

CITY OF WARRENVILLE
PLAN COMMISSION/ZONING BOARD OF APPEALS
Minutes of Regular Meeting
Held on Thursday, August 4, 2022

A. CALL TO ORDER

Plan Commission Chairman Cosgrove called the meeting to order at 7:00 p.m.

B. ROLL CALL

PC Present: Ch. Tim Cosgrove, Erin Schultz, Mark Taylor, Byron Miller, and Bob Vavra

ZBA Present: Tim Cosgrove, Mark Taylor, Byron Miller, and Erin Schultz

Also Present: Mayor David Brummel, Community and Economic Development Director Ron Mentzer, and Assistant Community Development Director Consuelo Arguilles

C. PUBLIC HEARING

1. City of Warrenville, Public Works Department – 30W121 Estes Street / located west of Barkley Avenue, south of Estes Street, north of Duke Parkway

(Informational note: A detailed report of the proceedings and transcript of the testimony provided during this public hearing was prepared by Linda M. Ciosek of Veritext Legal Solutions. A copy of the transcript is available from the City's Community Development Department. The following meeting minutes reflect the key points presented and discussed during the public hearing.)

Chairman Cosgrove explained that the first item on the agenda is a public hearing before the Plan Commission involving a request from the City's Public Works Department for (i) special use permit approval of the Final Planned Unit Development (PUD) plans for a new municipal water production well, 500,000 gallon elevated water tower, iron filtration equipment building, and related structures/equipment on the 1.43 acre, R-2 zoned vacant parcel of land at the southwest corner of Estes Street and Barkley Avenue, (ii) a PUD exception that would allow the corner side yard building setback along Barkley Avenue to be reduced from 40 to 22.5 feet, and a temporary use permit that would allow the vacant strip of City owned property located at the southeast corner of Barkley Avenue and Estes Street to be used for storage of equipment and materials associated with the proposed water tower, well, and filtration building project.

Chairman Cosgrove explained how the meeting would be conducted and confirmed all interested meeting attendees would have an opportunity to speak tonight. He then asked Director Mentzer to explain what has led the City to making this particular request. At this point, Chairman Cosgrove asked for a motion to open the public hearing for this case.

COMMISSIONER MILLER MADE THE MOTION FOR THE PLAN COMMISSION TO OPEN THE PUBLIC HEARING. COMMISSIONER TAYLOR SECONDED. CHAIRMAN COSGROVE ASKED FOR A VOICE VOTE.

MOTION PASSED UNANIMOUSLY.

Director Mentzer by providing a PowerPoint summary of the strategic planning, subarea planning, TIF District Planning, sewer and water capacity analysis the City has performed and the sewer and water infrastructure investments the City has made in the Southwest District area since 2011 to make the 270 acre area surrounding the Route 59 and Route 56 intersection and extending along Route 59 down to Ferry Road more attractive for desirable private investment, new housing options, and tax generating commercial development. He indicted one of the main reasons why this area of the community had not experienced significant private investment for decades was because much of the area did not, until recently, have access to City sewer and water improvements.

He indicated the sewer and water capacity analysis the City completed in 2016 identified where the new water main “spine” improvements should be constructed and concluded that a new well, water tower, and iron filtration facility would need to be constructed in the Southwest District to effectively serve the new development and additional residential population projected to occur in that area of the Community. He indicated that in 2017-2020, the City worked with a variety of private and public partners to extend 12 inch diameter water main improvements over three quarters of a mile to act as the water main “spine” that would serve the Everton and Lexington Trace projects and to evaluate various location options for a new water tower and well site.

During this period, the City received a proposal to develop the now existing Thornton’s gas station and convenience store at the southwest corner of Route 59 and Duke Parkway. During its review of that project, the City began negotiations with the developer of that project for the potential acquisition of a portion of that site for a new water tower and well. The final design of that project includes site improvements specifically installed for the City’s proposed water tower and well. During these negotiations, Thorntons was acquired by BP and BP representatives ultimately stopped negotiating with the City last fall despite repeated outreach attempts by City staff and the City Attorney. BP’s refusal to negotiate with the City forced the City to identify alternative locations for the new water tower. Ultimately, the City was able to voluntarily negotiate a contract to purchase the vacant parcel at the southwest corner of Barkley Avenue and Estes Street the City is currently proposing to construct the new water tower, well, and iron filtration improvements on.

