

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Plan Commission/Zoning Board of Appeals

Tuesday, June 7, 2022

7:00 p.m.

West Chicago City Hall

Council Chambers

475 Main Street

West Chicago, IL 60185

A G E N D A

1. **Call to Order, Roll Call and Determination of a Quorum**

2. **Chairman's Comments**

3. **Public Comment**

4. **Approval of Draft Meeting Minutes – May 3, 2022**

5. **Review and Recommendation of Case PC 22-02 – Major Subdivision**

1300 Roosevelt Investors, LLC requests approval of a Major Subdivision for a two-lot subdivision that includes a public right-of-way dedication and stormwater management outlot at the property of 31W255 Roosevelt Road in the ORI District.

7. **Other Business**

a. Plan Commission/Zoning Board of Appeals Bylaws – To be discussed in July

8. **Next Meeting – Wednesday, July 6, 2022 at 7:00 p.m.**

9. **Adjournment**

cc: Plan Commission Members

Mayor

City Council

M. Guttman

T. Dabareiner

M. Patel

J. Sterrett

School Districts #25, #33, #94, #303

West Chicago Fire Protection District

West Chicago Park District

West Chicago Public Library District

DuPage County Building & Zoning

Warrenville Plan Commission

News Media

**DRAFT
MEETING MINUTES**

**PLAN COMMISSION/ZONING BOARD OF APPEALS
May 3, 2022 7:00 P.M.**

1. Call to Order, Roll Call and Establishment of a Quorum

Chairperson Laimins called the meeting to order at 7:00 p.m. Roll call found Chairperson Laimins and Commissioners Banasiak, Billingsley, Henkin, and Slattery present. Commissioners Hale and Kasprak were absent. With five members present, a quorum was established.

Staff in attendance was City Planner John Sterrett.

2. Chairman's Comments – None.

3. Public Comment - None

4. Approval of the Draft Minutes of the April 5, 2022 Plan Commission Meeting

Commissioner Billingsley made a motion, seconded by Commissioner Banasiak, to approve the April 5, 2022 Plan Commission meeting minutes as presented. With a voice vote of three ayes, zero noes, and two abstentions, the motion carried.

5. Public Hearing of Case PC 22-01 – Zoning Map Amendment – 31W255 Roosevelt Road

Commissioner Banasiak made a motion, seconded by Commissioner Billingsley, to open the public hearing. With a voice vote of all ayes the motion carried and the Plan Commission opened the public hearing.

Mr. Sterrett was duly sworn in. Mr. Sterrett stated that this is a request from 1300 Roosevelt Investors LLC for a Zoning Map Amendment to rezone approximately 51 acres at the southeast corner of Roosevelt Road and Fabyan Parkway, known as 31W255 Roosevelt Road from the current zoning designation of ORI (Office Research and Industrial) to M Manufacturing. The petitioner intends to eventually develop the property with one or possibly two spec industrial buildings, which will be reviewed by Plan Commission at a later date once plans are received.

The City's Comprehensive Plan for this area calls for Industrial, which is consistent with the requested zoning designation. Staff is of the opinion the proposed zoning designation is appropriate for this property and is in keeping with the overall trend in development in the immediate vicinity. Staff recommends the Plan Commission pass a motion recommending approval of the proposed zoning map amendment for 31w255 Roosevelt Road from ORI to Manufacturing. Included in the staff report are draft findings of fact prepared by staff supporting this recommendation for consideration by the Plan Commission to adopt with its recommendation.

Commissioner Banasiak made a motion, seconded by Commissioner Kasprak, to continue the public hearing to May 3, 2022. With a voice vote of all ayes the motion carried and the Plan Commission continued the public hearing to the May 3, 2022 meeting.

Andrew Scott of Dykema Law Firm, attorney for the petitioner, was duly sworn in and gave a brief background on the request.

With all members of the public having had the opportunity to speak, and with all Plan Commissioners having the opportunity to question the petitioner and staff, Commissioner Slattery made a motion, seconded by Commissioner Billingsley, to close the public hearing. With a voice vote of all “aye” and zero (0) “no”, the motion carried and the public hearing was closed.

