

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

DEVELOPMENT COMMITTEE

**Monday, February 11, 2019
7:00 P.M. - Council Chambers**

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
 - A. January 14, 2019
3. Public Participation
4. Items for Consent
 - A. 560 W. North Avenue, Special Use Permits for a Used Motor Vehicle Dealership, and Motor Vehicle Care and Repair Facilities
 - B. Norix, 1 Innovation Drive, Final Development Plan Review
5. Items for Discussion
 - A. U-Haul, North at Neltnor, Revisions to the Concept Plan – Review and Discussion
 - B. Forming America – 4th Amendment to the Special Use Approval to extend the completion deadline for a hard surface to September 30, 2019.
6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment

Draft

MINUTES

DEVELOPMENT COMMITTEE

January 14, 2019, 7:00 P.M.

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

Alderman Stout called the meeting to order at 7:00 P.M.

Roll call found Aldermen Melissa Birch Ferguson, Michael Ferguson, Bonnie Gagliardi, Matt Garling, Jayme Sheahan and Rebecca Stout present.

Also in attendance was Community Development Director, Tom Dabareiner.

2. Approval of Minutes.

A. December 10, 2018.

Alderman Ferguson moved and Alderman Sheahan seconded a motion to approve the minutes. Voting Aye: Aldermen Birch Ferguson, Ferguson, Gagliardi, Sheahan and Stout. Voting to Abstain: Alderman Garling. Voting Nay: 0.

3. Public Participation. None.

4. Items for Consent. None.

5. Items for Discussion.

A. U-Haul, North Avenue at Neltnor, Revisions to the Concept Plan – Review and Discussion.

Tom Dabareiner provided this item update. U-Haul received support from the Development Committee in March of last year and has since opened a small retail facility at 1867 N. Neltnor in the building formerly occupied by Hobby Lobby. Since then, they have expanded their plans for the property by acquiring an interest in the majority of this

site. Mr. Dabareiner summarized the changes they have proposed, which include increasing the number of storage units from 300 to 950, painting the exterior brick, converting the majority of the currently vacant retail to climate-controlled storage, adding 120 ground-level storage units to a currently empty area, and adding a new 3-story building to house storage units and a warehousing facility to the northwest corner. He stated staff's concerns about the proposed location of the U-Haul rental vehicles, and he indicated a preference for finding a way to corral them in one location instead. He went on to summarize key points regarding this potential development and pointed out the extraordinary demand for storage units, it being an ideal location due to its high visibility, the fact that storage units are strong revenue generators for the owner, and the various façade enhancements would improve the location's curb appeal. Mr. Dabareiner then reviewed some of the significant challenges staff has identified including the difficulty to recruit future retail once it becomes a storage facility; the expected low traffic would further impact surrounding retail, which thrives on synergistic traffic interaction among its users; the possibility of incompatible uses for other users in the area; the possibility of rezoning to Manufacturing for this area which could open up other potentially objectionable uses; the fact that if this U-Haul location were to close, re-use of the property would be difficult; and the point that storage generates very little tax revenue and job creation. He concluded that the expanded storage facility currently being proposed is much larger than what the Development Committee and staff saw 10 months. Staff is now asking the members for their input on the proposed expansion, although they do not recommend the painting of any brick.

Alderman Garling asked Mr. Dabareiner if he had heard from any other businesses in that corner, and Mr. Dabareiner replied that he had not. Alderman Ferguson stated that the photos provided by the applicant of their other previous building conversions show few changes to the brick color. While West Chicago does not allow for the painting of brick, he said U-Haul should be able to brand themselves without changing the color of the brick, as their orange doors help identify who they are.

Alderman Garling asked Mr. Dabareiner about what would happen to the businesses located in the areas U-Haul proposes to take over. Mr. Dabareiner replied they would stay for the short term, but suggested the applicant answer this question. Angela Farley of U-Haul responded, stating those businesses/tenants would remain as long as they want to be there. She explained their parent company is a property management company and so they look for properties that have tenants already there to supplement their income. In addition, they obtain additional customers from walk-by retail, which is why they like to have symbiotic relationships with the existing businesses nearby. She pointed out they have arrangements like this already and mentioned their location in Montgomery, Illinois where they occupy a property that was once a Kmart and where vacant spaces have been filled. Alderman Garling asked what other retail share the Montgomery site, and Ms.

Farley answered there is a Dollar Tree, Planet Fitness, some insurance agencies, a temporary staffing agency and a spa.

Alderman Ferguson stated that he would like to see them come in and make the changes as soon as possible. Any concerns about future uses, were U-Haul to ever vacate the site, should be addressed at that time.

Alderman Stout expressed concerns about the proposed expansion, given staff's analysis about the lack of tax revenue for this use. While she likes the idea of having U-Haul at this location, she does not see a mega storage facility as the best fit for this corner. She recognizes the site is in need of a facelift, but she takes issue with the entire area being used for storage use. She furthered that by changing the zoning to Manufacturing, they open themselves up to future uses that are undesirable. She cautioned to think carefully about potential changes which may limit attracting future investors to that corner. Alderman Birch Ferguson agreed with Alderman Stout's concerns, and she added she does not think it is a good idea to rezone to M; it should stay B-3.

Alderman Garling asked about how many trucks would be on the lot, and Ms. Farley responded 20 to 30, but her preference is they all be out on the road being utilized. He then asked about the ability to corral them in one part of the lot. Ms. Farley replied they prefer visibility on each of the street sides, but if needed for them to be good neighbors, they would do so.

Alderman Stout stated the discussion is really more of a conceptual review, but given the scope of the expansion, she asked the members to share their thoughts. She reiterated her concerns about changing the zoning, and pointed out the potential problem of painting the brick. Alderman Garling stated this concept requires thought and time. He agreed with Alderman Ferguson about not being terribly worried about future uses if U-Haul ever moved out, but he is not sure about changing the zoning to Manufacturing nor about the effects this would have on Old Time Pottery. He stated he is also not sure about an expansion of this scope and size, although he is not opposed to the original 300 storage units proposed. Alderman Sheahan agreed about not wanting to change the zoning either and prefers keeping the size to what they agreed on 10 months ago.

Alderman Stout concurred that the members are in favor of the continued improvements to the site, but not the rezoning nor the proposed expansion. Angela Farley then indicated that she was just made aware that the proposal for a new, three-story building is no longer being considered. Instead, they are considering self-storage on that lot. Alderman Stout remarked that without anything to look at, it would be hard to make an informed decision and provide any direction on it. They would be happy to take a look at any future plans.

Sherwood Blitstein, owner of the property, asked Mr. Dabareiner about the need to change the zoning to M versus modifying the PUD. He answered that good planning practice often requires a change to the underlying zoning when there is a major change to the land use such as this. Storage is not currently an allowable use in the B-3 or in the PUD, but it is allowed as a special use in Manufacturing. It is currently a debate staff is having internally about the best way to proceed; there are not good options either way. Mr. Blitstein stated ownership is only interested in adding storage in this area. They are not interested in manufacturing and would support any City efforts to impose limits. Mr. Dabareiner stated they may not be able to limit other types of uses in the long run.

Mr. Blitstein made a general comment that while he has been working with U-Haul for quite some time, he continues to market the area. There is very little demand for retail big-box. He asked the members for their opinions.

Alderman Stout responded that everyone liked the idea of storage at the level they submitted originally, but the size of the newly proposed expansion is not what they want. She does not see it being a draw for other, future retail uses in the area. Alderman Garling stated that he is also uncomfortable with the size and scope. U-Haul is a great corporate citizen, and while he would be in favor of 300 units, he has concerns about the additional expansion and its potential effect on the nearby businesses, such as Old Time Pottery. Alderman Stout stated further that until they have a better idea of what the newest changes would entail with the elimination of the three-story building, they cannot provide an answer. Given the information they have right now, she is not in favor of the mass expansion. Alderman Birch Ferguson and Alderman Sheahan both stated that they are not in favor of it either.

B. Greco/DeRosa Concept, Rezone property from B-3 to M between Menards (220 W. North) and former VW Property (560 W. North) – Review and Discussion.

Tom Dabareiner summarized this item for the members. Greco DeRosa Investment Group (GDIG) has acquired an interest in this property and they are seeking a map amendment to a portion of the area. Approximately 14 ½ acres would be re-zoned from B-3 Regional Shopping District to Manufacturing, leaving a two-acre B-3 property along North Avenue. While the proposal has the potential to generate tax revenue on an area that has long been vacant, the City loses the potential for large-scale “greenfield” retail development. Furthermore, it is generally considered poor planning to mix semi-truck traffic on-site with retail traffic. He suggested significant circulation changes and robust buffering to separate traffic, should the Committee view this proposal favorably. Staff has compiled 8 findings of fact for the members’ review, but overall, staff feels it does not meet the intention of the Comprehensive Plan, it creates the potential for unintended and

unwelcome uses and it may have negative impacts on the use of the neighboring properties.

