

CITY OF WARRENVILLE
PLAN COMMISSION/ZONING BOARD OF APPEALS
Minutes of Regular Meeting (*via Zoom*)
Held on Thursday, November 19, 2020

A. CALL TO ORDER

Plan Commission Chairman Davis called the meeting to order at 7:00 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: None

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

Ch. Davis regrettably announced that Com. Thaker was taken ill with a severe case of COVID-19 and opted to resign from the Commission.

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

ROLL CALL VOTE:

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

Nay: None

Absent/Excused: None

MOTION ADOPTED UNANIMOUSLY.

Having previously been duly sworn in, Amy Evans and Franklin Colon of Wayne, Illinois (Applicants), together with their attorney, Justin Shlensky of the Elmhurst Kozar Law Office, LLC were in virtual attendance. Mr. Shlensky expressed appreciation to staff for providing his clients six-months after issuance of their certificate of occupancy to prepare a landscape plan. He acknowledged the staff report's 12 conditions, and inquired whether the Commission had an opinion on barbed wire fencing, to ensure protection of items stored outside under the canopy.

Ch. Davis replied he was not in favor of installing barbed wire. Com. Pepper concurred, stating that cameras and the Police Department can ensure safety. Com. Lockett agreed, adding that the subject property is located in a safe neighborhood next to the Public Works building, and barbed wire would provide a different feel to the area. Com. Miller provided his opinion that an eight-foot fence would be sufficient. Coms. Chapman, Cosgrove, Tullier and Burns concurred that barbed wire was unnecessary.

Com. Cosgrove proposed an additional condition that if the plans change for how the applicants load and unload materials, he would suggest a requirement to screen the south side of the canopy from the building to the support post on the southeast corner. He suggested using corrugated steel to mask visibility of the outdoor storage materials from Rockwell Street, Main Street and Warrenville Road, because the roads are set as much as five feet higher than the subject property.

Mr. Colon confirmed that he plans to fill in the older loading zone.

There were no comments or emails from the public.

COM. LOCKETT MOVED, SECONDED BY COM. PEPPE, TO CLOSE THE PUBLIC COMMENT PORTION OF THE PUBLIC HEARING.

ROLL CALL VOTE:

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

Nay: None

Absent/Excused: None

MOTION ADOPTED UNANIMOUSLY.

Ch. Davis directed attention to the revision on page 2 of the staff report that removed the word “roofing” in the Proposed Business Operations, #2. He then proposed the following additional condition, for deliberation purposes: “At the time of completion and occupancy, staff will determine the extent of the upper amount and type of screening required to screen storage from view.” He imagined the screening to consist of a heavy-duty, weighted rubber bottom that could be removed, if necessary. He proposed this to protect the neighborhood from a potentially unsightly view.

Mr. Colon expressed his opinion that it would be difficult to determine a design at this time, because wind loads would have an effect on the structurally engineered screening. The openings consist of 40-foot spans. As an alternative, he proposed a ten-foot perimeter fence.

Com. Burns agreed with Ch. Davis to leave the option open to staff for a recommendation at a future date, if and when necessary, to retain a decent appearance for the neighborhood. She was reluctant, however, to approve a motion with “what if” conditions attached to it.

Com. Miller was not in favor of the proposed additional condition because the subject property is located in the M-1 Light Manufacturing zoning district, and an eight-foot fence—or certainly the applicant’s suggested alternative ten-foot fence, would adequately serve the purpose of concealment.

In response, Ch. Davis provided his opinion that the subject property is nearly two feet lower than Main Street, and four to five-feet lower than Rockwell Street, thus resulting in the eight-foot fence to actually measure only five to six-feet high from the streets’ vantage point. A ten-foot fence would only further complicate the matter, because existing posts and spacing would require removal and replacement. The subject property is located in an isolated pocket of M-1 zoning in a residential neighborhood, and a 12-foot storage height is quite high. The proposed condition is an attempt to avoid immense public outcry after the fact.

Com. Pepple proposed Condition No. 13 for deliberation purposes, as follows: “The addition of screening to the south side of the awning if it is not utilized for loading, as approved by City staff.” Com. Cosgrove responded that this condition would not address the spirit of Ch. Davis’ initial condition. Com. Pepple then evolved in his opinion, stating the staff report’s 12 conditions would sufficiently satisfy his concerns.