6. Review and Recommendation of Case PC 22-01 – Zoning Map Amendment – 31W255 Roosevelt

The Plan Commission began deliberating the proposed zoning map amendment. Commissioner Billingsley made a motion, seconded by Commissioner Henkin, to recommend approval of the requested zoning map amendment conditioned that the zoning map amendment take effect once the property has been closed upon by the petitioner.

And that the following Findings of Fact be incorporated into this recommendation:

1. The existing uses and zoning of the property in question.

The property is undeveloped farmland with a zoning designation of ORI.

2. The existing uses and zoning of other lots in the vicinity.

The immediate surrounding area is undeveloped farmland with zoning districts consisting of ORI and the Airport District. Other uses along Roosevelt Road in the vicinity are primarily industrial consisting of ORI and M zoning with some small commercial at the intersection of Roosevelt Road and Fabyan Parkway.

3. The suitability of the property in question for uses already permitted under the existing regulations.

The conditions of the property itself do not prevent ORI uses from occurring but it will have no frontage along Roosevelt Road which limits its potential for future commercial or office uses with the ORI district. Furthermore, the trend in development in the vicinity has been industrial, which is favorable to the current market.

4. The suitability of the property in question for the proposed use.

The large size of the property is suitable for the construction of two industrial buildings. Preliminary engineering has been reviewed by staff to determine the feasibility of utility connections and stormwater detention and found to be acceptable. Additional engineering will need to be reviewed at the time when the property comes in for development. As previously mentioned, a roadway will be constructed by the petitioner between Fabyan Parkway and Roosevelt Road to serve the proposed industrial uses on the property as well as future commercial uses on the adjacent properties along Roosevelt Road.

5. The trend in development in the vicinity of the property in question, including any recent zoning activity.

Over the last several years, there has been a significant amount of development consistent with uses permitted in the M District within the DuPage Business Center. As the DuPage Business Center

becomes fully built-out, development is moving towards Fabyan Parkway. This trend is reflected in the Comprehensive Plan which designates these areas as industrial.

6. The effect the proposed rezoning would have on implementation of the Comprehensive Plan.

The City's Comprehensive Plan designates this property as Industrial, which is consistent with the Manufacturing zoning designation the petitioner is seeking.

7. Impact on surrounding properties.

Properties to the east and west of the subject property, as well as properties further south on Fabyan Parkway, are anticipated to be developed with industrial uses. The DuPage Business Center to the west has a significant amount of existing industrial buildings that have had a positive impact on the community by diversifying the City's economic base.

8. Impact on health, safety, or welfare of the community.

The proposed rezoning should not have an adverse impact on the health, safety, or welfare of the community. The area in question is anticipated to be developed with uses consistent with the City's M Manufacturing District and will be harmonious with the previous development that has occurred at the DuPage Business Center to the west that is now trending in the area.

A roll call vote found Commissioners Billingsley, Henkin, Banasiak, and Slattery, and Chairperson Laimins voting "aye" and no one voting "no". With a roll call vote of five (5) "aye" and zero (0) "no", the motion carried.

7. Public Hearing of Case PC 22-08 – Zoning Text Amendment – Outdoor Seating on Public Sidewalks

Commissioner Banasiak made a motion, seconded by Commissioner Slattery, to open the public hearing. With a voice vote of all ayes the motion carried and the Plan Commission opened the public hearing.

Mr. Sterrett was duly sworn in. Mr. Sterrett stated that at the beginning of the pandemic, many restaurants established outside seating areas to stay open because indoor dining was not possible at the time. As Illinois began lifting its restrictions on indoor dining, the popularity of outside dining among patrons remained. For some restaurants, specifically those in the downtown, no space exists outside their building where outside dining can occur. The only open space adjacent to some restaurants is the public sidewalk. Although outside seating on the public sidewalk was allowed temporarily during the pandemic restrictions, City Code does not expressly permit it.

