

CITY OF WARRENVILLE
PLAN COMMISSION/ZONING BOARD OF APPEALS
Minutes of Regular Meeting (*via Zoom*)
Held on Thursday, January 7, 2021

A. CALL TO ORDER

Plan Commission Acting Ch. Cosgrove called the meeting to order at 7:05 p.m. Acting Ch. Cosgrove explained the two opportunities interested parties would have to provide remarks: (i) public comments and questions during the public hearing would be accepted after the applicant's presentation and Commission's questions, and (ii) the Citizens' Comments item of the agenda.

Per Acting Ch. Cosgrove's request, Pl. Domovessova explained the Citizens' Comments portion of the virtual meeting protocol, including how public comment would be accepted via Zoom and call in, which would include:

1. Public comment from anyone at City Hall;
2. Public comment from anyone participating in the meeting via Zoom with camera; and
3. Public comment from anyone participating in the meeting via phone.

Pl. Domovessova explained all meeting participants should stay muted until they are asked to provide their comment, and start their comment by announcing their name and address. Emailed public comments received prior to the meeting would be read aloud following verbal comments. (No public comments were received electronically prior to commencement of the meeting, with the exception of letter from the Forest Preserve District of DuPage County that cited no objections to the request.) Individual Commissioner comments would follow. Commissioners and staff members wishing to speak were asked to raise their hand, and wait for their name to be called. Where applicable, presentation materials are available on the City's website.

B. ROLL CALL

PC Present: John Davis, Tim Cosgrove, Robert Pepple, John Lockett, Byron Miller, Jessica Tullier, Shannon Burns, Kevin Leonard

PC Excused/Absent: Elizabeth Chapman

ZBA Present: John Davis, Tim Cosgrove, Robert Pepple, Jonathan Lockett, Byron Miller, Shannon Burns

ZBA Excused/Absent: Elizabeth Chapman

Also Present: Community and Economic Development Director Ron Mentzer, Sr. Planner Natalia Domovessova, Planner Lauren Whetstone, Recording Secretary Marie Lupo

C. PUBLIC HEARING (*continued from 12/10/20*)

1. 28W265 Warrenville Road, Warrenville, IL 60555 / Kanetha Tenner/Tenner's Auto's 4Less
Located south of Warrenville Road, west of River Road
Project No. 2020-0753
Request for the following special approvals from Warrenville Zoning Ordinance #1018:
 - a. A special use permit for an open sales lot in the B-4 Motorist Service zoning district, per Table 3A;
 - b. A variation from Table 5E to reduce the minimum number of required off-street parking spaces;

- c. A variation from Table 5B to reduce and/or eliminate the 40-foot minimum front and corner side-yard parking setbacks required along Warrenville Road and River Road fronts of the lot, and
- d. Any other variations which may be necessary to operate business under the proposed special use permit.

If approved, this request would allow outdoor display and sales of used passenger cars on the property commonly known as 28W265 Warrenville Road.

COM. PEPPLE MOVED, SECONDED BY COM. BURNS, TO REOPEN THE PUBLIC HEARING.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard

Nay: None

Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

Having previously been duly sworn in, petitioner Kanetha L. Tenner of 8411 Trumbull Avenue, Joliet and subject property owner Biff Behr were in attendance for the meeting.

Planner Whetstone summarized that since the December 12, 2020, meeting, staff had discussions with the owner regarding placement of a stripe along the River Road frontage of the property to indicate the property line where vehicles would be parked, so that such automobiles do not extend beyond that line of demarcation. Property owner Behr agreed to do so, along with providing new lighting on the site. The staff report's recommendation is for seven vehicles for sale and display of spaces, per the last meeting.

