

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

DEVELOPMENT COMMITTEE

**Monday, February 14, 2022
7:00 P.M. - Council Chambers**

During the COVID-19 Pandemic, City Hall is closed for public meetings due to distancing restrictions, though interested people may teleconference from home or another location on the Zoom app. Downloading Zoom from zoom.us will provide the audio link to the meeting. Anyone wishing to provide comment on a topic or an agenda item may address the Development Committee by 4:00 p.m. the day of the meeting. You may do so either by an [online form](#) found on the City's website, email Jane Burke at jburke@westchicago.org, or voicemail message at (630) 293-2205 x141. Your comment to the Development Committee will be read during the Public Participation portion of the agenda.

**** Attendance by Zoom ****

Zoom Meeting ID: 816 7974 2591
Zoom Passcode: 487016

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum – *Mayor Pineda has determined that in-person meetings are not practical and prudent.*
2. Approval of Minutes
 - A. January 10, 2021
3. Public Participation
4. Items for Consent
 - A. **Zoning Code Text Amendment** – The proposed Amendment to Section 4.1 of Article IV (Definitions) of the Zoning Code would change the definition of “Kennel” and bring it in line with other communities allowing up to four domesticated pets in a residence, an increase from three.
 - B. **Trillium Farm Phase 3** – Pulte Home Company. LLC seek approval for a Final Plat of Subdivision for Trillium Farm Phase 3 at 28W700 Purnell Road (unincorporated).
5. Items for Discussion
 - A. **Municipal Code Text Amendment** – Related to Item 4.A.above, this proposed text amendment modifies Chapter 11, Article II, Division 6 to allow four domestic animals, thus completing the pair of changes needed to create the amendment.

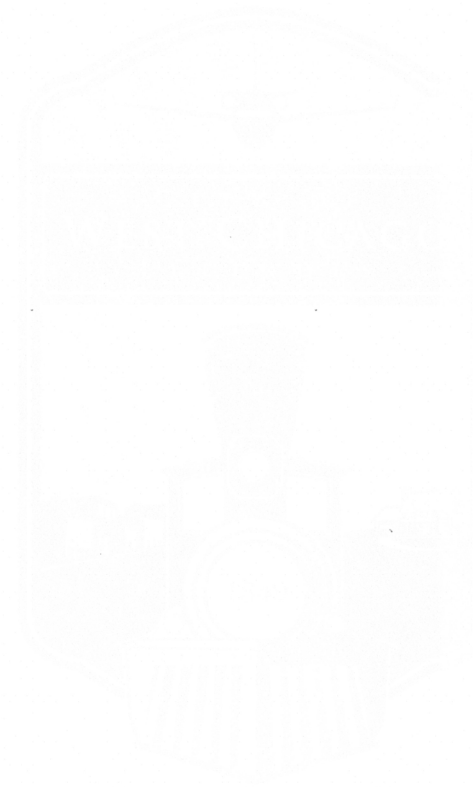
475 Main Street
West Chicago, Illinois
60185

T (630) 293-2200
F (630) 293-3028
www.westchicago.org

Ruben Pineda
MAYOR
Nancy M. Smith
CITY CLERK

Michael L. Guttman
CITY ADMINISTRATOR

6. Unfinished Business
7. New Business
8. Reports from Staff
- A. Evening Foot-Candle Measurements**
9. Adjournment



Draft

MINUTES

DEVELOPMENT COMMITTEE

January 10, 2022 7:00 P.M.

The Development Committee meeting of January 10, 2022 was held remotely due to the Coronavirus pandemic.

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

Alderman Stout called the meeting to order at 7:00 p.m. and declared that Mayor Pineda has determined that in-person meetings are no practical and prudent.

Roll call found Aldermen Melissa Birch-Ferguson, Christine Dettmann, John Jakabcsin, Jayme Sheahan, and Rebecca Stout present. Alderman Beifuss arrived after roll call was taken.

Also in attendance was Community Development Director, Tom Dabareiner.

2. Approval of Minutes.

A. December 13, 2021.

Alderman Birch Ferguson moved and Alderman Sheahan seconded a motion to approve the minutes with changes. Voting Aye: Aldermen Beifuss, Birch Ferguson, Dettman, Sheahan and Stout. Voting to Abstain: Alderman Jakabcsin.

3. Public Participation. None.

4. Items for Consent.

A. 1850 W Roosevelt Road – The petitioner requests approval of a Special Use Permit to allow outside storage on the property ancillary to the permitted use of a contractor's office.

B. SunCast Phase II – SunCast requests Final Development Plan approval to construct its second industrial facility in the DuPage Business Center.