Assistant Community Development Director then provided a PowerPoint overview of the following three zoning requests associated with the current application:

1. Special Use Permit approval of the Final PUD plans for a new 500,000 gallon, 157 foot tall municipal water tower that may include the future installation of wireless communication antenna’s which would increase its total height to 167 feet, a new well and iron filtration building, and up to two future wireless communication equipment buildings.
2. A PUD variation that would allow the proposed iron filtration building to be setback 22.5 feet from the Barkley Avenue property line versus the normally required 40 foot setback.
3. Temporary use permit approval that would allow the .46 acre vacant City owned parcel at the southeast corner of Barkley and Estes to be used for contractor parking and equipment and material storage during the construction of the proposed water tower and related improvements.

Assistant Director Arguilles then reviewed a series of PowerPoint slides that illustrated how the proposed water tower, well, driveway, fencing, landscaping, and iron filtration building improvements would be located on the site, the proposed exterior design plans for the proposed iron filtration building and 3D perspective drawings that show what the building and water tower would look like from a “birds eye” view.

Public Works Director Kuchler reviewed some of the key infrastructure and landscape improvements proposed on the site. He confirmed the current proposed well location is approximately 483 feet from the underground fuel storage tanks on the Thorntons site. The iron filtration building would be approximately 22 feet measured to the peak of the roof. A generator would be installed in a fenced area on the west end of the building. The building would be constructed with brick and siding materials similar in quality and color to those used in the Lexington Trace project.

He indicated the site would be served with a single driveway off Barkley Avenue and confirmed that a new five foot wide sidewalk and five new street trees are planned along the Estes Street frontage of the site. A solid board on board fence and landscaping is proposed along the west property line.

Director Kuchler indicated anticipated activity levels on the site would be similar to that of a single family property. He indicated the proposed generator would run for 30 minutes at 10 a.m. every Wednesday and would produce noise at a level similar to what a gas powered lawn mower produces. He confirmed the filtration equipment in the building does produce some noise but it is contained within the building. The well and water tower do not produce noise. The site would not produce any odors once built and operating.

He concluded his comments by confirming that all three of the City’s other existing water towers are located adjacent to residential areas.

Commissioner Miller asked why the proposed iron filtration building needed to be so close to Barkley Ave. and if it would be possible to provide some type of containment berm around the tower to provide protection against a major leak in the tower. Director Kuchler indicated the proposed location avoids the area of the site where the existing pond is located and will need to be filled in. He also indicated that none of the City’s other water tower sites have a containment berm and that installing a containment berm around a municipal water tower site was not typical. Commissioner Miller suggested a more significant landscape screening berm be provided along the north side of the site.

Commissioner Taylor asked about how far the City’s other water towers are from underground storage tanks and asked for some additional information regarding odors that would be produced by the proposed water system improvements. Director Kuchler did not have that information but indicated none of the City’s other wells are located near gas station sites. Water and Sewer Superintendent Satter indicated that no odors will emitted outside of the proposed iron removal building. Commissioner Taylor appreciated that the City was proposing to incorporate solar panels on the roof of this building.

Commissioner Shultz asked about the height of the iron removal building and questioned who owned the vacant parcel of land located east of the strip of vacant land the City owns along the east side of Barkley Ave., north of Duke Parkway. Director Kuchler indicated the building would be approximately 22.5 feet tall. Director Mentzer indicated that the City did not own the vacant parcel Commissioner Shultz inquired about. Commissioner Shultz asked how long it would take to construct all of the proposed water system improvements on this site. Director Kuchler indicated that the improvements would be constructed in phases over a three year period.

Commissioner Vavra inquired whether the City could use eminent domain to acquire the Thorntons site option and did the proposed water tower need to be 157 feet tall. Director Kuchler indicated that the use of eminent domain would be a City Council decision. He indicated that the 157' height is required so that the water levels across all water towers in the City's system would be relatively similar. Commissioner Kuchler confirmed that the proposed height of the water tower is not tied to the needs of potential future unknown wireless communication companies.

