

CITY OF WARRENVILLE
PLAN COMMISSION/ZONING BOARD OF APPEALS
Minutes of Regular Meeting (*via Zoom*)
Held on Thursday, November 5, 2020

A. CALL TO ORDER

Plan Commission Chairman Davis called the meeting to order at 7:02 p.m. Ch. Davis 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 Ch. Davis'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 prior to commencement of the meeting.) Individual Commissioner comment would follow. Commissioners and staff members wishing to speak were asked to use the raise hand feature on Zoom, and wait for their name to be called. Presentation materials are available on the City's website.

B. ROLL CALL

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

PC Excused/Absent: Amit Thaker

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

ZBA Excused/Absent: None

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

C. PUBLIC HEARING

1. 29W002 & 29W030 Main Street, Warrenville, IL 60555 / Eagle Commercial, LLC
Located east of Mignin Drive, west of Rockwell Street, north of Main Street
Project No. 2020-0723
Request for approval of a Special Use permit for outdoor storage in the M-1 Light Manufacturing zoning district per Table 3A of the Zoning Ordinance #1018. The petition, if approved, would allow Eagle Commercial, LLC to operate with an outdoor storage at 29W030 Main Street to store materials and/or equipment related to the fencing and scaffolding businesses operated at 29W002 and 29W030 Main Street.

COM. PEPPE MOVED, SECONDED BY COM. COSGROVE, TO OPEN THE PUBLIC HEARING.

ROLL CALL VOTE:

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

Nay: None

Absent/Excused: Thaker

MOTION ADOPTED UNANIMOUSLY.

Applicants Amy Evans and Franklin Colon of Wayne, Illinois (Applicants), together with their attorney, Justin Shlensky of the Elmhurst Kozar Law Office, LLC, were duly sworn in by Recording Secretary Lupo. Attorney Shlensky addressed the Commission and directed attention to a PowerPoint presentation pertaining to Eagle Commercial, LLC, which is jointly owned and managed by Frank Colon and Amy Evans, as follows:

- The subject two properties, zoned M-1, are under contract for purchase by the Applicants. Such purchase and acquisition is conditioned upon obtaining an outdoor storage permit, as it is necessary for business operations.
- Eagle Commercial, LLC (“Eagle”) will continue to allow multiple commercial tenant space at such properties.
- Eagle will also provide business locations for an existing scaffolding/shoring/fencing business, Diversified Construction Services, Inc. (“DCS”) and a separate fencing company, Must Buy Enough Fence, Inc. (“MBE”)
- DCS and MBE will have overflow of building materials, which they seek permission to store and maintain outdoors under a canopy, in a shared manner, within the property’s boundaries. The previous owner obtained a special use for storage of lumber and hard materials.
- Stored outdoor materials include galvanized and steel scaffolding, steel I-beams, jersey barriers, and fencing materials, at a maximum stored height of 12 feet.
- DCS will utilize the larger 20W030 Main Street building; MBE will utilize the smaller 29W002 Main Street building.
- General office hours for DCS and MBE will be 7:00 a.m. thru 4:00 p.m., Monday thru Friday.
- General truck hours will approximate 6:00 a.m. thru 5:00 p.m., except for rare occasions when particular work requires starting at 5:00 a.m. and/or finishing at 7:00 p.m.
- The 29W002 Main Street building to the east measures 80 feet by 100 feet, with 9,440 square feet of interior space for offices and warehouse.
- The 29W030 Main Street building to the west measures 70 feet by 140 feet, with 11,200 square feet of interior space for offices and warehouse.
- The attached awning/canopy to the north and east sides covers an approximate area of 6,735 square feet.
- Eagle intends to install a new eight-foot tall black vinyl chain-link fence with black privacy slats to enclose the property, add security, and provide aesthetic value. Because the staff report was received after submission of this presentation, the Applicants will consider removal of the fence’s barbed wire portion.
- Eagle plans to install a gate at the south end of property.