Mr. Behr felt the Commission's recommendation for a planter box on the corner would present an issue regarding the line of sight when looking westward. Additionally, this area would be in the public right-of-way, and thus would be the City's responsibility for maintenance. Acting Ch. Cosgrove provided his opinion that the planter could be situated on private property, and would enhance the site with color and texture during the summer months—especially since the site does not have sufficient space for a landscaped area similar to that of Al's Pizza across the street. Mr. Behr was receptive to the idea, and asked that a sketch be provided to him indicating a viable spot for a planter, as long as it does not infringe upon parking spaces and snow storage.

Acting Ch. Cosgrove stated he spoke with business owner Jim Fontana, who told him that the building owner began painting the south portion of the building last fall, but had to stop the project due to inclement weather. He planned to paint the west portion of the building in spring of 2021. As to aging signage, Mr. Fontana stated he would renovate signage if he were told to do so.

Ch. Davis acknowledged the site's maneuverability is somewhat difficult, especially with relation to the stacked parking spaces, and expressed concern over accessibility to spaces by driving over the sidewalk.

Ch. Davis stated that especially given the site's prime location, the building's tired appearance should be enhanced with color and graphics, especially with relation to signage along the east wall. Mr. Behr replied new garage doors and upstairs windows were recently installed, and that signage for Fontana's is under that business' control. The three things he is focusing on to address are (i) parking, (ii) snow removal, and (iii) water management. Overall, Mr. Behr stated he seeks to retain the character of the building as it appeared in 1922, and would not consider an accent stripe in another paint color at this time. He inquired if a historical mural would be acceptable.

Dir. Mentzer inquired whether Mr. Behr would consider awnings instead of a mural. Mr. Behr replied he was amenable to the awning suggestion; however, he thought his tenant should pay for them if they included advertising. Ch. Davis stated he preferred no advertising on the awnings. Com. Leonard suggested centering signage over the windows and adding shutters in an accent color—which would be less costly for the owner. Com. Cosgrove commented that awnings are not excessively expensive, and would provide dimension to the building. Commercial buildings typically do not include shutters, which are more akin to residential uses. Com. Pepple felt the current discussion had nothing to do with approving a special use permit to sell cars on the property. To the contrary, Ch. Davis felt this was indeed the time to resolve such items, as a special use requires consideration of various aspects of the proposed project. Com. Lockett was of the opinion that the Commission should not be designing the building. Com. Tullier concurred. Com. Burns stated both the owner and tenant expressed willingness to do what the City asks of them, and felt the appearance discussion should involve negotiation outside of tonight's meeting.

Com. Miller inquired why the curb was not cut on Warrenville Road. Pl. Dmovessova replied it may have been viewed as being too close in proximity to the intersection when the road was upgraded. A curb cut in this location would invite more people to enter the site at this location, and it is not desired from a safety perspective. Com. Miller felt the goal would be to make the site an inviting location, and driving over a curb creates an unsafe situation. He stated the recommendation should be for eighteen spaces instead of 20.

Dir. Mentzer recalled he has never observed people angle-park on the site, but has seen them parallel park there, which is favored over cutting the curb and encouraging vehicles to back out onto Warrenville Road. The City would not support a curb cut in such location, as it would be unsafe. He acknowledged that none of the site's parking spaces comply with the Zoning Ordinance requirements. Staff is of the opinion that 18 spaces would also be acceptable, which includes two parallel spaces along Warrenville Road, in lieu of four angled spaces.

COM. PEPPLE MOVED, SECONDED BY CH. DAVIS, THAT THE PLAN COMMISSION RECOMMENDS CITY COUNCIL APPROVAL OF THE REQUESTED SPECIAL USE PERMIT FOR OPEN SALES LOT AT 28W265 WARRENVILLE ROAD FOR SALE AND DISPLAY OF SEVEN PASSENGER VEHICLES, SUBJECT TO THE CONDITIONS OUTLINED IN SECTION V OF THE STAFF REPORT DATED JANUARY 7, 2021, AND WITH THE PROVISION THAT THE OWNER SHALL INSTALL AWNINGS FOR THE WINDOWS ON THE EAST SIDE OF THE BUILDING.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