Staff has received inquiries from restaurants on the possibility of outside seating on the public sidewalk for this season and in the future. This topic was discussed by the Development Committee in April and members of the Committee instructed staff to prepare code amendments allowing outside seating in the public right-of-way. When regulated properly, outside dining on the public sidewalk can have a positive impact on the downtown to promote a lively and active area. The City's recently adopted Comprehensive Plan envisions this type of practice with an implementation strategy to "Support restaurants' and other vendors' outside offerings during three or four seasons."

Staff is proposing a Zoning Text Amendment that allows outside seating on a public sidewalk as an ancillary use to restaurants in all business districts. A restaurant seeking outside seating on a public

sidewalk would be required to obtain a license agreement with the City prior to utilizing the public right-of-way for this use. Because this type of use regulates an activity within the public right-of-way rather than on private property, the specific requirements for outside seating would be located outside of the Zoning Code and within Chapter 9 of the Code of Ordinances (Licenses, Permits, and Business Regulations).

Although the Plan Commission is tasked only with conducting a public hearing and making a recommendation on the proposed Zoning Text Amendment to Article X of the Zoning Code, staff has included the proposed regulations within Chapter 9 for reference. When this matter was discussed at the Development Committee, members of the Committee stressed the importance of finalizing the amendment in May so restaurants can be ready for outside dining before the summer season.

Members of the Plan Commission expressed concern that the regulations for outdoor dining had not yet been approved prior to allowing outdoor dining on the public sidewalk as an ancillary use. There was also concern with the proposed regulations themselves, such as requiring tables and chairs to be located right up against the building and the absence of a required barrier around the seating area. Members of the Commission also suggested that seating be permitted on platforms within designated areas next to the sidewalk such as in a parking stall.

With all members of the public having had the opportunity to speak, and with all Plan Commissioners having the opportunity to question staff, Commissioner Henkin made a motion, seconded by Commissioner Billingsley, to close the public hearing. With a voice vote of all “aye” and zero (0) “no”, the motion carried and the public hearing was closed.

8. Review and Recommendation of Case PC 22-08 – Zoning Text Amendment – Outdoor Seating on Public Sidewalks

The Plan Commission deliberated the Zoning Text Amendment. Commissioner Henkin made a motion, seconded by Commissioner Billingsley, to recommend approval of the proposed Zoning Text Amendment with the following conditions:

1. That a barrier be required to separate the seating areas from the sidewalk.
2. That platforms be permitted to be located in a parking stall to serve a seating area.
3. That signage be placed in the seating area alerting patrons that alcohol may not be taken out of the seating area.

A roll call vote found Commissioners Billingsley, Henkin, and Slattery voting “aye” and Commissioner Banasiak and Chairperson Laimins voting “no”. With a roll call vote of three (3) “aye” and two (2) “no”, the motion, having not received a majority of aye votes from Plan Commissioners in office, failed.

6. Other Business

Mr. Sterrett stated that staff will begin preparing Plan Commission bylaws for review and comment by the Plan Commission.

7. Adjournment

Commissioner Slattery made a motion, seconded by Commissioner Banasiak to adjourn the meeting. With a voice vote of all aye the motion carried and the Plan Commission, at 7:54 p.m., adjourned.

Respectfully Submitted,
John Sterrett, City Planner

City of West Chicago
Community Development Department
Report for the Plan Commission/Zoning Board of Appeals
June 7, 2022



Case: PC 22-02
Petitioner: 1300 Investors, LLC
Address: 31W255 Roosevelt Road
Zoning: ORI (Office, Research, and Light Industrial)
Comp Plan: Industrial
Request: The petitioner is requesting approval of a Major Subdivision to subdivide one zoning lot, made up of five parcels, into two lots.
Summary: The proposed Major Subdivision complies with the City's Subdivision Regulations Code.

Staff Recommendation: APPROVAL

Staff recommends the Plan Commission/Zoning Board of Appeals pass a motion recommending **approval** of the proposed Major Subdivision.

Public Notice.

No public hearing is needed for a subdivision of property and therefore no public notice of the request was provided.