Per Attorney Shlensky, the Applicants acknowledge:

- The majority of trucks will be stored on site.
- Utilization of trucks for load-in/load-out on legal right-of-ways is prohibited.
- No loading/unloading outside of the fence area would be permitted.
- No more than 10 deliveries will take place on semi-trucks per calendar year.
- There may be rare occasions when truck hours may begin as early as 5:00 a.m., and end as late as 7:00 p.m.

Ch. Davis inquired whether the building is sprinkled; Attorney Shlensky replied it was not. If the interior of the building were modified by 50 percent or more, sprinkling would be required.

Ch. Davis inquired as to the type of materials that would be stored; Mr. Colon replied scaffolding and fencing material, consisting of galvanized steel and steel beams—all non-combustible. The scaffolding racks are designed to be stackable, moved by one of several forklifts.

Ch. Davis inquired whether screening would be placed on the east side of the property because of Rockwell Avenue residential properties. Mr. Colon was amenable to the idea. Com. Cosgrove later corrected this request to screening the south side of the canopy instead, which faces Main Street, as the building would block the view of Rockwell residents. Com. Miller agreed with Ch. Davis' initial suggestion, because of residences on Rockwell Street.

Ch. Davis suggested 5:00 a.m. truck hours may be problematic. Mr. Colon replied trucks would be loaded the night before, stored inside, pull out of the site at 5:00 a.m., and close the gate.

Ch. Davis requested confirmation that the pavement in poor condition would be replaced; Mr. Colon replied asphalt for the entire area would be replaced in April 2021.

Ch. Davis inquired as to scaffolding; Mr. Colon responded scaffolding and fencing would only be stored for installation, and on occasion, rental. The business' focus is on the labor portion of a job.

Com. Cosgrove suggested enhancing the landscaping on site, including additional trees. Mr. Colon agreed. His intent was to perform masonry work on Rockwell, to soften the building so that it appears as that of an apartment building, rather than a commercial property. He would not be able to screen the south elevation of the canopy, because he plans to infill the existing dock, as it will be the main access under the canopy. A portion can be screened facing the east elevation.

Com. Burns inquired whether the Applicant anticipates changing outdoor lighting. Mr. Colon replied he does intend to do so on Rockwell Street. The canopy would be changed to have a dormer appeal with shingled roofing and recessed lighting, which will give the building warmth. Trees are planned along the Rockwell Street elevation, and along Main Street. He confirmed the City's lighting requirements would be met. Com. Cosgrove requested City staff to incorporate landscape enhancements into the Applicant's plans.

Com. Pepple expressed agreement with the Applicant's proposal, as is.

Com. Lockett felt the Applicant's biggest challenge would be asphalt. He envisioned no problem with occasional 5:00 a.m. truck hours, as it would be no different than the City's trucks operating for snow removal. Instead of an eight-foot black vinyl chain-link fence with slats, Com. Lockett suggested a more decorative 10-foot PVC fence on the 70-foot south side, for scaffolding screening purposes and expected growth potential. Pl. Domovessova replied if the Commission felt it would be more suitable for screening purposes, it could recommend this condition as part of the special use. Attorney Shlensky was under the understanding that because a taller fence would require a variance, it was not included as a request.

Com. Cosgrove asked if the gate would be six or eight feet high. Com. Cosgrove stated a 16-foot PVC gate would come in eight-foot sections at a six or eight-foot height. Mr. Colon replied he opted for vinyl because the Public Works building has the same black vinyl material across the street. Com. Cosgrove responded that PVC fencing was not widely available at the time the Public Works building was built.

Com. Pepple stated the extra conditions considered tonight would be in conflict with those approved for the Hines Lumber special use permit, and did not feel they were appropriate. Ch. Davis concurred. To the contrary, Com. Cosgrove reminded the Commission that the area around the subject property is changing, and M-1 zoning was in place prior to Warrenville being incorporated as a City. Com. Cosgrove felt this is the time for enhancements. Com. Pepple replied staff's 12 recommended approval conditions in its report dated November 5, 2020, would adequately reflect enhancements.