COM. PEPPLE MOVED, SECONDED BY COM. BURNS, THAT THE ZONING BOARD OF APPEALS RECOMMENDS CITY COUNCIL APPROVAL OF THE REQUESTED VARIATIONS FROM ZONING ORDINANCE NO. 1018 TO REDUCE THE MINIMUM REQUIRED NUMBER OF OFF-STREET PARKING SPACES FROM 34 TO 20 AND TO ELIMINATE THE REQUIRED PARKING CORNER SIDE YARD SETBACK AND REDUCE THE FRONT YARD PARKING SETBACK FROM 40 TO APPROXIMATELY 15 FEET, AS ILLUSTRATED ON THE DECEMBER 2, 2020 PARKING SITE PLAN EXHIBIT PREPARED BY BIFF BEHR IN THE JANUARY 7, 2021 STAFF REPORT.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Tullier, Burns, Leonard
Nay: Miller
Absent/Excused: Chapman

Com. Miller based his objection to the above-stated recommendation on his belief that only 18 spaces should be approved to eliminate unsafe parking along the front of the building.

MOTION ADOPTED.

Ch. Davis summarized that grandfathered sites are difficult to deal with. He wished success to the applicant.

COM. PEPPLE MOVED, SECONDED BY COM. TULLIER, TO CLOSE THE PUBLIC HEARING.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

The applicant and owner were notified of the two upcoming meetings of the City Council, at which their presence/participation is advised.

For specific details of this public hearing presentation and discussion, please refer to the Zoom recording, which is available for viewing in the City of Warrenville's website here: <https://www.warrenville.il.us/798/Tenners-Autos-4Less>

D. CITIZENS' COMMENTS

There were no comments or emails from the public.

D. CITIZENS' COMMENTS

E. NEW BUSINESS

1. 3S701 Mignin Drive (04-34-408-006) / Frank Mnuk
Located south of Wagner Drive, east of Mignin Drive, and west of Burke Avenue
Project No. 2020-0773
Request for approval of a Final Plat of Subdivision, which would subdivide one
2.3-acre lot into two buildable lots in the R-2 Medium-Low Density Zoning
District.

Acting Ch. Cosgrove recused himself from this request for approval. Com. Pepple assumed the duty of chairing this portion of the meeting.

Petitioner Frank Mnuk addressed the Commission, seeking approval of the final plat of subdivision of Lot 13, which illustrates four lots. Two southern lots would remain unchanged and the northern lot would be subdivided into two lots, as follows: Lot 1 of which totals 1.14 acres, and Lot 2 of which totals 1.12 acres.

Mr. Mnuk submitted paperwork to waive the installation of public improvements required in conjunction with the proposed subdivision. Lot 1 fronts Mignin, which is an improved public right-of-way. Lot 2 fronts an unimproved section of Burke Avenue. Mr. Mnuk understands the potential City requirement to extend the Burke Avenue right-of-way in front of Lot 2, but was uncertain as to the extent of his cost share. Dir. Mentzer explained the City Council would have to discuss the site's public improvements waiver request at one of the Committee of the Whole meetings, and to what extent it would waive them for the applicant. Ch. Davis stated the staff report comprehensively sets forth the City's requirements, a copy of which the petitioner acknowledged receipt.

CH. DAVIS MOVED, SECONDED BY COM. LOCKETT, THAT THE PLAN COMMISSION RECOMMENDS CITY COUNCIL APPROVAL OF THE PROPOSED FINAL PLAT OF SUBDIVISION OF MNUK & RAYMOND SUBDIVISION PREPARED BY ASSOCIATED SURVEYING GROUP LLC, DATED DECEMBER 29, 2020, SUBJECT TO THE CONDITIONS OUTLINED IN SECTION III OF THE JANUARY 7, 2021, COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT.

Pl. Domovessova suggested Acting Ch. Pepple request input from the public. Acting Ch. Pepple did so, and did not receive any public input.

