into the easement. The applicant is now requesting approval to build into the 25 foot wide drainage easement, which accommodates flood waters overland when the storm sewer has reached its capacity. Richard Steinbrecher, surveyor, found that the pre-existing survey, provided by the developer, is inaccurate. The original request for encroachment into the easement was 10 inches. The accurate survey request is for 2.41 feet. The original survey shows the pool to be outside of the easement. The accurate survey shows the pool is within the easement.

Staff has requested that the applicant provide an engineering plan showing that storm water capacity will still be maintained without the pool acting as a dam and affecting properties to the west. Revised engineering plans are expected within the next week which includes requirements for a retaining wall around the pool. Due to the time of year, staff is recommending that the Development Committee approve the easement encroachment based on the submission of revised and approved engineering plans showing maintained storage capacity to the storm water easement and provisions for a retaining wall surrounding the pool. Therefore, the item can be moved forward, with the approved engineering plan, to the City Council and the applicant can proceed with construction prior to winter weather conditions.

Chairman Pineda called the applicant, Mr. Benhart, to the podium and explained that an approval sets a poor precedent for future applicants to build without approved permits. Mr. Benhart countered that he acted in good faith with the original survey provided by the builder and that the contractor had overlooked the dimensions to include an automatic pool cover. Mr. Steinbrecher spoke on behalf of Mr. Benhart, concluding that the encroachment to the easement stems from the inaccuracy of the original survey and should not affect properties to the east. Mr. Bernstein, brother-in-law to the applicant, stated that the skimmer could be moved by the contractor to another area around the pool to remain outside the easement.

Alderman Dzierzanowski, having visited the location multiple times and during recent flooding, testified to the amount of water that travels through the easement from the Kingswood subdivision and Charlestowne Mall and stated that there are often fish from the runoff of area ponds and streams due to the natural flow of water throughout the area that existed prior to the construction of the Cornerstone Lakes subdivision. Aldermen Murphy and Beifuss recommended that the item can move forward to City Council provided that the engineering reviews are received and approved by staff.

Alderman Monroe motioned to move to the City Council with the provision for an approved engineering review to be attached to the easement agreement. Alderman Murphy seconded the motion. The motion carried unanimously.

6. Unfinished business. None

7. New business.

- A. Ms. Kalchbrenner requested clarification regarding the temporary commercial signs carried by people along roadsides. The committee determined that it does not want to require a permit or time limit for handheld signs.

8. Reports from staff.

The Mobil station at Roosevelt Road and Joliet Street is surrounded by a chain link fence. Staff is unable to reach the owner.

Wheaton Academy PUD is moving along smoothly and without interruption.

NIU Proton Therapy Center is moving forward, as they have hired the doctors and will first move forward with construction of the doctor's building. The center must serve its first patient by February 2010 to comply with the terms of the State approval.

9. Adjournment.

Alderman Bunch motioned to adjourn, seconded by Alderman Dzierzanowski. The members unanimously agreed. Motion carried. The meeting adjourned at 8:05 p.m.

Respectfully submitted,
Krista Coltrin