Chairman Cosgrove indicated he felt the proposed iron removal building location should be adjusted to comply with the required 40 foot corner side yard setback along Barkley Avenue, the proposed screening fence along the west side of the site should be solid vinyl, and the proposed black chain link fencing in the internal areas of the site should also be solid vinyl. He also suggested the City evaluate if any additional large trees on the property can be saved and asked if the detailed decibel noise level information for the proposed generator could be provided.

Chairman Cosgrove then opened the meeting up for questions from the public.

Mr. Whittier asked where the City was planning to construct the water tower before it negotiated a contract to purchase the current site. Director Kuchler confirmed the City was previously attempting to purchase a portion of the Thorntons site.

Natalie Clemens asked for confirmation of the height of the City's other existing water towers and questioned why the City was not complying with the SD zoning district's 700 foot residential district setback requirement. Director Kuchler indicated that the City's other water towers are approximately 143 feet tall. Assistant Director Arguilles indicated the 700 foot setback requirement did apply to this situation for a variety of reasons.

Mr. Saccotelli questioned the impact the proposed new well improvements would have on his nearby private well. Director Kuchler explained that the proposed new City well would be installed to a depth of 200 or 300 feet but, at the meeting did not have an answer to what, if any impact the new well would have on Mr. Saccotelli's well. Mr. Saccotelli asked about construction noise. Director Kuchler indicated it would be normal construction type noise and it would be variable and would be limited to the City's normal permitted construction hours. Mr. Saccotelli questioned why the proposed water storage and production improvements were not installed before the Lexington Trace subdivision was constructed and wondered if there were other more suitable locations for the proposed water tower. Director Kuchler indicated the City was originally working to acquire the Thorntons site but those efforts were unsuccessful. He confirmed that others sites could be considered but the further those sites are from this general location, the more costs will be incurred to extend or install larger water mains to serve those sites.

Mr. Suhr indicated there is new IEPA regulations that impact the construction of wells near gas stations like Thorntons. The City's design engineer on this project, Michelle Piotrowski indicated she would look into this issue. Mr. Suhr suggested the proposed iron removal building could be designed to look more residential. He questioned if the City has explored options that would involve constructing the proposed water tower, well, and iron removal improvements at three separate locations or the construction of alternate water storage designs such as ground mounted storage tanks. Director Kuchler indicated the City has not evaluated those options.

Ms. Piry asked if the proposed water filtration and storage improvements could be installed at separate locations or if the proposed water tower could be constructed somewhere north and east of the Lexington Trace neighborhood. Director Kuchler confirmed that this would be possible but doing so could increase the cost of the project by millions of dollars.

Ms. Mudron also asked if the City could build the further away from the Lexington Trace project. She suggested further to the west. Director Kuchler indicated he did not think there were any nearby non-residential areas in the City of Warrenville located to the west that could accommodate a new water tower.

Mr. Markowicz asked about the planned fuel source for the backup generator the City is proposing to construct next to the iron removal equipment building. Water and Sewer Superintendent Satter confirmed the generator would be powered by natural gas.

Mr. Kriemelmeyer indicated the new residents of Lexington Trace purchased their homes without any knowledge that a new water tower may be constructed near their homes and is concerned about the impact a water tower will have on their property values. He suggested the City evaluate the cost of various other alternate locations for the proposed water tower and weigh the increased costs associated with those locations against the combined impact the water tower would have on property values in the Lexington Trace neighborhood. Director Kuchler indicated that the City Council would need to direct staff to perform this type of evaluation.

Mr. Thiele asked for clarification on where new chain link fencing would be installed on the proposed project, expressed concern with the increased number of dog walkers and dog waste in her yard. She indicated that citizens in the area could create a PR nightmare for BP (owner of Thorntons) that might force them to reengage in negotiations with the City. Director Kuchler confirmed the chain link fencing is proposed in the interior areas of the site.

Mr. Meek questioned the proposed height of the water tower, whether the health effects of the wireless communication antennas proposed on the tower have been studied. He felt the proposed antennas health effects should be studied. Director Kuchler indicated that the height of the proposed tower is equal in elevation to that of the other existing City water towers. He confirmed the City has not studied the health effects of having the antenna's near residential properties.

Mr. Oconnell indicated he did not feel proposed landscaping would screen the view of the tower and that he would have not purchased in Lexington Trace had he known that a water tower was potentially going to be constructed at this site. He felt that the construction of the proposed water tower would reduce property values in his neighborhood by 10%.