ROLL CALL VOTE:

Aye: Davis, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

Acting Ch. Cosgrove then rejoined his position as a Plan Commissioner/Zoning Board of Appeals member.

F. OTHER BUSINESS

- 1. Plan Commission/Zoning Board of Appeals
 - a. Annual election of Plan Commission Vice Chairman.

Having duly nominated Acting Ch. Cosgrove, and Acting Ch. Cosgrove having accepted such nomination, CH. DAVIS MOVED, SECONDED BY COM. PEPPLER, TO ELECT COM. COSGROVE AS PLAN COMMISSION VICE CHAIRMAN.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

- b. Annual election of Zoning Board of Appeals Vice Chairman.

Having duly nominated Com. Pepple, and Com. Pepple having accepted such nomination, CH. DAVIS MOVED, SECONDED BY COM. COSGROVE, TO ELECT COM. PEPPLER AS ZONING BOARD OF APPEALS VICE CHAIRMAN.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

- c. Annual Reports
 - (i) Warrenville Plan Commission
Review and approval of 2020 Annual Report, which sets forth transactions and recommendations of Plan Commission prior to submission to Mayor and City Council.

ACTING CH. COSGROVE MOVED, SECONDED BY COM. PEPPLER, TO APPROVE THE 2020 PLAN COMMISSION ANNUAL REPORT.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

- (ii) Warrenville Zoning Board of Appeals
Review and approval of 2020 Annual Report, which sets forth transactions and recommendations of Zoning Board of Appeals prior to submission to Mayor and City Council.

ACTING CH. COSGROVE MOVED, SECONDED BY COM. PEPPLER, TO APPROVE THE 2020 ZONING BOARD OF APPEALS ANNUAL REPORT.

Com. Miller requested the 11/5/20 Circle Drive recommendation be corrected to reflect the Board's recommendation for an eight-foot back yard, and six-foot side and front yard requirement.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

- d. FY 2021 Work Plan
Review and approval of draft 2021 PC/ZBA Work Plan

Pl. Domovessova stated the plan is being finalized and would be presented at the next meeting.

- G. APPROVAL OF MINUTES
 - 1. Regular Meeting of December 10, 2020

COM. COSGROVE MOVED, SECONDED BY COM. MILLER, TO APPROVE THE DECEMBER 10, 2020, MINUTES.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard
Nay: None
Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

- J. CHAIRMAN'S REPORT

No report.

- K. COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR'S REPORT

Dir. Mentzer wished everyone a happy New Year.

- L. SR. PLANNER'S REPORT

This week, the City's contractor, Stiles Inc., began mobilization of equipment at the former Citgo site in Old Town. Temporary construction fencing will be installed and removal of four underground storage tanks and associated piping, gas pumps, and contaminated soil around the tanks will take place. Adjacent property owners were notified of the work.

Dir. Mentzer added that the City is working with the EPA to receive approvals of the various reports for investigation, contamination, and remediation for cleanup of the property. Two EPA departments are involved: (i) contamination related to leaking underground storage tanks, and (ii) contamination related to heavy materials. Based upon State feedback, he felt the City can obtain approvals and move forward with demolition sometime next summer. This spring, the City hopes to schedule public input meetings to determine more specifically what the community would like to see on the site, rather than the conceptual plan that resulted from the Old Town/Civic Center Subarea meetings.

Pl. Domovessova reported that to date, she has no requests for the next PC/ZBA meeting. However, Riverview West will be submitting the revised townhome component of its development shortly, and the new owner of the former BP Training Center will be submitting its plan next week in a pre-application meeting.

M. ADJOURN

COM. COSGROVE MOVED, SECONDED BY COM. LOCKETT, TO ADJOURN THE MEETING AT 8:30 P.M.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Miller, Tullier, Burns, Leonard

Nay: None

Absent/Excused: Chapman

MOTION ADOPTED UNANIMOUSLY.

Marie Lupo, Recording Secretary