Alderman Jakabcsin moved, and Alderman Dettman seconded the motion to approve Items 4. A. and 4. B. for Consent. Voting Aye: Aldermen Beifuss, Birch Ferguson, Dettmann, Jakabcsin, Sheahan and Stout.

5. Items for Discussion.

A. Draft Comprehensive Plan Land Use Map Changes – Committee members requested an opportunity to see the revised map before the Draft Plan goes to City Council for consideration.

Tom Dabareiner updated the members that the changes discussed at last month's meeting were made to the draft Comprehensive Plan Land Use Map. Specifically, the Downtown designation was removed for the north side of Colford Street and the "Old Heidelberg" area was changed to reflect the predominant single family housing that already exists there. A handful of random single-lot coloring errors were also corrected.

Alderman Beifuss commented that it would be helpful in the future, if staff created a listing of the changes made in the Agenda Item Summary so that it is easier to identify what they are. Mr. Dabareiner agreed.

Alderman Birch Ferguson moved, and Alderman Jakabcsin seconded the motion to approve Item 5.A. for Discussion. Voting Aye: Aldermen Beifuss, Birch Ferguson, Dettmann, Jakabcsin, Sheahan and Stout.

6. Unfinished Business. None.

7. New Business. None.

8. Reports from Staff. None.

9. Adjournment.

Alderman Birch Ferguson moved, and Alderman Sheahan seconded the motion to adjourn the Development Committee meeting at 7:11 p.m. Voting Aye: Aldermen Beifuss, Birch Ferguson, Dettman, Jakabcsin, Sheahan and Stout.

Respectfully submitted,

Jane Burke

Development Committee Minutes
January 10, 2022

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Zoning Code Text Amendment
Section 4.1 – Definition of Kennel

Ordinance No. 22-O-0005

AGENDA ITEM NUMBER: 4. A.

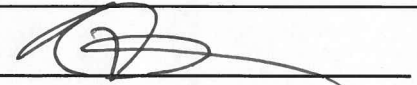
FILE NUMBER: _____

COMMITTEE AGENDA DATE: Feb. 14, 2022

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE



APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE

ITEM SUMMARY:

The existing definition of a Kennel, which is “*Any structure or premises or portion thereof on which more than three (3) household domestic animals over four (4) months of age are kept*”, must be amended to be consistent with the proposal to amend Section 11-87 of the Code of Ordinances. The proposed amendment to Section 11-87 increases the allowable limit of domestic animals per household from 3 to 4. Consequently, a household that has 4 domestic animals, as would be permitted by the proposed amendment to Section 11-87, will be classified as a *Kennel* per the Zoning Code and deemed illegal nonconforming.

To address this conflict, staff is proposing a Zoning Text Amendment to Article IV (Definitions), Section 4.1 (Construction of Terms) of Appendix A (the Zoning Code), of the Code of Ordinances of the City of West Chicago. This Zoning Text Amendment will revise the definition of *Kennel* to be consistent with the proposed amendment to Section 11-87.

The proposed amendment to Section 4.1 of the Zoning Code is as follows:

Kennel: Any structure or premises or portion thereof on which more than ~~three (3)~~ four (4) household domestic animals over four (4) months of age are kept.

ACTION PROPOSED:

Approval of the proposed Zoning Text Amendment to the definition of a Kennel.

COMMITTEE RECOMMENDATION:

Attached:

Draft Ordinance

PC Report

ORDINANCE NO. 22-O-0005

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLE IV OF THE ZONING CODE RELATING TO THE DEFINITION OF KENNELS

WHEREAS, the City Council approved Ordinance 22-O-0003 on February 21, 2022; and

WHEREAS, Ordinance 22-O-0003 amended Section 11-87 of Article II, Chapter 11 of the Code of Ordinances of the City of West Chicago to increase the limit of domestic animals permitted in each household from three domestic animals to four domestic animals; and

WHEREAS, the Zoning Code defines a Kennel as any structure or premises or portion thereof on which more than three household domestic animals over four months of age are kept; and

WHEREAS, the City Council believes it is in the best interest of the City to amend the text of the Zoning Code to amend the definition of a Kennel to be consistent with Ordinance 22-O-0003; and

WHEREAS, Notice of Public Hearing on said text amendment was published in the Daily Herald on or about January 10, 2022, as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago on February 1, 2022 pursuant to said Notice; and

WHEREAS, at the Public Hearing all interested parties had an opportunity to be heard; and

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 22-RC-0002, a copy of which is attached hereto as Exhibit "A" which is, by this reference, made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. That Section 4.1 (Construction of Terms) of Article IV (Definitions), of Appendix A, of the Code of Ordinances of the City of West Chicago be amended as follows:

Kennel: Any structure or premises or portion thereof on which more than ~~three-(3)~~ four (4) household domestic animals over four (4) months of age are kept

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 3. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 21st day of February, 2022.