Mr. Walker asked about the timing of the City's negotiations for the purchase of a portion of the Thorntons site and the current proposed site. Director Kuchler summarized his recollection of the approximate timeline of the City's negotiation efforts for the purchase of each of these sites.

Ms. Mishra expressed her frustration with the City's inability to purchase a portion of the Thorntons site for the proposed water tower. She may not have purchased her home in the Lexington trace project had she known a water tower would be constructed near her neighborhood. She feels it would be better to install a park on the property the City is currently proposing to construct the water tower on. She urged the City to continue to work to find a different location for the water tower.

Ms. Kriemelmeyer suggested that no one would want a water tower built across the street from their home.

Mr. Smith suggested that the City was pursuing the current site for the water tower because of cost the cost savings that would be realized by doing so. He felt this was being done to the detriment of the nearby feelings and priorities of the nearby residents. Mayor Brummel reminded meeting attendees that City staff is presenting a technically sound solution to the City's overall City wide water production and storage needs. If individual residents have issues with the process or decisions the City has followed and made to get to this point, they should share those concerns with their elected officials and not take their frustrations out on the City staff members who are doing their best to do the right thing for the entire City. He explained that tonight's meeting is the first step in the City's public decision process and the City will use the public input provided tonight to reevaluate and refine how it move forward with the next steps in this process.

Mr. Smith asked how the proposed water tower would benefit the Lexington Trace neighborhood. Director Kuchler attempted to explain how the water tower would help ensure the City has adequate volume and pressure of water to serve all of the residents in the community, including those in the Lexington Trace neighborhood. He wanted to know how hard it would be to relocate the proposed water tower to a different location in the community. Director Kuchler confirmed answering that question is difficult because the answer would be dependent on the specifics of the alternate location.

Mr. Saccotelli, an Estes street resident, indicated he and his neighbors would not receive any benefit from the water tower because they all have private wells. He suggested using the proposed water tower site for a neighborhood park. Chairman Cosgrove the proposed water tower would ensure Mr. Saccotelli and his neighbors have access to a reliable source of quality water should they ever have problems with their private wells.

Mr. Yani asked about the specific radio frequency associated with the wireless communication antennas proposed on the top of the water tower. Director Kuchler indicated that the City did not have that information because a specific cellular company has not yet been identified for this location. The City's current proposal anticipates that the water tower will be a desirable location for cellular service carrier antennas based on the fact that all three of the City's other water towers have these types of antennas mounted to them. Mr. Yani felt the City should provide more details about this component of its proposal.

Mr. Ulbrich asked about who would be liable for radiation exposure from the proposed antenna structures. Chairman Cosgrove indicated that question would need to be answered by the City Attorney. Mr. Ulbrich was upset the City had not researched the health impacts the proposed antennas' could have on the nearby residents. He accused the City of blatant negligence.

Mr. Jackson asked how the proposed project would impact property taxes. Director Kuchler indicated the proposed project would be paid for with Tax Increment Financing District revenue the City has and will continue to collect from TIF District #4. Chairman Cosgrove clarified that improvements to the City's water system are generally paid for by the water fees collected from customers connected to the water system.

Mr. Jackson asked about the timing of the construction of the water tower. Director Kuchler indicated the well would be constructed first and the tower would be constructed second.

Mr. Dunuadar questioned to estimated cost for the project. Director Kuchler estimated the cost of the project will be approximately \$8.5 million.

Mr. Dunuadar questioned what type of additional costs and improvements would be incurred to relocate the proposed water tower to the south or west. Director Kuchler indicated that the increased costs would largely be tied the installation of new large diameter water mains to serve the alternate location and those costs could be a million or more additional dollars.

Mr. Dunuadar asked about the size of the proposed generator and if it would be located in a soundproof enclosure. Superintendent Satter confirmed the size of the generator would be 120 KW and is not currently proposed to be located in a soundproof enclosure.

Mr. Luetkehans, an attorney with the law firm of Luetkehans, Brady, Garner & Armstrong asked if after the current public hearing process concludes, will there be another public hearing process when and if a private company proposes to install the wireless communication antenna's and structures on the proposed water tower site and if a water utility is exempt from Warrenville Zoning Ord. requirements. Assistant Community Development Director Arguilles confirmed that under the current request, there would be no future opportunity to ask questions about the proposed wireless improvements after the current public hearing is closed. She also confirmed that water utility improvements are not exempt from City zoning requirements.