Alderman Garling asked if there is another zoning besides Manufacturing that could accomplish these warehouse-type buildings. Mr. Dabareiner replied that Manufacturing is the better way to do that. While ORI is an option, it has not been successful zoning district in the City, and they are working to reduce the amount of it.

Paul Robertson, Project Executive with GDIG, introduced himself and the other members from his company in attendance. He explained that GDIG is the retail development arm of the Greco company. They have been developing retail properties since the early 1990's, and they continue to develop new retail for their customers and to attract other local and national retailers. They are also a developer of quality industrial parks. He mentioned the shift in the retail landscape and the customer preference for online shopping, which has halted big-box development. There are still some opportunities at key retail locations, however, and the industrial market is strong. The site they have selected would include a retail building on the outlot to complete the frontage along North Avenue. This building would complement the existing retail in the area and be targeted to local and national shop tenants. The rear of the site presents challenges because home improvement retailers are not attractive anchors to other big boxes. He concluded it would be a great economic generator, with estimated real estate tax revenue of over \$150K and additional employment created by the new tenants, who would in turn, bring additional revenue to the existing businesses.

Cameron Trefry, Principal of Ware Malcomb Architects in Oak Brook addressed the members and walked them through the site detail, which includes retail frontage along North Avenue with two precast, industrial buildings to the south of it. All of the offices would face outward in order to contain the truck traffic as much as possible and shield the residents to the south. He then reviewed the access points planned into the site.

Alderman Stout expressed concern with changing the zoning to Manufacturing as it does not fit with the City's Comprehensive Plan. While she likes the look of the plan and loves that they want to be in West Chicago, she feels there are other locations that are better suited for the manufacturing component. Alderman Birch Ferguson indicated this plan would go against their Comprehensive Plan and she agrees with staff about not wanting to give up a "greenfield" for the proposed industrial uses. She asked the applicant if they have looked at any space in the City's Business Center as these types of buildings would be a much better use there.

Ron DeRosa, owner of GDIG, answered the question, stating they looked extensively in West Chicago, and this is why they purchased 40 acres in the DuPage Business Center.

The North Avenue location met with tenants' interest in this corridor. He mentioned they could bring in two or three retail tenants immediately. He knows how long the property has been vacant. They were approached by the seller who knew his company does both retail and industrial. They are only interested in building both and not one or the other.

Alderman Garling asked Mr. DeRosa if they have some sister companies who are interested in the industrial buildings already, and he said they may. Alderman Garling stated he likes the fact that they designed the trucking in the middle, and he thinks there might be a way to create a buffer between the residences. He expressed concern about putting Manufacturing next to residential in terms of future uses, and then asked Mr. Dabareiner if there is a way to box in the use. He is cautious of putting in something with the potential to create odors, pollution or even noise. Mr. DeRosa responded that this would be more of warehousing use intended here, and he added that most of the companies are related to their line of business, such as corrugated boxes, racking companies, etc.

Alderman Stout asked the petitioner if they had considered either the Kuhn property or the Conti property. Mr. DeRosa stated that he is familiar with both, but they are difficult to develop. For his particular tenant, he indicated, this is the only location that would work. Alderman Stout stated that she is not comfortable with the manufacturing component and having to change the zoning. The combination of the two is attractive, just not in that location. Mr. DeRosa asked what she envisions at this site, and she replied that additional residential might work here. Mr. DeRosa reiterated that the proposed use would only be for warehousing and not manufacturing. He stated his company has done mixed use development and has the vision to develop other properties as they were the principal investors for the riverfront in St. Charles.

Alderman Garling stated his concern about the proximity to residential and he provided an example in West Chicago of where the fumes can be smelled throughout the entire neighborhood. His concern is that once they open it to Manufacturing, they open it to anything of that nature or even heavy manufacturing. Mr. DeRosa said they saw another manufacturing area in West Chicago that is adjacent to a residential area, and so they thought the same might be allowed here.

Alderman Stout stated that she loves the vision and the idea, but it is just not the right property for it. Alderman Birch Ferguson indicated that she also believes it is the wrong location and is concerned about the potential impact on the residents, as they already have struggles with truck traffic in that area.

C. Midwest Industrial Funds, 2525/2555 Enterprise Circle, Speculative Manufacturing/Distribution Concept – Review and Discussion.

Mr. Dabareiner furnished the members with a staff update. The applicant has acquired an interest in 29 acres of property along the south side of Fabyan Parkway in the DuPage Business Center. They are seeking conceptual review to construct two speculative single-story buildings made of precast panels. The larger building would measure about 304,000 square feet with a height of approximately 46 to 49 feet. The smaller building would be about 186,000 square feet of a similar height. The buildings would offer truck loading and unloading. In today's market place, staff feels the buildings would be occupied very quickly. Staff is in favor of the development and he noted that a representative of Midwest Industrial was present to answer any questions.

Alderman Birch Ferguson stated she thinks it is great. It is a good location and it looks good to her. Alderman Ferguson asked if the buildings would be broken up into suites for multiple occupants. Pat Shaner of Midwest Industrial Funds answered that they could potentially do so. He pointed out they are under contract for both sites, and his hope is that they will be going forward with both as he believes current market conditions warrant both of them. He then estimated the north building has the potential for 2 units and the south building has the potential for 3 units.

Alderman Ferguson asked Mr. Shaner if he has any prospective tenants, and he replied that they have submitted proposals to potential users. Mr. Shaner stated it is difficult with users nowadays because there are spaces available and so tenants do not start looking for space as far in advance as the 12 to 15 months it takes a building to be constructed. Alderman Ferguson stated he would be happy to go along with this proposal. Alderman Stout agreed this is the perfect location, perfect fit and it looks great. She thinks it would be a great addition to the area. Aldermen Sheahan, Gagliardi and Garling all agreed.

6. Unfinished Business. None.

7. New Business. None.

8. Reports from Staff.

Mr. Dabareiner informed the members they should see a concept plan from Norix at the February meeting. They will probably also see the Economic Development Work Plan as well.

9. Adjournment.

Alderman Ferguson moved and Alderman Gagliardi seconded the motion to adjourn the Development Committee meeting at 7:53 P.M. The Committee members unanimously agreed and the motion carried.

Respectfully submitted,
Jane Burke

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

West Chicago Group, LLC, Special Uses for Used Motor Vehicle Sales and Service, 560 W. North Avenue

Ordinance No. 19-O-0002

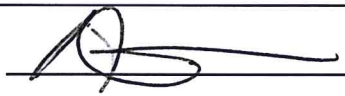
AGENDA ITEM NUMBER: 4. A.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Feb. 11, 2019

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

The applicant, West Chicago Group LLC, is requesting the approval of three special uses to allow used motor vehicle sales and ancillary motor vehicle care and motor vehicle repair at 560 W. North Avenue. The subject property is zoned B-3, Regional Shopping Center, and is located on the south side of North Avenue west of Menards in the St. Andrews Square Shopping Center. The site previously housed Volkswagen of America.

The subject property is 5 acres in area and is fully developed with a 24,231 square foot one-story building and related parking lot. The building contains areas for motor vehicle display, offices, and motor vehicle repair. The property was developed as an automobile dealership and the special use permit is for a similar use, with the only difference being used automobile sales proposed as opposed to the original use of the property for new car sales.

City staff is recommending approval of the special use permits subject to the following conditions:

1. The trash enclosure shall be repaired to fully screen trash receptacles. Materials shall match main building.
2. Landscaping shall be maintained generally as set out in the Landscape Plan dated 9/17/04. Trees, shrubs and groundcover shall be maintained or replaced in a manner and number similar to depicted on the Landscape Plan (Exhibit C).
3. All motor vehicle repair and motor vehicle care shall occur inside the building.
4. Use of the site shall be in conformance with the following conditions of Ordinance 04-O-0115:
 - a. Parking spaces shall not back out onto any primary access driveway.
 - b. Doors to vehicle service areas shall be located south of the main showroom of each dealership.
 - c. All vehicle parking shall be on paved surfaces.
 - d. There shall be no utilization of an outside speaker system.
5. Use of the site shall be in conformance with the following conditions of Ordinance 04-O-0116:
 - a. The chain link fence along the west property boundary shall extend no further north than ninety (90) feet north to the rear of the building, shall be covered with black or green vinyl with posts and rails to match and shall not be slatted.
 - b. That all parking spaces required by code shall be at least 9' X 19' in size.
 - c. That the materials utilized for any dumpster enclosure shall match those of the build-

ing.

6. The applicant shall have an approved sign permit before installing any signs.

At its January 15th meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of three special uses for 560 W. North Avenue by a 5-0 vote. Their recommendation is included as Exhibit "B" of the attached ordinance.

ACTION PROPOSED:

Consideration of three special uses for used motor vehicle sales and ancillary motor vehicle care center and motor vehicle repair shop at 560 W. North Avenue.