Com. Tullier stated she would not agree with a “what if” clause unless the loading location is changed. There is the possibility of any business deteriorating, and this one should not be singled out. Com. Chapman concurred.

Com. Cosgrove provided an alternative suggestion to block most of the racking system from view, wherein screening is provided in the area of the racks to improve the appearance from the road. Mr. Colon replied it is imperative to have such area open for access purposes, as fork lift loading may involve intricate angles for maximum maneuverability. He offered to lower the stacking area by four feet.

Attorney Shlensky stated the existing canopy previously stored flammable material. The staff report sets for 12 conditions to which the applicant is amenable; an additional condition could cause issues for the utility of the special use permit.

Com. Lockett stated the eight-foot fence, coupled with strategic landscaping and proposed other improvements, would collectively improve the site and make the stacking area less noticeable. He suggested removal of a three-foot strip of asphalt and planting arborvitae in front of the fence, to help with security and shield the canopy. Ample room remains for parking. Other Commissioners concurred. Dir. Mentzer replied removing asphalt from the City right-of-way and planting arborvitae in front of the fence would violate the City's Arboricultural Manual. The storage area is approximately 80-100 feet back from the road and 30-50 feet from the screening fence. It was Dir. Mentzer's opinion that it will likely not have a material impact on the surrounding neighborhood.

COM. PEPPLE MOVED, SECONDED BY COM. BURNS, THAT THE PLAN COMMISSION RECOMMENDS CITY COUNCIL APPROVAL OF THE REQUESTED SPECIAL USE PERMIT FOR OUTDOOR STORAGE AT 29W030 MAIN STREET TO STORE MATERIALS RELATED TO SCAFFOLDING AND FENCING BUSINESSES OPERATING AT 29W030 AND 29W002 MAIN STREET, SUBJECT TO THE CONDITIONS OUTLINED IN SECTION IV OF THE STAFF REPORT DATED NOVEMBER 5, 2020, UPDATED NOVEMBER 19, 2020.

ROLL CALL VOTE:

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

Nay: None

Absent/Excused: None.

MOTION ADOPTED UNANIMOUSLY.

Attorney Shlensky stated his clients have no plans to remodel 50% or more of the interior.

COM. COSGROVE MOVED, SECONDED BY COM. MILLER, TO CLOSE THE PUBLIC HEARING.

ROLL CALL VOTE:

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

Nay: None

Absent/Excused: None.

MOTION ADOPTED UNANIMOUSLY.

Com. Cosgrove reminded the applicant to remove the public hearing sign from the property. Planner Domovessova stated the City Council will be reviewing the Plan Commission's recommendation at its December 7, 2020, meeting.

D. CITIZENS' COMMENTS

None.

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.

On November 19, 2020, Applicant Frank Mnuk requested an extension to his request and appearance before the Commission until its December 10, 2020 meeting. Pl. Domovessova explained that a certain aspect of the plat was not addressed. Mr. Mnuk is having his surveyor correct it—but was uncertain if it would be completely resolved by December 10th.

F. OLD BUSINESS

1. Country Ridge Common Area / Country Ridge Apartments
Located east of IL Route 59, north of Batavia Road
Project No. 2020-0664
Plan Commission review and authorization for Chairman and Secretary to execute PC Resolution 2020-003, to memorialize prior approval of a Minor PUD Amendment for pedestrian bridge and related asphalt foot paths removal in the Country Ridge Subdivision common area.

COM. PEPPLER MOVED, SECONDED BY COM. MILLER, TO AUTHORIZE THE PLAN COMMISSION CHAIRMAN AND SECRETARY TO EXECUTE PLAN COMMISSION RESOLUTION 2020-003, TO MEMORIALIZE PRIOR APPROVAL OF A MINOR PUD AMENDMENT FOR PEDESTRIAN BRIDGE AND RELATED ASPHALT FOOT PATHS' REMOVAL IN THE COUNTRY RIDGE SUBDIVISION COMMON AREA.

ROLL CALL VOTE:

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

MOTION ADOPTED UNANIMOUSLY.