Adjacent Property Zoning and Land Use Information.

<i>Location</i>	<i>Adjacent Zoning</i>	<i>Adjacent Land Use</i>	<i>Comprehensive Plan</i>
North	ORI	Farmland	Corridor Commercial
South	Fermi National Laboratory	Fermi National Laboratory	Fermi National Laboratory
East	ORI	Farmland	Industrial/Corridor Commercial
West	ORI	Farmland	Industrial

Existing Conditions.

The subject property consists of approximately 64 acres on the east side of Fabyan Parkway and the south side of Roosevelt Road and is vacant farmland. While the property is not located at the hard corner of Fabyan Parkway and Roosevelt Road, it has frontage on both roadways. The property is unimproved without any existing utilities.

Proposal.

The petitioner is under contract to purchase the southern portion of the property, consisting of approximately 51 acres. The petitioner intends to subdivide the entire 64-acre tract of land into two lots. The northern proposed lot, Lot 2, consists of 13 acres and will be retained by the current owner. The petitioner intends to develop the 51 acres on the southern proposed lot, Lot 1, with one or two industrial buildings. It has not yet been determined by the petitioner how many buildings will be included in the development. If the petitioner decides to construct two buildings, Lot 1 will need to be resubdivided further into two lots.

A new roadway is proposed to be constructed by the petitioner from Fabyan Parkway to serve the future development. The roadway will consist of the required improvements including sidewalks, streetlights, and parkway trees. The roadway will eventually connect to Roosevelt Road through the property immediately to the east with a stoplight anticipated to serve both the subject site and future development along Roosevelt Road. To serve this roadway, an 80-foot right-of-way dedication is included on the plat. An outlot will be also be platted for stormwater detention of the proposed roadway.

The petitioner received a positive recommendation from the Plan Commission at the May 3, 2022 meeting for a proposed Zoning Map Amendment to rezone the southern 51 acres of the property, Lot 1, from ORI (Office Research and Industrial) to M (Manufacturing). The northern portion of the property that will remain with the current owner will retain its current zoning of ORI. The City Council will take action on the requested zoning map amendment at the same time as the proposed subdivision.

Subdivision Standards

The Plan Commission/Zoning Board of Appeals should verify that the Plat of Subdivision complies with the City's Subdivision Regulations. Staff acknowledges that the Plat does comply.

Exhibits

- Exhibit A – Location Map
- Exhibit B – Aerial Map
- Exhibit C – Zoning Map
- Exhibit D – Plat of Subdivision

For questions, please contact John H. Sterrett, City Planner (630) 293-2200 ext. 158 or at jsterrett@westchicago.org