Mr. Luetkehans questioned if the proposed project would be considered a "special public use" under Zoning Ordinance Table 3-A and noted that it did not appear that such a use was allowed in the R zoning districts. He then asked for confirmation on the height of the proposed water tower and if that information was include in the City's application for this project. Director Kuchler confirmed the height of the water tower was 157 feet which was reflected on the site plan submitted with the application for this project. Assistant Director Arguilles confirmed that the setback relief requested is considered a PUD exception. She explained that the required zoning approvals for this project are being processed under the PUD provisions of the City's Zoning Ordinance.

Mr. Luetkehans asked what would be the maximum building height allowed in the underlying R-2 zoning district the proposed water tower site is located in and whether the proposed water tower would need to comply with that building height restriction. Director Mentzer confirmed that 34

feet was the maximum allowed building height in the R-2 district and Assistant Director Arguilles indicated she did not feel a water tower would be considered a building. Mr. Luetkehans concluded the water tower would be considered a structure under the provisions of the City's Zoning Ordinance and therefore would not be subject to the various building height regulations contained in it.

Mr. Luetkehans asked for confirmation about the maximum width of the water tower. Director Kuchler confirmed that the bowl of the water tower would be about 55 or 56 feet wide. Director Kuchler also confirmed he is a Civil Engineer and that it is possible to design a water storage facility that is either ground mounted or below ground and serviced by a pump system. Director Kuchler confirmed the proposed generator would be located in a board on board fenced in area on the west side of the building and that the generator would be tested once a week for 30 minutes at 10 a.m. on Wednesdays. Director Kuchler confirmed that under the current proposed site configuration, the proposed building would do little to soften generator noise to the sites to the east and west. He also confirmed the property to the east is planned for commercial development on the City's Southwest District Subarea Plan even though it is currently zoned R-2.

Mr. Luetkehans asked about the level of proposed landscaping along the north side of the proposed water tower site. Director Kuchler confirmed the current proposed landscape has been designed to satisfy applicable Zoning Ordinance requirements but it may be revised based on feedback provided at tonight's meeting.

In response to numerous questions Mr. Luetkehans asked about the City responses provided in the application forms submitted for this project, Director Kuchler provided the following answers:

- The proposed water tower does not have the same architectural character as Lexington Trace or Thorntons.
- Lot prices in a new residential subdivision can be discounted for a variety of reasons which could include proximity to a water tower.
- Providing sufficient water to its residents is one of the responsibilities the City has.
- The City is proposing to design the proposed iron removal equipment building to a higher level than what it would normally do in order to help it better blend into the existing neighborhood.
- Installing a ground mounted water storage tank could potentially fit better with the adjacent neighborhood.
- The City is not proposing the dedication or reservation of park or school sites in conjunction with this proposal.
- No public open space is currently being proposed with this project.
- There are no specific natural features that are being preserved under the current proposed design for this project.
- No enclosed, underground, depressed or outstandingly landscaped parking is being proposed.
- No storm water best management practice related improvements are required or proposed on this project. The City is paying a fee-in-lieu of installing these improvements.

- The City is proposing to install solar on the proposed iron removal equipment building. The building is not proposed to be constructed as a LEED certified building.
- The proposed 22.5 foot corner side yard building setback is consistent with the front yard setbacks provided in the Lexington Trace project.
- The internal areas of the site would be enclosed with chain link fencing to allow Police Department and Public Works staff to have visibility into the site for security purposes.

Mr. Luetkehans asked if the cost of this project would be more or less if it was located on the Thorntons site. Director Kuchler indicated the costs would be similar.

Mr. Luetkehans asked for details about the size of the vacant strip of land the City owns along the east side of Barkley Avenue, the length of time it will take to construct the project, and the length of time the City is seeking temporary use permit approval to use that strip of land for construction equipment and material staging. Director Kuchler indicated the strip of land is 30-35 feet wide, the project will take approximately 3 years to construct, and it is the City's intent that the temporary use permit would go away after construction of the project is complete.