Alderman Beifuss _____

Alderman Chassee _____

Alderman Sheehan _____

Alderman Brown _____

Alderman Hallett _____

Alderman Dettman _____

Alderman Birch-Ferguson _____

Alderman Dimas _____

Alderman Swiatek _____

Alderman Garling _____

Alderman Stout _____

Alderman Short _____

Alderman Jakabcsin _____

Alderman Morano _____

APPROVED as to form: _____
City Attorney

APPROVED THIS 21st day of February, 2022.

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

PUBLISHED: _____

EXHIBIT "A"

PLAN COMMISSION/ZONING BOARD OF APPEALS RECOMMENDATION # 22-RC-0002

TO: The Honorable Mayor and City Council

SUBJECT: PC 22-03
Zoning Text Amendment for the definition of a Kennel

DATE: February 1, 2022

DECISION: The motion to approve the Zoning Text Amendment was approved by a vote of seven (7) "yes" and zero (0) "no".

RECOMMENDATION:

After conducting a public hearing and deliberating on the proposed amendment to the text of Article IV (Definitions), Section 4.1 (Construction of Terms) of Appendix A (the Zoning Code), of the Code of Ordinances of the City of West Chicago, the Plan Commission/Zoning Board of Appeals finds that the proposed amendment as presented does not pose a threat to the health, safety and welfare of the community. It is the Commission's opinion that the proposed amendment will be beneficial to the City of West Chicago.

The amendment is in keeping with the purpose of the Zoning Code. The Plan Commission is of the opinion that this proposed amendment will protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity and the general welfare of the citizens of West Chicago community.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Banasiak			
Billingsley			
Frantzen			
Hale			
Henkin			
Kasprak			

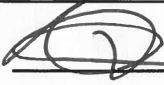
CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Final Plat of Subdivision, Phase 3
Trillium Farms Subdivision
Pulte Home Company LLC

Resolution No. 22-R-0011

AGENDA ITEM NUMBER: 4.B.**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** Feb. 14, 2022**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE**  _____**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman **SIGNATURE** _____**ITEM SUMMARY:**

Pulte Home Company, LLC is the contract purchaser of the former Planter's Palette nursery, now known as Trillium Farms, an eighty-four (84) unit single-family residential subdivision in unincorporated DuPage County. The property is located within 1.5 miles of the corporate limits of the City of West Chicago and is therefore subject to review by the City as well. The City approved the Final Plat of Subdivision for Phase 1 on July 20, 2020 and the Final Plat of Subdivision for Phase 2 on March 15, 2021.

The petitioner's development has progressed to the point where approval of Phase 3 of the Final Plat is required. Staff has reviewed the Phase 3 Plat and finds it to be in substantial conformance with the originally approved Plat of Subdivision.

At its February 1, 2022 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) reviewed the Final Plat of Phase 3. Members voted unanimously in favor (7-0) of recommending the Final Plat.

ACTION PROPOSED:

Consideration of the proposed Final Plat, Phase 3.

COMMITTEE RECOMMENDATION:**Attachments:**

Draft Ordinance
PC Report

RESOLUTION NO. 22-R-0011

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR PHASE 3
OF TRILLIUM FARM**

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled as follows:

Section 1. That the Final Plat of Subdivision for Phase 3 of Trillium Farm, as prepared by Cemcon, Ltd. consisting of three (3) sheets dated June 23, 2020, attached hereto and incorporated herein as Exhibit "A", be and the same is hereby approved and that the Mayor and City Clerk and all other necessary and appropriate officers of the City are authorized to execute said plat.

Section 2. That the recommendation and findings of fact of the Plan Commission, pursuant to Recommendation No. 22-RC-0003, a copy of which is attached hereto and incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all resolutions, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, expressly repealed.

Section 4. That this Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

APPROVED this 21st day of February, 2022.