COMMITTEE RECOMMENDATION:

ORDINANCE NO. 19-O-0002

AN ORDINANCE GRANTING SPECIAL USE PERMITS TO WEST CHICAGO GROUP LLC FOR 560 WEST NORTH AVENUE FOR USED MOTOR VEHICLES SALES AND RELATED SERVICES

WHEREAS, on or about November 21, 2018, West Chicago Group LLC, (the “APPLICANT”), filed an application for special use permits to establish a used motor vehicle dealership and related motor vehicle services at the property legally described on Exhibit “A” attached hereto and incorporated herein (the “SUBJECT REALTY”); and,

WHEREAS, a Notice of Public Hearing on said special use application was published in the Daily Herald on December 28, 2018, 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, commencing on January 15, 2019, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of its application, and 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. 2019-RC-0001, a copy of which is attached hereto as Exhibit “B” which is, by this reference, incorporated herein.

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 three (3) special use permits in conformance with Sections 5.5 and 10.4-5(O), 10.4.5(C) and 10.4-5(F) of the Zoning Ordinance are hereby granted for the SUBJECT REALTY, to establish a used motor vehicles sales facility with ancillary motor vehicle care services and motor vehicle repair at 560 West North Avenue.

Section 2. That the three special use permits are hereby granted subject to compliance with the following conditions:

1. The trash enclosure shall be repaired to fully screen trash receptacles. Materials shall match main building.
2. Landscaping shall be maintained generally as set out in the Landscape Plan dated 9/17/04. Trees, shrubs and groundcover shall be maintained or replaced in a manner

and number similar to depicted on the Landscape Plan, a copy of which is attached hereto and incorporated herein as Exhibit "C".

3. All motor vehicle repair and motor vehicle care shall occur inside the building.
4. Use of the site shall be in conformance with the following conditions of Ordinance 04-O-0115:
 - a. Parking spaces shall not back out onto any primary access driveway.
 - b. Doors to vehicle service areas shall be located south of the main showroom of each dealership.
 - c. All vehicle parking shall be on paved surfaces.
 - d. There shall be no utilization of an outside speaker system.
5. Use of the site shall be in conformance with the following conditions of Ordinance 04-O-0116:
 - a. The chain link fence along the west property boundary shall extend no further north than ninety (90) feet north to the rear of the building, shall be covered with black or green vinyl with posts and rails to match and shall not be slatted.
 - b. That all parking spaces required by code shall be at least 9' X 19' in size.
 - c. That the materials utilized for any dumpster enclosure shall match those of the building.
6. The applicant shall have an approved sign permit before installing any signs.

Section 3. 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 4. 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 February, 2019

Alderman J. Beifuss	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman M. Ferguson	_____
Alderman M. Birch-Ferguson	_____	Alderman S. Dimas	_____
Alderman C. Swiatek	_____	Alderman M. Garling	_____
Alderman R. Stout	_____	Alderman J. Short	_____
Alderman N. Ligino-Kubinski	_____	Alderman B. Gagliardi	_____

APPROVED as to form:

City Attorney

ADOPTED this ____ day of February, 2019.

Ruben Pineda, Mayor

ATTEST:

Nancy M. Smith, City Clerk

PUBLISHED: _____

EXHIBIT “A”

Subject Realty Legal Description

Tax ID Number: 01-28-304-003

Land situated in the City of West Chicago in the County of DuPage in the State of IL

Parcel 1:

Lot 1 in Final Plat of St. Andrews Square Resubdivision Phase 2D, as recorded on July 1, 2004 as Document No. R2004-178709.

Non-Exclusive Easements for the benefit of Parcel 1 as created by the St. Andrews Square Reciprocal Easement and Operating Agreement recorded July 24, 1998 as Document R98-148669, First Amendment Recorded August 2, 2000 as Document R2000-117455, Second Amendment Recorded July 1, 2004 as Document R2004-178710, and Third Amendment recorded October 7, 2004 as Document R2004-260005.

EXHIBIT “B”
RECOMMENDATION NO. 2019-RC-0001

TO: Honorable Mayor and City Council

SUBJECT: PC 19-01
Special Use Permits
West Chicago Group LLC
560 W. North Road

DATE: January 15, 2019

DECISION: The Plan Commission/Zoning Board of Appeals unanimously (5-0 vote) recommended approval of three (3) special use permits for used motor vehicle sales and ancillary motor vehicle care center and motor vehicle repair shop at the subject property.

RECOMMENDATION:

After holding a public hearing and after review of the requested special use permits, the Plan Commission/Zoning Board of Appeals recommended approval according to the following findings of fact:

(1) Is necessary for the public convenience at that location or, the case of existing nonconforming uses, a special use permit will make the use more compatible with its surroundings:

(This standard should be interpreted as indicating whether or not the proposed use is good for the public at that particular physical location, and not whether the use itself is needed there).

The proposed used motor vehicle sales and related services are best suited for a commercial area. The subject property is located within one of the City’s primary commercial corridors and is compatible with the existing nearby commercial and manufacturing uses.

(2) Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:

The proposed use of the subject property should not adversely impact the public health, safety and welfare of the community. The site previously housed new motor vehicle sales and service. The use of the property for used motor vehicle sales and service is very similar to the previous use of the property.

(3) Will not cause substantial injury to the value of other property in the neighborhood in which it is located:

The proposed used motor vehicle sales and service related uses should not cause substantial injury to the value of other property in the neighborhood in which it is located. The proposed use is best suited for a commercial area and the subject property is located within one of the City's primary commercial corridors and is compatible with the nearby commercial and industrial uses.

(4) The proposed special use is designated by this code as a listed special use in the zoning district in which the property in question is located:

The proposed used motor vehicle sales use is listed as a special use [10.4-5(O)]. The proposed motor vehicle care center use is listed as a special use [10.4-5(C)]. The proposed motor vehicle repair shop is listed as a special use ([10.4-5(F)].

The Plan Commission/Zoning Board of Appeals recommended approval of the special use permits subject to the following conditions of approval:

1. The trash enclosure shall be repaired to fully screen trash receptacles. Materials shall match main building.
2. Landscaping shall be maintained generally as set out in the Landscape Plan dated 9/17/04. Trees, shrubs and groundcover shall be maintained or replaced in a manner and number similar to depicted on the Landscape Plan (Exhibit E of PC/ZBA packet).
3. All motor vehicle repair and motor vehicle care shall occur inside the building.
4. Use of the site shall be in conformance with the following conditions of Ordinance 04-O-0115:
 - a. Parking spaces shall not back out onto any primary access driveway.
 - b. Doors to vehicle service areas shall be located south of the main showroom of each dealership.
 - c. All vehicle parking shall be on paved surfaces.
 - d. There shall be no utilization of an outside speaker system.
5. Use of the site shall be in conformance with the following conditions of Ordinance 04-O-0116:
 - a. The chain link fence along the west property boundary shall extend no further north than ninety (90) feet north to the rear of the building, shall be covered with black or green vinyl with posts and rails to match and shall not be slatted.
 - b. That all parking spaces required by code shall be at least 9' X 19' in size.
 - c. That the materials utilized for any dumpster enclosure shall match those of the building.
6. The applicant shall have an approved sign permit before installing any signs.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins	X			
Devitt				X
Hale	X			
Kasprak	X			
Faught	X			
Dettman				X

EXHIBIT “C”

Insert Landscape Plan dated 9/17/04



ENTRANCE DETAILED LANDSCAPE PLAN
1" = 20'

[illegible]

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Final Development Plan
1 Innovation Drive
Norix

Resolution No. 19-R-0013

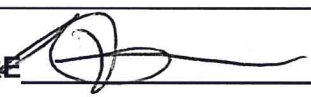
AGENDA ITEM NUMBER: 4.B.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Feb. 11, 2019

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

Norix, a leading manufacturer of furniture products for institutional and commercial facilities, is requesting Final Plan Approval for the construction of their 204,849 square foot global headquarters on 22 acres on the west side of Innovation Drive, west of Technology Boulevard in the North Park Area of the DuPage Business Center (DBC). The new "state of the art" headquarters will consolidate under one roof many of the manufacturing operations currently outsourced outside of Illinois and the United States. Norix hopes to break ground on the project as soon as weather allows.

The energy-efficient building features passive sustainable design, a two-story, full-glass, lobby and an upper-level, cantilevered board room. It will contain about 32,000 square feet of office space, 79,000 square feet of manufacturing and 90,000 square feet of warehouse. The warehouse area contains 12 loading docks plus two drive-in doors. Outside will feature a naturalized landscape, pond and bio-filtration rain gardens. The design will allow for a 124,000 square foot future expansion. Norix is seeking LEED Certification for the site and building design.

In accordance with the Intergovernmental Agreement (IGA) with the DuPage Airport Authority (DAA), both the DAA and City shall approve any development proposal within the DBC which meets requirements. The DAA Board will consider Norix at their February 25, 2019 meeting, meaning that the City Council will need to consider the matter at its March 4, 2019 meeting, as City approval must occur within 15 days after DAA approval.

The attached draft Resolution references specific site plans and building elevations for the proposed development. Currently, final versions of these plans are being prepared based on recent review comments from Public Works (and City Engineers, and will be specifically corrected and listed in the Resolution before it reaches City Council. The most recent set of plans is attached.