Mr. Suhr asked if the City's project cost estimates are for the construction or life cycle of the water tower. Director Kuchler confirmed they are for construction costs and that the water tower will need to be painted every 15 years.

Mr. Smith asked and Director Kuchler confirmed the City's water main would need to be extended approximately 100 feet to connect to the proposed water tower.

Ms. Clemens introduced herself as a licensed architect and interior designer and said she has a Masters degree in Urban Planning. She claimed the City's altar survey for the proposed water tower site is required to show the location, height, size, and breed on all of the trees on the site. She provided a Power Point presentation during which she made the following key points:

- The current proposed project plans would require the removal of most if not all of the trees and vegetation on this site. The existing trees and vegetation provides an important buffer between Lexington Trace and the Thorntons gas station and extensive amount of light pollution she feels Thorntons generates. She claimed removing all of the existing trees would violate the City's "Tree Protection Plan".
- The City's other existing water tower and well sites are not being maintained to the standards her neighborhood would expect the City would maintain the proposed water tower site to.
- The people she is representing would like the City to make the following changes to the proposed design of this project:
 - Move the proposed iron removal equipment building to the south edge of the site.
 - Reduce the amount of driveway pavement on the site.
 - Preserve as much of the existing trees as possible.
 - Preserve the existing pond.
 - Add additional landscape plantings in the interior areas of the site.
 - Replace the proposed black chain link fence with a black iron picket type fence
 - Replace the wood board on board fence with a composite fence

- Revise the architectural design of the iron removal equipment building to match the building elevation architecture in the Lexington Trace project and use a grey tone exterior façade color scheme.
- Increase the size of the overhead doors to 14 x 14 feet.
- Add additional windows on the building.
- Install a ground mounted water tank in lieu of the proposed water tower.

Once Ms. Clemens concluded her presentation, Chairman Cosgrove explained that the public hearing for this project would be continued to the September 22, 2022, Plan Commission meeting at which time the public will have another opportunity to ask questions and provide input on the City’s proposed water tower project.

COMMISSIONER MILLER MADE THE MOTION FOR THE PLAN COMMISSION TO CONTINUE THE PUBLIC HEARING TO THE SEPTEMBER 22, 2022, PLAN COMMISSION MEETING. COMMISSIONER TAYLOR SECONDED. CHAIRMAN COSGROVE ASKED FOR A VOICE VOTE.

MOTION PASSED UNANIMOUSLY.

D. NEW BUSINESS

1. Identification of two PC/ZBA members to work with Community Development Department staff on Form-based Zoning Overlay District Initiative

Assistant Community Development Director explained staff’s desire to have two Plan Commission members volunteer to be part of a small stakeholder group that will act as a sounding board and help guide the upcoming planned form-based zoning overlay district planning process. She summarized the anticipated time line for this initiative and the number and time of the meetings stakeholders will need to attend.

Commissioner’s Miller and Shultz volunteered to participate.

E. CITIZENS’ COMMENTS: None provided.

F. APPROVAL OF MINUTES

CH. COSGROVE MADE A MOTION TO APPROVE THE JULY 21, 2022 MINUTES, SECONDED BY COMMISSIONER TULLIER AS AMENDED WITH THE FOLLOWING CHANGE

- Typo on page 3, Paragraph 1, “ready” should be corrected to “read”.

G. CHAIRMAN’S REPORT

No Report

H. COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR'S REPORT

Director Mentzer reiterated staff will work hard to understand the public feedback and work with the Public Works to address as best as possible. Anticipate a conversation with City Council before item goes back to PC/ZBA.

I. ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Assistant Community Development Director Arguilles stated she will plan to review all items the public has brought up from today's meeting. She also stated she is in the process of filling in two open positions within the Community Development Department in the near future.

J. MAYOR'S REPORT:

Mayor Brummel thanked the members of the Plan Commission for their time and attention at this evening's long and sometimes contentious meeting. He expressed sincere appreciation for the important work they perform for the City. Reiterated we have to trust the process.

K. ADJOURN

CH. COSGROVE MOVED, SECONDED BY COM. TULLIER, TO ADJOURN THE MEETING AT 10:16 P.M.

MOTION ADOPTED UNANIMOUSLY VIA VOICE VOTE.

Ronald Mentzer, Director of
Community and Economic
Development