G. OTHER BUSINESS

1. 28W574 Garys Mill Road, Winfield, IL 60190 / DuPage County ZBA
Located north of IL Route 38, east of IL Route 59
Zoning Petition Z20-087 William A. Brauer Trust
Request for Conditional Use to permit detached accessory buildings with an area exceeding the maximum accessory area permitted in the R-1 District, from 1,170 square feet to approximately 2,363 square feet.

Com. Cosgrove was of the opinion that this was an excessive request, because 1,764 square feet would be Warrenville's maximum allowable area, and this proposal is one-third more than the City's standards. Com. Pepple concurred.

Com. Miller concurred, and commented it is a very large lot, but he would suspect the proposed building does not fit R-1 zoning character and use.

Commissioners collectively appeared to be in agreement that the request is excessive and would violate the City of Warrenville's Zoning Ordinance. Ch. Davis directed staff to respond accordingly to the County.

H. PLAN COMMISSION/ZONING BOARD OF APPEALS

1. Robert Pepple Reappointment

Swearing in of Robert Pepple as a Ward 3 member of the Plan Commission and Zoning Board of Appeals for a term set to expire November 16, 2025.

At its November 16, 2020, meeting, the City Council has approved the Mayor's request to reappoint Com. Pepple. Due to tonight's absence of the Mayor, Robert Pepple was not sworn in; however, will be sworn in at a future meeting.

2. Elizabeth Chapman Reappointment

Swearing in of Elizabeth Chapman as a Ward 1 member of the Plan Commission and Zoning Board of Appeals for a term set to expire November 16, 2025.

At its November 16, 2020, meeting, the City Council has approved the Mayor's request to reappoint Com. Chapman. Due to tonight's absence of the Mayor, Elizabeth Chapman was not sworn in; however, will be sworn in at a future meeting.

3. 2021 Meeting Calendar

Review of 2021 Plan Commission/Zoning Board of Appeals meeting calendar.

I. APPROVAL OF MINUTES

1. Regular Meeting of November 5, 2020

COM. PEPPLER MOVED, SECONDED BY COM. TULLIER, TO APPROVE THE NOVEMBER 5, 2020, MINUTES, WITH THE FOLLOWING CHANGES:

- Page 1, Paragraph 5, Line 8 – Insert “with” after “operate.”
- Page 3, Paragraph 8, Line 4 – Insert “of the canopy” after “elevation.”
- Page 4, Paragraph 2, Line 1 – Insert “Com. Cosgrove asked if the gate would be six or eight feet high.”

ROLL CALL VOTE:

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

Nay: None

Absent/Excused: None

MOTION ADOPTED UNANIMOUSLY.

J. CHAIRMAN'S REPORT

No report.

K. COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR'S REPORT

Community Development staff conducted a virtual 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. Approximately 30-40 people participated and provided public input. Most attendees lived directly across the street from the path, and were not in favor of the plan. The project website was updated on the City's website with a recording of the public meeting, PowerPoint presentation, and a summary of public comments and staff responses. A Survey Monkey is also available for feedback, responses of which will be shared with City Council. The Committee of the Whole will make a recommendation on this matter to City Council at its next meeting.

Com. Miller expressed concern over the trees that must be cut down as a result of the proposal. Dir. Mentzer disputed this premise, stating the majority of the path will be located in an area where trees have been previously removed to accommodate river clean-up activities a few years ago, therefore no material trees exist in the area of proposed path, except for Buckthorn.

Com. Burns provided her opinion that this is a once-in-a-lifetime opportunity, wherein the City can take advantage of shared funding for improvement to a property. She expects that once it is built, people will benefit by using it, and complaints will likely dissipate.

L. PLANNER'S REPORT

The next PC/ZBA meeting will include a public hearing for a property located at 28W265 Warrenville Road, at the southwest intersection of River Road (where Fontana's is located). The petitioner is requesting a special use permit for an open car sales lot of seven passenger automobiles. Com. Cosgrove commented the previous tenant also had a car sales lot, without having obtained a special use.

M. ADJOURN

COM. CHAPMAN MOVED, SECONDED BY COM. BURNS, TO ADJOURN THE MEETING AT 8:15 P.M.

ROLL CALL VOTE:

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

MOTION ADOPTED UNANIMOUSLY.

Marie Lupo, Recording Secretary