The terms of the IGA require the City Council to approve the final development plan (and any amendments thereto) if it is in conformance with all of the controlling documents (the City's Airport Zoning District regulations and the DAA's Minimum Design Standards). City staff acknowledges that the proposed development plans will comply, once changes are made. Compliant changes must be made before the Resolution will be released to Council for approval.

CITY OF WEST CHICAGO

ACTION PROPOSED:

Consideration of the final development plan for Norix located at 1 Innovation Drive.

COMMITTEE RECOMMENDATION:

RESOLUTION NO. 19-R-0013

A RESOLUTION APPROVING THE FINAL DEVELOPMENT PLAN FOR NORIX 1 INNOVATION DRIVE - DUPAGE BUSINESS CENTER

WHEREAS, the City Council of the City of West Chicago shall consider proposed development within the DuPage Business Center to determine compliance with the applicable codes and ordinances of the City of West Chicago; and,

WHEREAS, the DuPage Airport Authority conditionally approved the final development plan for the Norix Development by Resolution 2019-XXXX on February 25, 2019; and,

WHEREAS, the City Council of the City of West Chicago has determined that the proposed Final Development Plan for the Norix development does comply with the applicable codes and ordinances of the City of West Chicago.

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

Section 1. That the Final Development Plan for the Norix development is hereby approved in accordance with the following plans, attached hereto as Exhibit "A":

1. The Site Development Package prepared by Heitman Architects dated 12/5/18 and revised 2/YY/19.
2. The Landscape Plans prepared by Conservation Design Forum dated 12/5/18 and revised 2/YY/19.
3. The Parking Layout prepared by Heitman Architects dated 2/YY/19.
4. Site Improvement Plans prepared by Haeger Engineering dated 8/29/18 and revised 2/YY/19.

Section 2. Landscaping for the south property line and for the southwest portion of the property where a temporary berm is currently shown shall be reviewed at the time of the Phase 2 building permit application.

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 ____ day of _____ 2019.

AYES: _____

NAYES: _____

ABSTAIN: _____

ABSENT: _____

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

Exhibit "A"

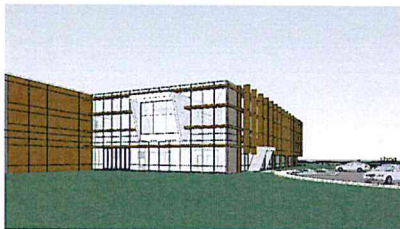
(insert Site Plan, Landscape Plans, and Building Elevation Plan here)



EXT. PERSPECTIVE - AERIAL



EXT. PERSPECTIVE - NORTH



EXT. PERSPECTIVE - SOUTH

ZONING ANALYSIS

STATEMENT OF COMPLIANCE:
TO THE BEST OF HEITMAN ARCHITECTS' KNOWLEDGE AND BELIEF AND TO THE EXTENT OF CONTRACTUAL OBLIGATIONS, THE CONCEPTUAL PLANS ARE IN COMPLIANCE WITH THE BULK AND APPLICABLE ZONING REQUIREMENTS BASED UPON THE INFORMATION CURRENTLY KNOWN RELATIVE TO APPLICABLE LAWS.

A - AIRPORT DISTRICT (LIGHT INDUSTRIAL)

MAXIMUM ALLOWABLE HEIGHT:	PLANNED:	35'
	ACTUAL:	35'
MINIMUM ZONING LOT AREA:	PLANNED:	2 ACRES (87,120 SF)
	ACTUAL:	22 ACRES
MINIMUM ZONING LOT WIDTH:	PLANNED:	150'
	ACTUAL:	875'
MINIMUM FRONT & EXTERIOR SIDE YARD:	BUILDING:	PAVING
	ALLOWED:	20'
	ACTUAL:	217'
MINIMUM INTERIOR SIDE YARD:	BUILDING:	PAVING
	ALLOWED:	15'
	ACTUAL:	152'
MINIMUM REAR YARD:	BUILDING:	PAVING
	ALLOWED:	10'
	ACTUAL:	60'
MAXIMUM FAR:	ALLOWED:	0.6
	ACTUAL:	0.6

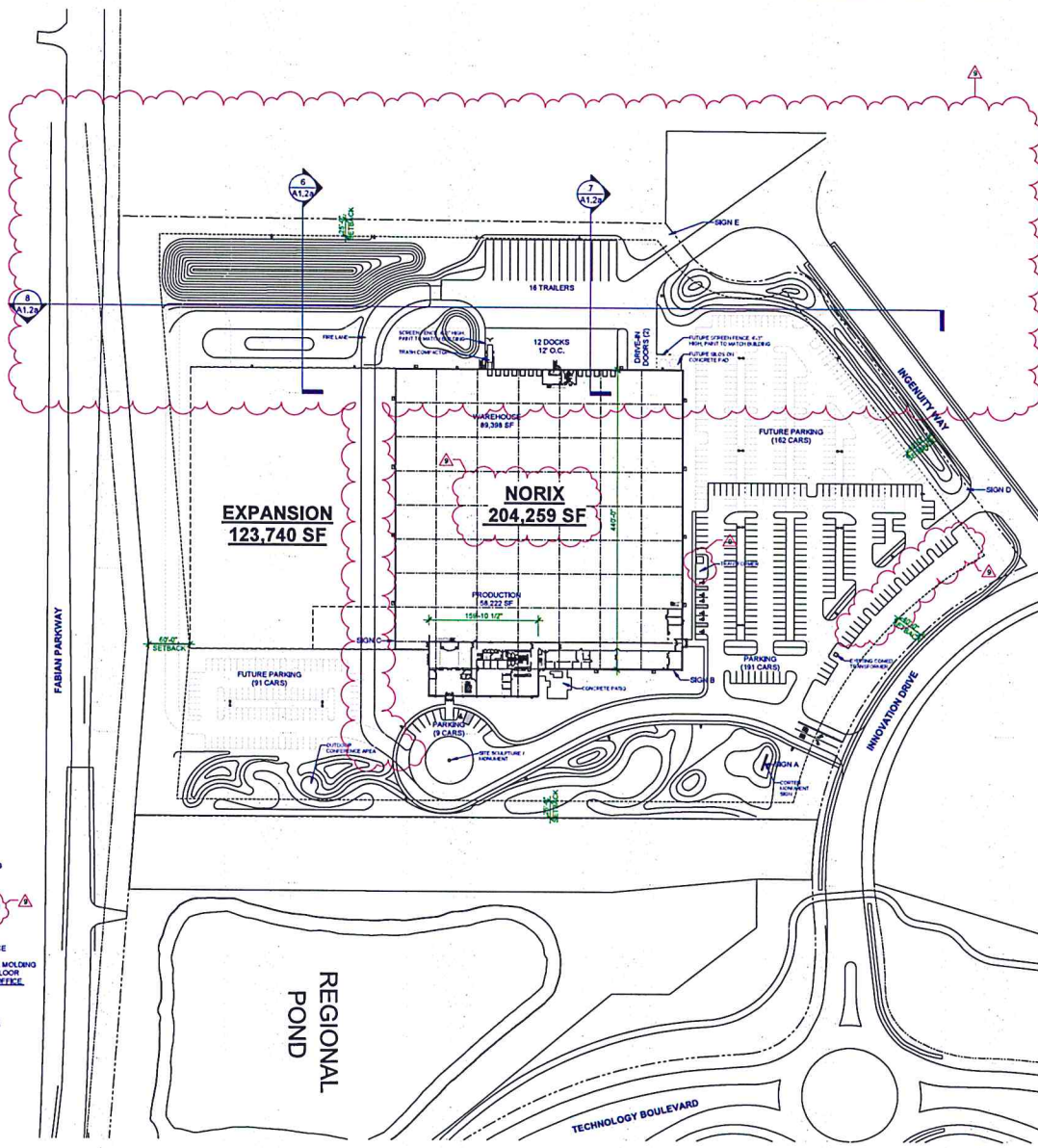
SITE TABULATIONS

SITE AREA:	22.18 ACRES
BUILDING AREA:	204,259 SF TOTAL BUILDING
	123,740 SF EXPANSION
DOCKS:	12 DOCKS
DRIVE-INS:	2 DRIVE-INS
CAR PARKING:	SHOWN ON PARKING PLAN
BUILDING TABULATIONS:	
BUILDING AREA:	87,186 SF - WAREHOUSE
	602 SF - SHIPPING OFFICE
	60,211 SF - PRODUCTION
	21,000 SF - CONVENTIONAL MOLDING
	13,212 SF - OFFICE FIRST FLOOR
	5,535 SF - ENGINEERING OFFICE
	189,958 SF - FIRST FLOOR
	13,274 SF - OFFICE MEZZ
	1027 SF - OFFICE MEZZ
	14,301 SF - MEZZANINE