AYES: _____

NAYES: _____

ABSTAIN: _____

ABSENT: _____

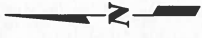
Ruben Pineda, Mayor

ATTEST:

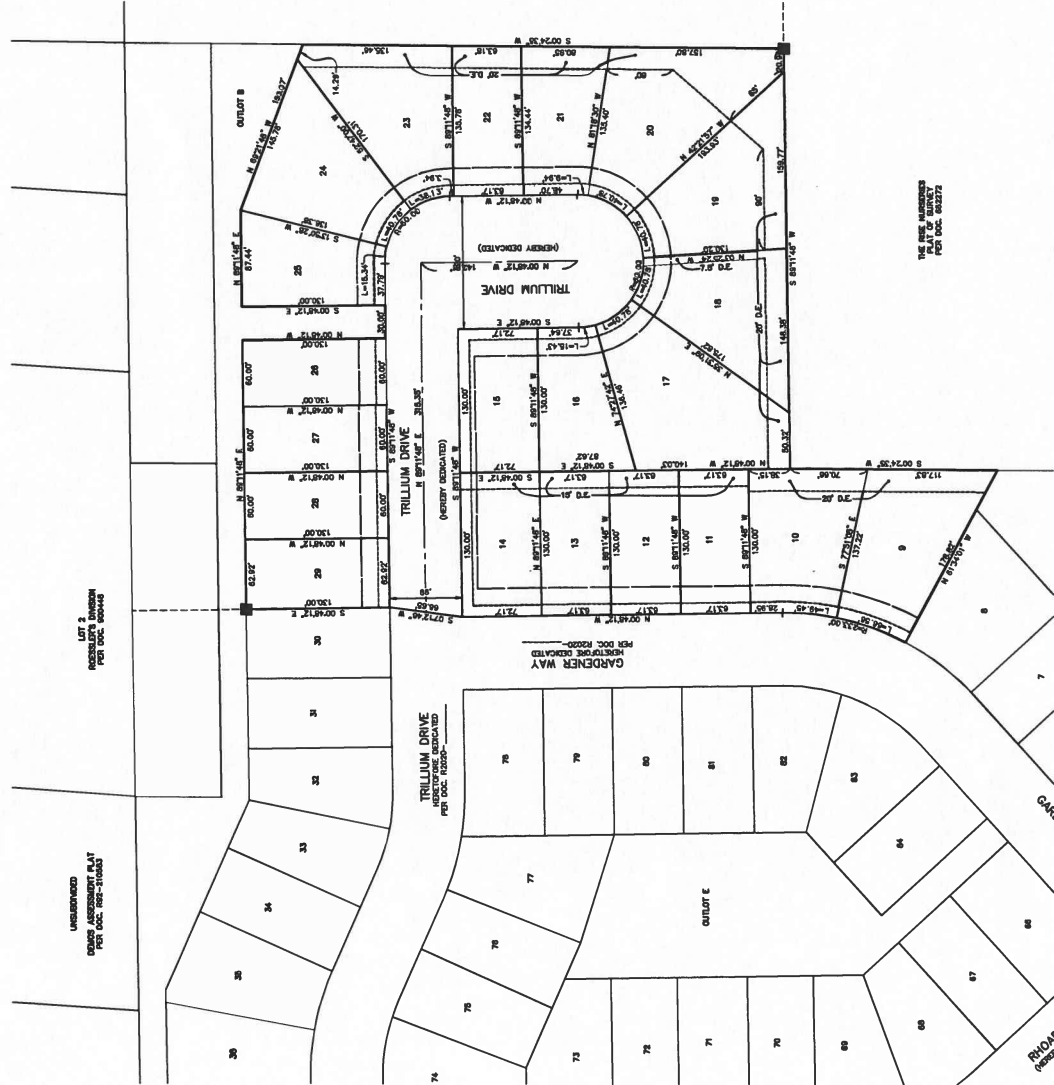
Nancy M. Smith, City Clerk

EXHIBIT “A”

(Insert Final Plat of Subdivision)



SCALE: 1 INCH = 50 FEET



THE SITE ADDRESS
PER DOC. 000272



PREPARED BY:

CEMCON, Ltd.

Consulting Engineers, Land Surveyors & Planners
2500 West Beaver Creek Road, Suite 200
Richmond Hill, Ontario L4B 3N2
Tel: (905) 882-2100 Fax: (905) 882-2109
www.cemcon.com

DISC NO.: 400138 FILE NAME: SUBPLAN-3
DATE: 05-26-20 JOB NO.: 400138
COMPLETION DATE: 05-26-20 JOB NO.: 400138
REVISED 04-24-20VARS ADDED STREET NAMES
REVISED 06-25-20VARS ADDED SETBACKS INTO TRAILER MANSEY
REVISED 06-25-20VARS ADDED SETBACKS INTO TRAILER MANSEY