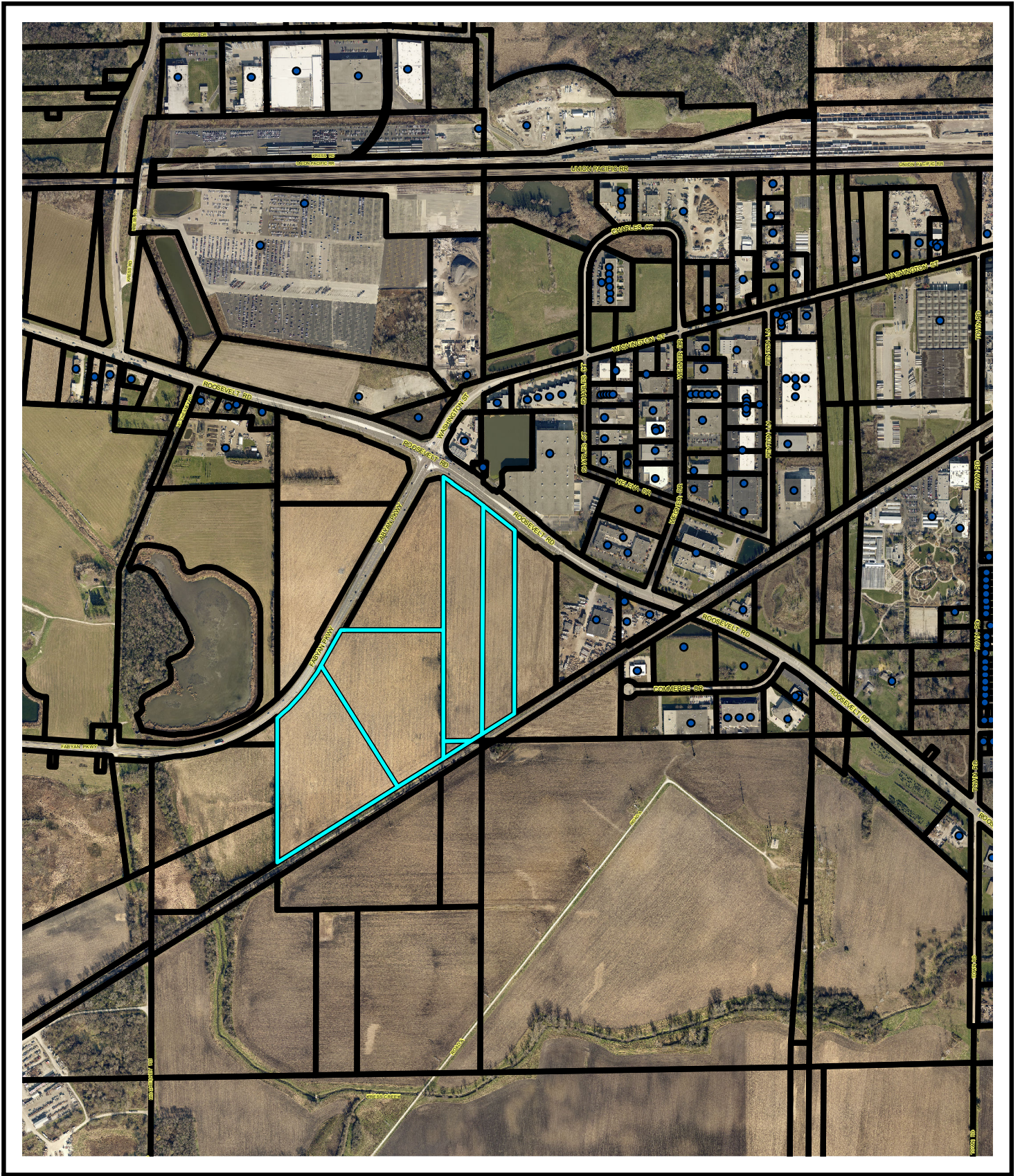


Exhibit "A" - Location Map



1 inch = 1,068 feet

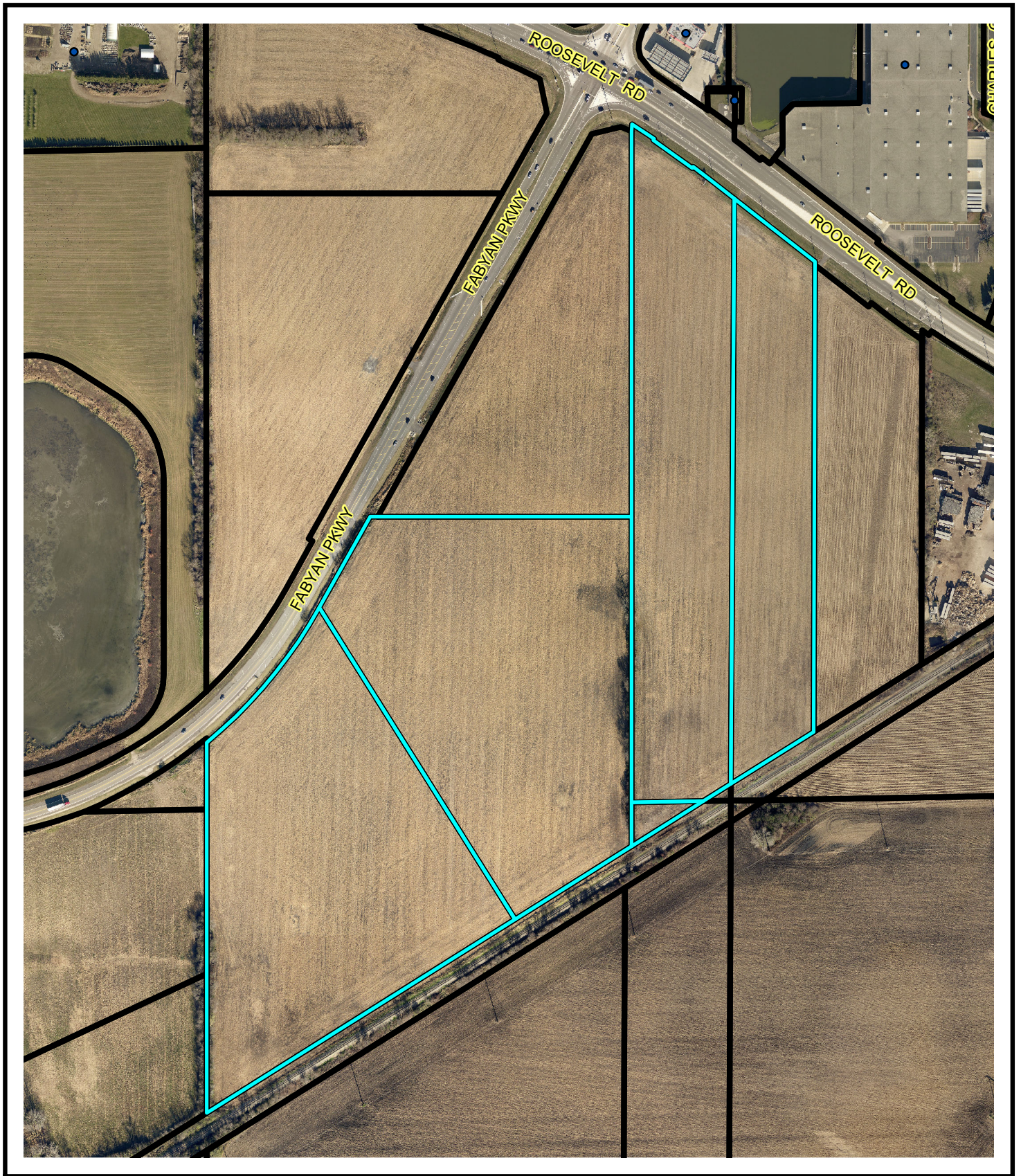


Exhibit "B" - Aerial Map



1 inch = 417 feet

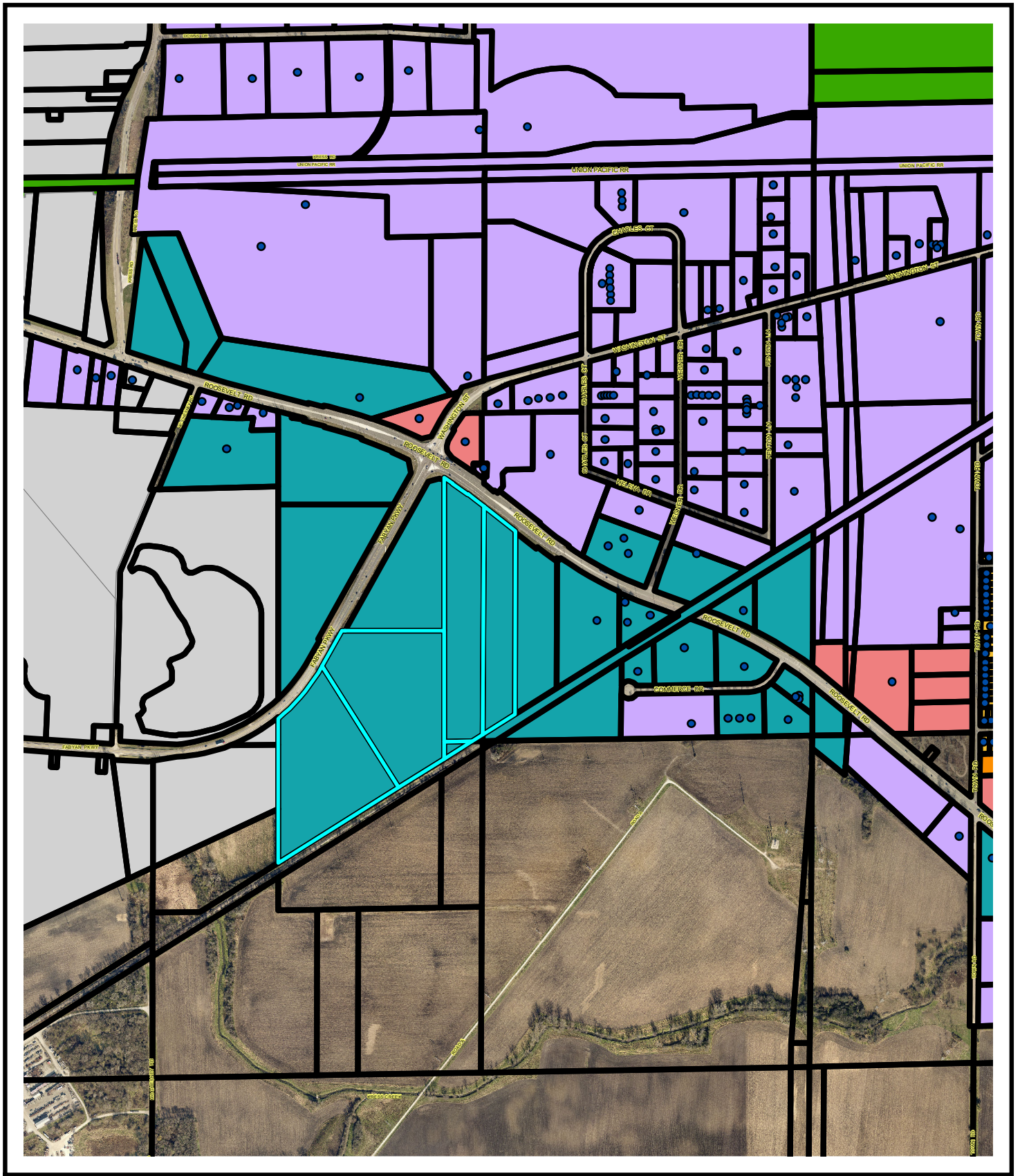


Exhibit "C" - Zoning Map



1 inch = 1,068 feet

FINAL PLAT OF SUBDIVISION
POORMAN PARKWAY SUBDIVISION

OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 8 AND PART OF THE NORTHWEST QUARTER