GLAZING CALCULATIONS

NORTH ELEVATION:	
TOTAL:	16,638 SF
GLAZING:	3,243 SF
%:	20%
EAST ELEVATION:	
TOTAL:	14,955 SF
GLAZING:	4,416 SF
%:	24%
SOUTH ELEVATION:	
TOTAL:	16,638 SF
GLAZING:	3,564 SF
%:	24%
WEST ELEVATION:	
TOTAL:	15,878 SF
GLAZING:	552 SF
%:	3%

2 SITE PLAN
A1.0a 1" = 80'-0"



DESIGN DRAWING:
NOT FOR CONSTRUCTION
This drawing is not to be used for construction. This drawing is the property of Heitman Architects, Inc. and is not to be reproduced or used in any way without the written consent of Heitman Architects, Inc. The design is preliminary and subject to change without notice. The design is not a contract and does not constitute an offer of any services. The design is not a guarantee of performance and does not constitute a warranty. The design is not a representation of the final design and does not constitute a commitment. The design is not a statement of intent and does not constitute a promise. The design is not a statement of opinion and does not constitute a recommendation. The design is not a statement of fact and does not constitute a conclusion. The design is not a statement of law and does not constitute a legal opinion. The design is not a statement of value and does not constitute an appraisal. The design is not a statement of cost and does not constitute an estimate. The design is not a statement of time and does not constitute a schedule. The design is not a statement of quality and does not constitute a standard. The design is not a statement of quantity and does not constitute a measurement. The design is not a statement of location and does not constitute a map. The design is not a statement of direction and does not constitute a compass. The design is not a statement of distance and does not constitute a scale. The design is not a statement of area and does not constitute a measurement. The design is not a statement of volume and does not constitute a measurement. The design is not a statement of weight and does not constitute a measurement. The design is not a statement of length and does not constitute a measurement. The design is not a statement of width and does not constitute a measurement. The design is not a statement of height and does not constitute a measurement. The design is not a statement of depth and does not constitute a measurement. The design is not a statement of temperature and does not constitute a measurement. The design is not a statement of pressure and does not constitute a measurement. The design is not a statement of force and does not constitute a measurement. The design is not a statement of energy and does not constitute a measurement. The design is not a statement of power and does not constitute a measurement. The design is not a statement of speed and does not constitute a measurement. The design is not a statement of acceleration and does not constitute a measurement. The design is not a statement of deceleration and does not constitute a measurement. The design is not a statement of frequency and does not constitute a measurement. The design is not a statement of period and does not constitute a measurement. The design is not a statement of phase and does not constitute a measurement. The design is not a statement of amplitude and does not constitute a measurement. The design is not a statement of wavelength and does not constitute a measurement. The design is not a statement of frequency and does not constitute a measurement. The design is not a statement of period and does not constitute a measurement. The design is not a statement of phase and does not constitute a measurement. The design is not a statement of amplitude and does not constitute a measurement. The design is not a statement of wavelength and does not constitute a measurement.

HEITMAN ARCHITECTS INCORPORATED
555 PIERCE ROAD, SUITE 100
ITASCA, ILLINOIS 60143, USA
TEL: 630.773.3551
FAX: 630.773.3559

General Contractor
SOLTYS
Design | Build

norix
FURNITURE
NEW OFFICE & MANUFACTURING FACILITY
ONE INNOVATION DRIVE
WEST CHICAGO, IL 60185

ISSUE DATE
12/05/2018
1/24/2019
SITE DEVELOPMENT PACKAGE
SITE DEV. RESUBMITTAL

SHEET TITLE
SITE PLAN

DATE
12/05/18
PROJECT NUMBER
210094
SHEET NUMBER
A1.0a

BUILDING AREA: 89,398 SF - WAREHOUSE
602 SF - SHIPPING OFFICE
60,211 SF - PRODUCTION
21,000 SF - CONVENTIONAL MOLDING
13,212 SF - OFFICE FIRST FLOOR
5,536 SF - ENGINEERING OFFICE
189,954 SF - FIRST FLOOR

13,274 SF - OFFICE MEZZ
10,672 SF - QC OFFICE MEZZ
14,301 SF - MEZZANINE

MANUFACTURING / WAREHOUSE:
1 SPACE FOR EACH 1,000 SQ. FT. OF SPACE UP TO 100,000 SQ. FT.;
PLUS 1 SPACE FOR EACH 2,000 SQ. FT. IN EXCESS OF 100,000 SQ. FT.

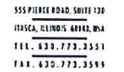
CAR CALCULATIONS:		
CURRENT PHASE I		
OFFICE	28,115 / 1,000 = 29x4 =	116 SPACES
MAN. / WH	100,000 / 1,000 =	100 SPACES
	76,144 / 1,000 =	76 SPACES

TOTAL CURRENT REQUIRED	255 SPACES
TOTAL EXPANSION REQUIRED	62 SPACES

PLAN TOTALS:	TOTAL BUILD OUT - 317 SPACES
CURRENT PLAN TOTAL	200 SPACES PHASE I (255 REQUIRED)
LAND BANKED SPACES	55 SPACES
EXPANSION TOTAL	453 SPACES (317 REQUIRED - WILL BE BUILT AS NEEDED)

PLAN SHOWS MORE FUTURE PARKING THAN REQUIRED TO SHOW SITE MAXIMIZED,
PHASE II CONSTRUCTION TO ONLY ADD PARKING AS NEEDED.

LANDBANKED PARKING LOT:
LANDBANKED PARKING: WEST CHICAGO ZONING CODE 10-5-7(E)(2) - THE CITY, UPON CONSULTATION WITH THE OWNER OF THE PROPERTY, SHALL HAVE THE RIGHT TO REQUIRE THE OCCUPANT OF THE PROPERTY TO INCREASE THE NUMBER OF PARKING SPACES PROVIDED TO SERVE SAID ZONING LOT UP TO THE MAXIMUM REQUIRED BY SUBSECTION 1-5-7(F) FOR THE PROPERTY IN QUESTION IF THE REQUIRED PARKING BECOMES NECESSARY TO SERVE THE DEVELOPMENT.



Minimum Architects fees listed in a Professional Design Fee -
Architect Compensation Survey No. 194007111

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FURNITURE
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ONE INNOVATION DRIVE
WEST CHICAGO, IL 60185

ISSUE DATE	
1/24/2019	SITE DEV. RESUBMITTAL
02/06/2019	SITE DEV. NOTE

SHEET TITLE
PARKING PLANS

DATE	SHEET NUMBER
01/21/19	
PROJECT NUMBER	A1.1a
216094	

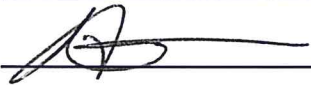
**DESIGN DRAWINGS:
NOT FOR CONSTRUCTION**

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Discussion of an expanded U-Haul Storage Use
U-Haul (Amerco) / Mosaic Crossing Shopping Center
1867 N. Neltnor

AGENDA ITEM NUMBER: 5.A.**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** Feb. 11, 2019**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner AICP**SIGNATURE** **APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**UPDATE

On February 4, 2019, Amerco submitted a revised site plan which eliminates the new enclosed storage building once proposed for the property's northwest corner. The new warehousing in that vicinity would remain. The effect is to reduce the number of storage units from 950 to 504. While the number of units declined, the visual impact remains spread across the property. Staff stands by the original memo from January 14, 2019, which is reproduced below.

ORIGINAL REPORT

U-Haul opened a small retail facility at 1867 N. Neltnor last year after receiving majority support from the Development Committee at its March 12, 2018, meeting. Amerco is their development arm. The discussion at that time was for use of about 30,000 square feet of the former Hobby Lobby building by U-Haul for retail and storage operations. Because the property is zoned B-3 Regional Shopping District, a retail facility could open right away under that zoning, but any storage requires an amendment to the Mosaic Crossing PUD.

Since then, U-Haul has expanded its plans for the property, acquiring an interest in the majority of the site. The expansion is significant, taking the number of storage units from about 300 to 950. Staff felt that Development Committee members should have an opportunity to review the changes which would alter the overall function of the corner. The plans include a combination of new construction and adaptive re-use of existing buildings. They also may seek to paint the existing brick as part of their branding effort and clarification should be provided to them regarding that option.

Summary of Changes: (1) Approximately 50,000 square feet of vacant retail at the site's southeast corner would be changed to 39,000 square feet of climate-controlled storage, plus 3,000 square feet of showroom. This area's remaining space includes offices, a vehicle rental space, and a loading dock. (2) About 120 ground-level storage units are proposed for the "elbow"—the currently empty area located between the eastern building and the northern building. (3) A new 3-story, 17,000 square foot U-Haul building would be constructed at the property's northwest corner, west of Old Time Pottery. It would house a combination of 446 climate-controlled and non-controlled storage units. This area would also include a small 8,000 square foot warehousing facility.

Locations of rental vehicles would be in various locations around the property, although City staff is hoping for a way to better “corral” the trucks and trailers—a task made more complex by the distances from one corner of the U-Haul business to the other.

This U-Haul facility would be staffed by 10-15 employees.