7

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
 ITS REGISTRATION EXPIRES ON NOVEMBER 30, 2020
 PROFESSIONAL DESIGN FIRM LICENSE NO. 164-002837
 EXPIRATION DATE IS APRIL 30, 2021

ENGINEER _____ OWNER OR ATTORNEY _____

DRAWN BY: AJS / PG. NO.: D6138-20 AND 43-
 COMPLETION DATE: 02-28-20 JOB NO.: 402.135
 04-24-20VAB ADDED STREET NAMES
 REVISED 06-22-20VAB SPLIT PLAT INTO THREE PHASES
 REVISED 06-22-20VAB
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EXHIBIT “B”

RECOMMENDATION NO. 2022-RC-0003

TO: The Honorable Mayor and City Council

SUBJECT: PC 22-04
Final Plat of Subdivision for Phase 3 of Trillium Farm
28W700 Purnell Road

DATE: February 1, 2022

DECISION: The motion to recommend approval of the request passed by a unanimous decision of seven (7) “yes” and zero (0) “no”.

RECOMMENDATION

After review of the proposed Final Plat of Subdivision for Phase 3 of Trillium Farm, the Plan Commission/Zoning Board of Appeals recommends approval.

There are no specific findings of fact for subdivision consideration. Rather, the PC/ZBA verifies that the submitted plat of subdivision complies with the City’s subdivision regulations. The PC/ZBA finds that the plat does comply.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Frantzen			
Hale			
Billingsley			
Kasprak			
Henkin			
Banasiak			

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Municipal Code Amendment
Section 11-87 – Limit on Number of Domestic Animals

Ordinance No. 22-O-0003

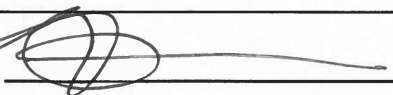
AGENDA ITEM NUMBER: 5. A.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Feb. 14, 2022

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman SIGNATURE _____

ITEM SUMMARY:

Section 11-87 of Article II, Chapter 11 of the Code of Ordinances places a limit on the number of domestic animals that a household may contain of no more than three animals. The City's Municipal Code defines a domestic animal as "*Any animal which has been domesticated by man so as to live and breed in a tame condition*". Staff has had questions and concerns raised from residents that this amount is low, compared with other communities, and does not always accommodate people with therapy animals such as cats or dogs. Staff has drafted an ordinance increasing the limit of domestic animals from three (3) to four (4) animals.

ACTION PROPOSED:

Approval of the proposed Municipal Code Amendment to increase the number of domestic animals permitted per household.

COMMITTEE RECOMMENDATION:

Attached: Draft Ordinance

ORDINANCE NO. 22-O-0003

**AN ORDINANCE AMENDING CHAPTER 11, ARTICLE II, DIVISION 6,
ANIMAL CONTROL AND CARE, OF THE WEST CHICAGO CODE OF
ORDINANCES**

WHEREAS, the City of West Chicago (hereinafter referred to as "City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code, 65 ILCS 5/11-20-5 to regulate for the public health; and

WHEREAS, the City is authorized, pursuant to its police power, 65 ILCS 5/11-1-1, to carry out the powers delegated to it under its grants of authority; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of West Chicago, DuPage County, Illinois, as follows:

Section 1: That Chapter 11, OFFENSES AND MISCELLANEOUS PROVISIONS, Article II. OFFENSES, Division 6, ANIMAL CONTROL AND CARE, Section 11-87, LIMIT ON NUMBER OF ANIMALS, of the Code of Ordinances of the City of West Chicago be amended as follows:

Sec. 11-87. Limit on number of animals

There shall be a maximum limitation per household of ~~three (3)~~ four (4) domestic animals; provided however, that any newborn animals shall be allowed to remain in the household despite the limitation of this section for up to four (4) months from the date of birth. Every animal exceeding the limit per household is subject to impoundment.

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed

Section 3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this ____ day of _____, 2022.

Alderman J. Beifuss _____

Alderman L. Chassee _____

Alderman J. Sheahan _____

Alderman H. Brown _____

Alderman A. Hallett _____

Alderman C. Dettmann _____

Alderman M. Birch-Ferguson _____

Alderman S. Dimas _____

Alderman C. Swiatek _____

Alderman M. Garling _____

Alderman R. Stout _____

Alderman J. Short _____

Alderman J. Morano _____

Alderman J. Jakabcsin _____

APPROVED as to form: _____
City Attorney

APPROVED this ____ day of _____, 2022 .

Mayor, Ruben Pineda

ATTEST:

City Clerk, Nancy M. Smith

PUBLISHED: _____