OF SECTION 17, ALL IN TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

DUPAGE COUNTY RECORDER'S CERTIFICATE

PIN: 04-17-100-005
04-17-100-004
04-08-304-004
04-08-304-005
04-08-401-011

31W255 ROOSEVELT ROAD
WEST CHICAGO, ILLINOIS

LOT 2

OUTLOT A

STORMWATER DETENTION

POORMAN PARKWAY

HEREBY DEDICATED TO THE CITY OF WEST CHICAGO

BURLINGTON NORTHERN RAILROAD

SUBMITTED BY/RETURN TO:
THE CITY OF WEST CHICAGO
475 MAIN STREET
WEST CHICAGO, ILLINOIS 60185

Rev	Date	Description	By	POORMAN PARKWAY SUBDIVISION
				LOCATION: 31W255 ROOSEVELT ROAD WEST CHICAGO, ILLINOIS
				PREPARED FOR: PRITZGER REALTY GROUP 444 WEST LAKE STREET, SUITE 3500 CHICAGO, ILLINOIS 60606 PHONE 312-873-4000
1	5/26/22	POORMAN PARKWAY AND LOT AREAS	GA	JOB #: 43902
				DATE: 2/14/2022
				SCALE: 1"=100'
				DESIGN: GA
				FILE #: D-19358-SUB
				SHEET #: 1 of 2