Key Points:

(1) There is extraordinary demand for storage units and no expert predicts saturation of this phenomenon anytime soon. U-Haul expects to serve a residential market as far as four miles away.

(2) Customers become aware of U-Haul primarily by driving by a facility and the traffic feeding the North/Neltnor intersection is very attractive in this case.

(3) They are strong revenue generators for the owner, with higher per-square-foot earnings than most retail, combined with lower maintenance costs.

(4) Improved “curb appeal” is provided through a revitalized, colorful façade treatment.

From a “challenges” perspective:

(1) The strong financial returns are one reason why storage facilities will stay in place at the expense of retail. Retail cannot disrupt that market because retail’s net earnings per-square-foot are lower, so once established as storage the ability to recruit retail to the corner is sharply curtailed.

(2) U-Haul touts benefits such as “very little traffic” but a successful shopping center thrives on synergistic interaction among the various traffic generators/uses. Staff concedes there is little on-site traffic now and, based on a lack of interest and a recent market study, a retail market may only minimally exist for that corner for some time. However, the future may see new retail opportunities. Cities are able to plan for the long-term.

(3) Other uses at that corner may be concerned with this change in direction. The change in use and lack of synergy could impair the ability to replace any of the outlots with a B-3 type of use, as they close or change ownership. Storage facilities can take on the feel of a manufacturing district which could discourage uses like restaurants.

(4) If the storage use is to become the predominant activity at this corner, many would argue that instead of a PUD amendment a full rezoning of the underlying zoning to Manufacturing should occur, within which storage facilities are allowed as a special use. Such a designation conflicts with the pre-established pattern of development and opens up the property to more objectionable activities.

(5) While the market for self-storage is strong for the foreseeable future, if that changes, or other decisions force U-Haul to close at this location, the property is left with some serious challenges as to how the property could be re-used. Significant demolition and rehabilitation would be needed.

(6) Storage facilities generate very little tax revenue and job creation for their host municipalities.

(7) Staff was unable to identify any similarly-sized storage facilities with the same impact on retail development in northeastern Illinois, which speaks to how unique this proposal is and also makes it difficult to make comparisons.

The expanded storage facility is significantly larger than that seen by the Development Committee 10 months ago and therefore staff is seeking additional direction from Committee members. The U-Haul facility would establish a successful business use on a property that has seen many challeng-

es in the last decade. However, the primary problems with the expansion are in the manner which the marketplace may preclude attracting retail after storage is established, the use's lack of synergy with the rest of the shopping center, and what happens to the property should U-Haul leave the site. Staff remains comfortable with the rehab of the southeast corner of the property along the lines of that discussed 10 months ago. Finally, staff recommends against allowing the painting of any brick.

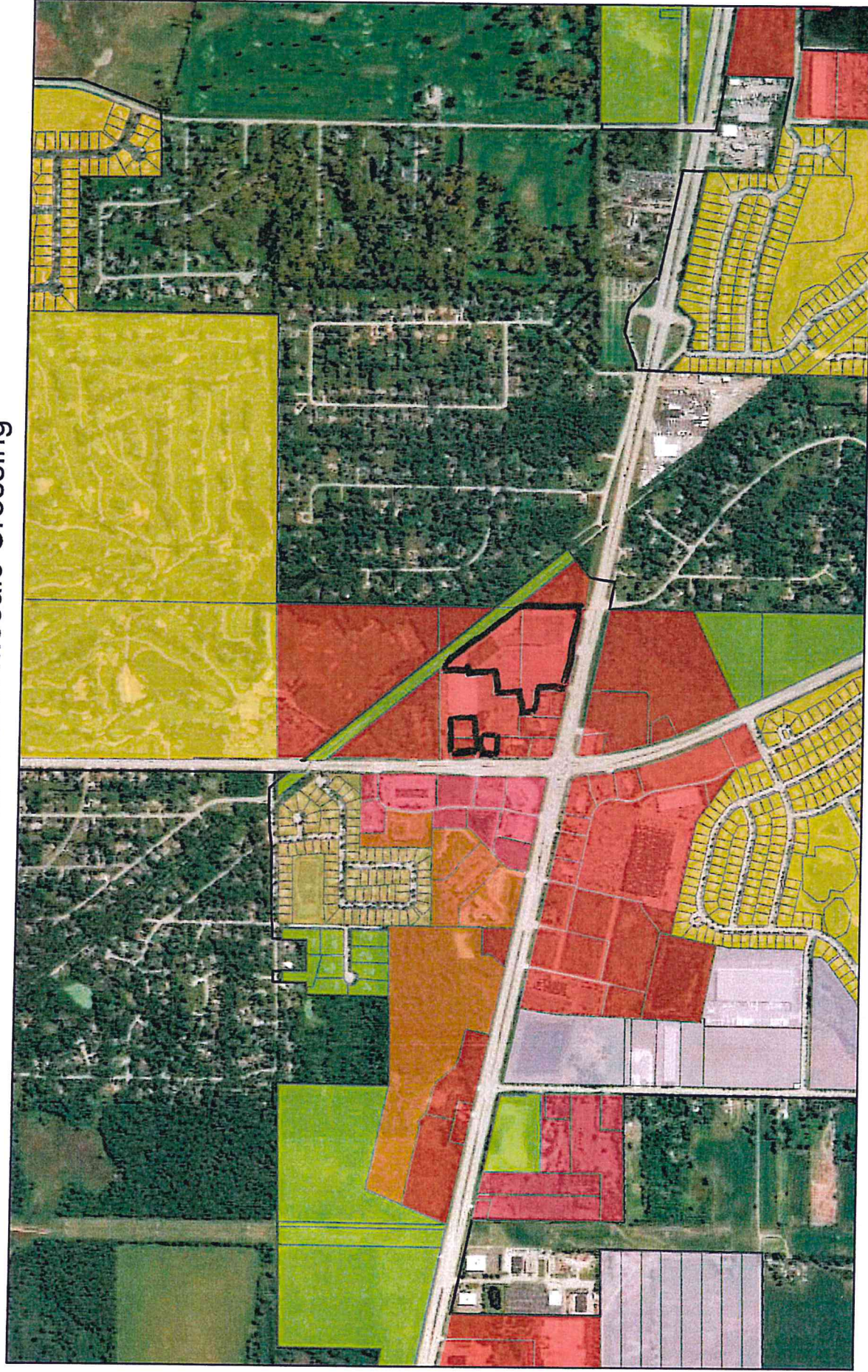
Pc: Location Map
Revised Site Plan

ACTIONS PROPOSED:

Conceptual discussion of the potential for expanded development of Mosaic Crossing as a U-Haul storage facility.

COMMITTEE RECOMMENDATION:

U-Haul Interest in Mosaic Crossing

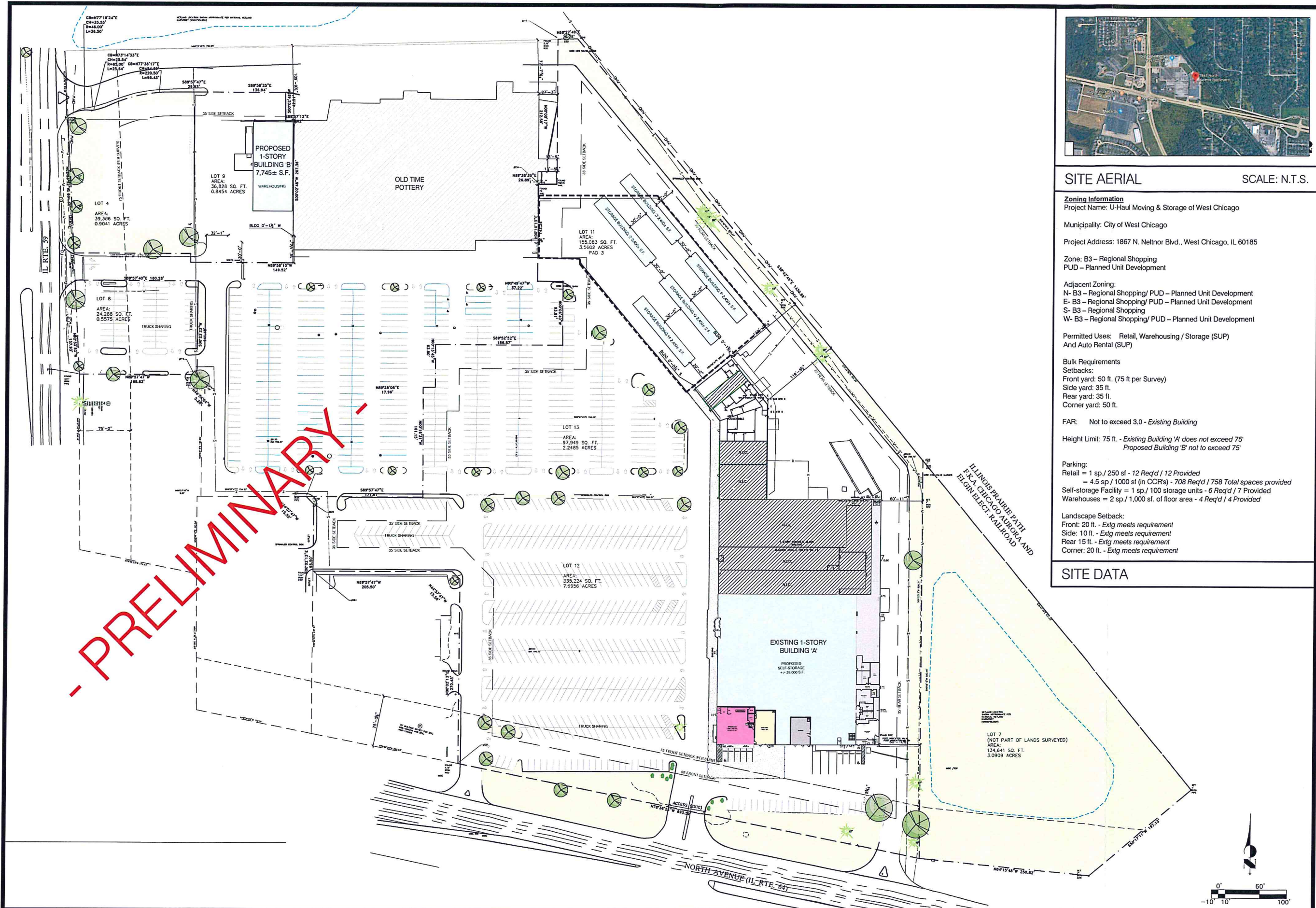


January 4, 2019

1:18,056

0 0.1 0.2 0.4 mi
0 0.17 0.35 0.7 km

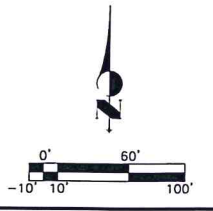
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus



SITE AERIAL SCALE: N.T.S.

Zoning Information
Project Name: U-Haul Moving & Storage of West Chicago
Municipality: City of West Chicago
Project Address: 1867 N. Nellnor Blvd., West Chicago, IL 60185
Zone: B3 - Regional Shopping
PUD - Planned Unit Development
Adjacent Zoning:
N- B3 - Regional Shopping/ PUD - Planned Unit Development
E- B3 - Regional Shopping/ PUD - Planned Unit Development
S- B3 - Regional Shopping
W- B3 - Regional Shopping/ PUD - Planned Unit Development
Permitted Uses: Retail, Warehousing / Storage (SUP)
And Auto Rental (SUP)
Bulk Requirements
Setbacks:
Front yard: 50 ft. (75 ft per Survey)
Side yard: 35 ft.
Rear yard: 35 ft.
Corner yard: 50 ft.
FAR: Not to exceed 3.0 - Existing Building
Height Limit: 75 ft. - Existing Building 'A' does not exceed 75'
Proposed Building 'B' not to exceed 75'
Parking:
Retail = 1 sp./ 250 sf - 12 Req'd / 12 Provided
= 4.5 sp / 1000 sf (in CCRs) - 708 Req'd / 758 Total spaces provided
Self-storage Facility = 1 sp / 100 storage units - 6 Req'd / 7 Provided
Warehouses = 2 sp / 1,000 sf. of floor area - 4 Req'd / 4 Provided
Landscape Setback:
Front: 20 ft. - Extg meets requirement
Side: 10 ft. - Extg meets requirement
Rear 15 ft. - Extg meets requirement
Corner: 20 ft. - Extg meets requirement

SITE DATA



PRELIMINARY SITE PLAN

SCALE: 1" = 60' - 0"

SHEET NOTES:

REVISIONS:

NO.	DATE	INITIALS	NOTES
1	2/04/2019		
2			
3			
4			
5			
6			
7			
8			

PROFESSIONAL SEAL:

PRELIMINARY DOCUMENTS,
NOT FOR CONSTRUCTION,
FOR INFORMATION ONLY.

ARCHITECT LOGO:

AMERCO
REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
P: (602) 263-6502

SITE ADDRESS:
U-Haul of West Chicago
1867 N Nellnor Blvd
West Chicago, IL 60185

SHEET CONTENTS:

Preliminary
Site Plan

856075

DRAWN: JRW/ME
CHECKED:
DATE: 01/14/2019

SP1

856075A1C.DWG

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CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Fourth Amendment to the Special Use Permit for Out-side Storage at 1200 N. Prince Crossing Road, Forming America LTD.

Ordinance No. 19-O-0003

AGENDA ITEM NUMBER: 5.B.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Feb. 11, 2019

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

Forming America Ltd. requests approval of a fourth amendment to its special use for an out-side storage yard at the existing facility located at 1200 N. Prince Crossing Road. The original special use for an outside storage yard was approved in August of 2007. The special use approval entailed several site improvements to be completed by specific dates. The applicant did not meet many of the site improvement deadlines established in the original special use permit and was granted a first amendment to the special use in December of 2011. The applicant again failed to comply with the amended site improvement deadlines established in the first amendment and was granted a second amendment in July of 2014. A third amendment was granted in April 2016, after failing to comply with the deadlines.

Since that time the applicant has completed most of the required site improvements, but is again in a situation where they were not able to comply with the established site paving improvement deadlines approved as part of the third special use amendment. Forming America requested a November 30, 2019 compliance date, but staff is concerned this could be too late for compliance should anything interfere with the project's start or progress. Thus, staff advanced this deadline to October 31, 2019 for the purposes of a proposed amendment.

At its January 15, 2019 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) amended Condition 9 of the proposed fourth amendment to the Forming America Special Use Permit to indicate compliance shall be achieved by September 30, 2019. While this resulted in a 3-2 vote of support, the motion failed for lack of having four affirmative votes. Therefore, a supermajority of the City Council is required to approve the proposed amendment.

The Plan Commission/ZBA summary is included as Exhibit "B" of the attached ordinance.

ACTION PROPOSED:

Consideration of a fourth special amendment for the special use permit for an outside storage yard at the Forming America facility located at 1200 N. Prince Crossing Road.

COMMITTEE RECOMMENDATION:

ORDINANCE NO. 19-O-0003

AN ORDINANCE APPROVING A FOURTH AMENDMENT TO THE
OUTSIDE STORAGE SPECIAL USE FOR 1200 N. PRINCE CROSSING ROAD –
FORMING AMERICA, LTD.

WHEREAS, on or about November 12, 2018, James Langkamp of Forming America, Ltd. (the “APPLICANT”) filed an application for a fourth amendment to the previously approved special use permit for an outside storage yard, with respect to the property legally described on Exhibit “A” attached hereto and incorporated herein (the “SUBJECT REALTY”); and,

WHEREAS, the corporate authorities of the City of West Chicago granted the original special use by Ordinance 07-O-0049 on August 20, 2007; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the first amendment to the special use by Ordinance 11-O-0069 on December 19, 2011; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the second amendment to the special use by Ordinance 14-O-0023 on July 21, 2014; and,

WHEREAS, the corporate authorities of the City of West Chicago granted the third amendment to the special use by Ordinance 16-O-0019 on April 18, 2016; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about December 28, 2018, all as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of its application and all interested parties had an opportunity to be heard; and,

WHEREAS, the corporate authorities of the City of West Chicago have received from Plan Commission/Zoning Board of Appeals a notice, incorporated herein, of a 3-2 vote in support of a fourth amendment to the special use with a September 30, 2019 deadline for completing the referenced work; and,

WHEREAS, the vote at the Plan Commission/Zoning Board of Appeals was insufficient to generate a formal recommendation, therefore requiring a supermajority of the City Council to confirm adoption of the fourth amendment to the special use for the SUBJECT REALTY.

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

Section 1. That a fourth amendment to the special use permit for an outside storage yard in conformance with Section 5.5 and Section 11.2-4(T) of the Zoning Ordinance is hereby granted on the SUBJECT REALTY subject to the following conditions:

1. The APPLICANT shall only utilize those areas of the SUBJECT REALTY for outside storage that have been improved according to the approved Site and Engineering Plans.
2. The buildings and the storage yard on the SUBJECT REALTY shall only be utilized by Forming America, Ltd. or its successors.
3. The storage yard shall only contain items that are directly related to the operation of the business occupying the SUBJECT REALTY.
4. No items stored with the storage yard on the SUBJECT REALTY, other than vehicles, shall exceed the height of the storage yard fence such that they are visible from Prince Crossing Road.
5. No outside storage on the SUBJECT REALTY shall block, hinder, restrict, or render unusable any required parking spaces or fire lanes.
6. The landscaping on the SUBJECT REALTY shall be installed and maintained in compliance with the Landscape Plan prepared by Flamingo Landscape Inc., consisting of one (1) sheet dated July 25, 2007, and made part of Ordinance 07-O-0049. All landscaping on the SUBJECT REALTY located within ten (10) feet of the perimeter of any proposed parking lot or storage yard pavement improvements shall be installed within thirty (30) days after the installation of the adjacent parking lot or storage yard pavement improvements.
7. The APPLICANT shall submit revised as-built plans within three (3) months of the completion of each phase of the paving and City staff approval shall be obtained within eight (8) months of the revised submittal.
8. The APPLICANT shall have all outside storage on the SUBJECT REALTY on a paved surface within one (1) year of the completion of Phase I and II paving.