Com. Tullier felt an eight-foot vinyl fence was satisfactory.

Com. Miller inquired about the Rockwell Street gate; Mr. Colon replied an eight-foot high Rockwell Street gate would continue as a secondary entrance in the event the main gate became inoperable. Com. Miller then inquired about the north side fence. Mr. Colon stated the north fence would not be important for aesthetics, but instead would provide privacy and security in the yard. Com. Miller asked how to access the space under the canopy on the north side. Mr. Colon replied one would do so between the two buildings from the east elevation, and not via the north or west elevations. Com. Miller then expressed his delight with the Applicant filling a vacant building.

There were no comments from the public.

COM. PEPPLE MOVED, SECONDED BY COM. BURNS, TO CONTINUE THE PUBLIC HEARING UNTIL NOVEMBER 19, 2020.

ROLL CALL VOTE:

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

Nay: None

Absent/Excused: Thaker

MOTION ADOPTED UNANIMOUSLY.

D. CITIZENS' COMMENTS

None.

E. NEW BUSINESS

1. Country Ridge Common Area / Country Ridge Apartments
Located east of IL Route 59 and north of Batavia Road
Project No. 2020-0664
Request for approval of Minor PUD amendment to remove pedestrian bridge and asphalt foot paths leading to the bridge in the Country Ridge Subdivision common area.

Country Ridge HOA representative Greg Mitchel, explained the HOA would like to remove the pedestrian bridge as part of a shoreline restoration project to be performed over the winter and asphalt path project to be performed in the spring. The HOA was of the opinion the bridge was a safety hazard that does not serve a function. Additionally, the HOA was concerned because there is no way to regulate children playing on it.

Com. Pepple agreed with the Country Ridge HOA's assessment that the bridge should be removed, as it is an irresistible, dangerous temptation that does not lead anywhere, and does not belong in an apartment complex. The remainder of the Commissioners concurred.

COM. COSGROVE MOVED, SECONDED BY COM. TULLIER, TO GRANT CONDITIONAL APPROVAL OF A MINOR AMENDMENT TO THE PLANNED UNIT DEVELOPMENT (PUD) SITE AND LANDSCAPE PLANS FOR COUNTRY RIDGE APARTMENTS, WHICH WOULD ALLOW REMOVAL OF THE EXISTING PEDESTRIAN BRIDGE AND FOOT PATHS LEADING TO THE BRIDGE, SUBJECT TO THE APPLICANT COMPLYING WITH CONDITIONS NOTED IN THE STAFF REPORT DATED NOVEMBER 5, 2020.

ROLL CALL VOTE:

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

MOTION ADOPTED UNANIMOUSLY.

2. DuPage County Zoning Board of Appeals
0S424 Circle Drive, West Chicago, IL 60185
Request for approval of variation to increase the height of a fence from six and one-half feet to approximately eight feet.

Com. Miller expressed his opinion that the request appears to be sensible for the rear of the property, because it backs up to railroad tracks; however, he felt the front and sides should be six and one-half feet high—similar to Warrenville's requirements. He disagreed with the premise of requesting a variance after the fact. Com. Cosgrove concurred, and questioned the effectiveness of providing recommendations after the October 14, 2020 hearing. Dir. Mentzer suggested the Commission's response should be to recommend the petitioner comply with Warrenville's requirements, which allows six-foot fences, and eight-foot fences in the event a property is

adjacent to railroad tracks. Commissioners collectively appeared to be in agreement; Ch. Davis directed staff to respond accordingly to the County.

3. DuPage County Zoning Board of Appeals
30W575 Ferry Road, Naperville, IL 60563
Request for the following approvals:
 - a. Variation to reduce a 60-foot building setback to 40 feet;
 - b. Conditional Use for outside truck parking with exterior lighting and a maintenance building operating on a septic system; and
 - c. Rezoning from R-2 Single Family to I-1 Light Industrial.

Com. Cosgrove expressed opposition to the requests, as the petitioner backs up to residential development. He recalled that a trucking firm was previously denied an attempt to rezone a property across the street in Aurora, with much uproar from said neighborhood. Other Commissioners collectively concurred. Ch. Davis directed that the City respond accordingly.

4. DuPage County Zoning Board of Appeals
2S725 Cree Lane, Wheaton, IL 60189
Request for approval of Conditional Use for all existing shed accessory buildings to remain in place within the 30-foot corner side property line, approximately three feet from property line.

Com. Miller shared his observation that the shed is located against a block wall along Butterfield Road. The Commission collectively had no issues with request; Ch. Davis directed City staff to respond accordingly.

Com. Cosgrove asked that County ZBA requests be forwarded to Commissioners as soon as the City receives them. Pl. Domovessova agreed that this can be done. Ron reminded Commissioners that although they can attend the meeting and provide comments as residents, they cannot discuss the requests outside of a public meeting. If the hearing takes place prior to a Plan Commission meeting, it would still be placed on the agenda, for discussion and feedback purposes. Com. Cosgrove inquired whether the County Board pays attention to communities' opinions; Dir. Mentzer replied he tracked a project some years ago and written materials referenced comments from various entities outside the governmental agency. He suspected that if the County sends out notices, he would assume they keep track of responses, but was not certain.

F. OLD BUSINESS

1. 30W160 Calumet Avenue West / Four Winds Waldorf School
Located on the north side of Calumet Avenue, west of Barkley Avenue
Project No. 2020-0506
Plan Commission review and authorization for Chairman and Secretary to execute PC Resolution 2020-002.

COM. PEPPLER MOVED, SECONDED BY COM. COSGROVE, TO AUTHORIZE THE PLAN COMMISSION CHAIRMAN AND SECRETARY TO EXECUTE PLAN COMMISSION RESOLUTION 2020-002, TO MEMORIALIZE PRIOR APPROVAL OF A MINOR PUD AMENDMENT

FOR CONSTRUCTION OF FOUR 30-FOOT BY 20-FOOT SHELTER STRUCTURES NORTH OF THE SCHOOL BUILDING TO BE UTILIZED FOR OUTDOOR EDUCATIONAL ACTIVITIES.

ROLL CALL VOTE:

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

MOTION ADOPTED UNANIMOUSLY.

G. APPROVAL OF MINUTES

1. Regular Meeting of September 24, 2020

COM. COSGROVE MOVED, SECONDED BY COM. BURNS, TO APPROVE THE SEPTEMBER 24, 2020, MINUTES.

ROLL CALL VOTE:

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

MOTION ADOPTED UNANIMOUSLY.

H. CHAIRMAN'S REPORT

No report.

I. COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR'S REPORT

The Mack Road project will begin in two to three years, and involves the bridge replacement and trail connection to the bridge. The current bridge has structural deficiencies. The City is working with IDOT, which will provide 80% of funding for the project.

The recreational cannabis dispensary has not yet received its license due to litigation at the State level regarding who will obtain the next licenses. No new licenses have been awarded at this time.

Two Brothers have reached out to adjacent property owners; there has been no further activity on the project, to the best of Dir. Mentzer's knowledge. Because they felt it is not cost effective, Two Brothers Brew Pub has been closed for the time being, due to Governor Pritzker's enhanced interior dining restrictions.

J. SENIOR PLANNER'S REPORT

Pl. Domovessova reported Community Development staff will conduct a public information and input meeting on November 12, 2020, regarding potential construction of a new bike and pedestrian trail link along the west side of the West Branch of the DuPage River, between the Prairie Path and Warrenville Grove parking lot. This initiative was contemplated in the Old Town/Civic Center Subarea Plan, and it is part of the City's Bikeway Implementation Plan. She

asked that anyone interested in participating and supporting the project should contact her for a link to the meeting. Dir. Mentzer added that the trail will be located entirely on public property, and will not involve private property acquisition.

K. ADJOURN

COM. MILLER MOVED, SECONDED BY COM. TULLIER, TO ADJOURN THE MEETING AT 8:21 P.M.

Marie Lupo, Recording Secretary