9. The SUBJECT REALTY shall be developed in substantial compliance with the Paving and Layout Plan prepared by Webster, McGrath & Ahlberg, Ltd., dated September 29, 2014, consisting of a final revision date of January 14, 2015 and in compliance with the pavement improvement completion deadlines identified on the 2019 Paving Plan – Yearly Completion Dates chart, a copy of which is attached hereto as Exhibit “C”, which is, by this reference, incorporated herein. All paving shall be completed no later than September 30, 2019.
10. The APPLICANT shall provide bi-annual progress reports in person to the City’s Development Committee verifying the status of the SUBJECT REALTY’s compliance with the ten (10) conditions and restrictions set forth herein. The APPLICANT shall provide said progress reports until such time that all conditions have been satisfactorily met and the SUBJECT REALTY has been brought into compliance.
11. Within ninety (90) days of the approval of this Ordinance, the APPLICANT shall provide a letter of credit or other financial guarantee acceptable to the City in the amount of no less than one-hundred fifty thousand dollars and no cents (\$150,000.00) for not less than two (2) years, or until all phases of paving are completed and approved by the City for the SUBJECT REALTY, whichever occurs last.

Section 2. That all ordinances and resolutions, or parts thereof, shall, to the extent not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form, as provided by law.

PASSED this _____ day of _____ 2019.

Alderman Beifuss _____

Alderman Chassee _____

Alderman Sheahan _____

Alderman Brown _____

Alderman Hallett _____

Alderman Ferguson _____

Alderman Birch-Ferguson _____

Alderman Dimas _____

Alderman Swiatek _____

Alderman Garling _____

Alderman Stout _____

Alderman Short _____

Alderman Ligino-Kubinski _____

Alderman Gagliardi _____

APPROVED as to form: _____
City Attorney

APPROVED THIS _____ day or _____ 2019.

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

PUBLISHED: _____

EXHIBIT "A"

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND RUNNING THENCE SOUTH 00°21'51" EAST ON THE EAST LINE THEREOF, 870.30 FEET TO THE NORTHERLY LINE OF PROPERTY CONVEYED TO COMMONWEALTH EDISON COMPANY BY DOCUMENT R62-27934; THENCE NORTH 83°57'05" WEST ON SAID NORTHERLY LINE (BEING A LINE DRAWN PARALLEL WITH AND 50 FEET NORTHERLY OF THE NORTHERLY LINE OF THE FORMER CHICAGO GREAT WESTERN RAILROAD RIGHT OF WAY), 1317.39 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER OF SECTION 34; THENCE NORTH 00°05'22" EAST ON SAID WEST LINE, 702.05 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°42'25" EAST ON SAID NORTH LINE, 1303.76 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 01-34-403-003.

EXHIBIT B

TO: Honorable Mayor and City Council

SUBJECT: PC 19-02
Fourth Amendment to Special Use Permit
Forming America
1200 N. Prince Crossing Road

DATE: January 15, 2019

DECISION: The Plan Commission/Zoning Board of Appeals, with a 3-2 vote of support, failed to generate the four affirmative votes required to make a recommendation for a fourth amendment to the Forming America Special Use Permit to extend the deadline for paving of the outside storage yard with a deadline of September 30, 2019. Therefore a supermajority of the City Council is needed to affirm that recommendation.

CONSIDERATIONS:

After holding a public hearing and after review of the requested amended special use permits, the Plan Commission/Zoning Board of Appeals considered the following conditions:

1. The applicant shall only utilize those areas of the subject realty for outside storage that have been improved according to the approved Site and Engineering Plans.
2. The buildings and the storage yard on the subject realty shall only be utilized by Forming America, Ltd. or its successors.
3. The storage yard shall only contain items that are directly related to the operation of the business occupying the subject realty.
4. No items stored within the storage yard on the subject realty, other than vehicles, shall exceed the height of the storage yard fence such that they are visible from Prince Crossing Road.
5. No outside storage on the subject realty shall block, hinder, restrict, or render unusable any required parking spaces or fire lanes.
6. The landscaping on the subject realty shall be installed and maintained in compliance with the Landscape Plan prepared by Flamingo Landscape, Inc. All landscaping on the subject realty located within ten (10') feet of the perimeter of any proposed parking lot or storage yard pavement improvements shall be installed within thirty (30) days after the installation of the adjacent parking lot or storage yard pavement improvements.
7. The applicant shall submit revised as-built plans within three (3) months of the completion of each phase of the paving and City staff approval shall be obtained within eight (8) months of the revised submittal.

8. The applicant shall have all outside storage on the subject realty on a paved surface within one (1) year of the completion of the Phase I and II paving.

9. The subject realty shall be developed in substantial compliance with the Paving & Layout Plan prepared by Webster, McGrath & Ahlberg, LTD., dated September 29, 2014, consisting of a final revision date of January 14, 2015 and in compliance with the pavement improvement completion deadlines identified on the 2019 Paving Plan - Yearly Completion Dates chart. Paving must be completed by September 30, 2019.

10. The petitioner shall provide bi-annual progress reports in person to the City's Development Committee verifying the status of the subject realty's compliance with the 10 conditions and restrictions set forth herein. The petitioner shall provide said progress reports until such time that all conditions have been satisfactorily met and the subject realty has been brought into compliance.

The Plan Commission also considered the following standards stated under Section 5.5-4: The Plan Commission/Zoning Board of Appeals shall recommend a special use only if it shall make findings of fact based upon evidence presented that the special use:

(1) Is necessary for the public convenience at that location or, the case of existing nonconforming uses, a special use permit will make the use more compatible with its surroundings:

(This standard should be interpreted as indicating whether or not the proposed use is good for the public at that particular physical location, and not whether or not the use itself is needed there).

The proposed site improvements associated with the special use amendment request are designed to bring the subject property and the operation of business into compliance with current City regulations.

(2) Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:

The proposed storage yard is designed to protect the public's health, safety and welfare by containing and screening the items within the yard from the adjacent properties.

(3) Will not cause substantial injury to the value of other property in the neighborhood in which it is located:

The proposed use should not have a negative impact on the surrounding neighborhood in which it is located given that the site is currently being operated as such a use, however the site does have environmentally sensitive areas on-site that necessitate the required site restrictions to be followed.

(4) The proposed special use is designated by this code as a listed special use in the zoning district in which the property in question is located:

The proposed storage yard is listed as a special use, per the M, Manufacturing District regulations established in Section 11.2-4 (T) of the Zoning Code.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins		X		
Devitt				X
Hale	X			
Kasprak		X		
Faught	X			
Dettman				X
Henkin	X			

EXHIBIT “C”

2019 Paving Plan - Yearly Completion Dates

Zone	To be completed by	Bi-Annual Report
Zone 1	October 31, 2016	May 2016 Report
Zone 2		
Zone 3		Nov 2016 report
Zone 4		
Zone 5	October 31, 2017	May 2017 Report
Zone 6		Nov 2017 report
Zone 7	September 30, 2019	May 2019 Report
Zone 8		Nov 2019 report

SQUARE FOOTAGE	
ZONE 1	6,164 SF
ZONE 2	15,958 SF
ZONE 3	47,377 SF
ZONE 4	16,169 SF
ZONE 5	43,308 SF
ZONE 6	110,516 SF
ZONE 7	110,516 SF

CONSERVATION EASEMENT

POSSIBLE FUTURE WAREHOUSE
25,000 SF

ZONE M (Manufacturing)

COMMONWEALTH EDISON COMPANY
CHICAGO AND NORTHWESTERN RAILROAD
(GREAT WESTERN TRAIL)

ZONE M (Manufacturing)

PAVEMENT SECTIONS



FORMING AMERICA
PARKING & STORAGE YARD IMPROVEMENTS

WMA
WATER MANAGEMENT ASSOCIATION

PAVING & LAYOUT PLAN

C-2

LAND AREA SUMMARY TABLE:

Gross Site Area = 23.554 Acres
Paved Area = 0.658 Acres
Net Site Area = 22.896 Acres
Conservation Easement = 13.14 Acres
Total Disturbed Area = 7.16 Acres
CN = 55
Remaining Disturbed = 4.7 Acres

ZONE M (Manufacturing)

Front Yard Parking Setback = 20'
Side Yard Parking Setback = 10'
Rear Yard Parking Setback = 15'
Front Yard Building Setback = 40'
Side Yard Building Setback = 20'
Rear Yard Building Setback = 20'

WMA
WATER MANAGEMENT ASSOCIATION
1111 1st Street, Suite 100
Chicago, IL 60602
Tel: 312.467.1111
Fax: 312.467.1112
www.wma.org