

**3S660 ROUTE 59 – PROPOSED NEW CITY WATER TOWER**

REVISED November 10, 2022

**Project Number**

SUP-2022-1003

**Applicant**

City of Warrenville

**Subject Property Address**

3S660 Route 59

**General Location**

On the southwest corner of  
Duke Parkway and IL Route 59

**Property Owner**

TZBP Warrenville LLC.

**Existing Zoning**

B-4 Motorist Service

**Existing Land Use**

Gas Station, Convenience Mart,  
and Stormwater Detention  
Pond

**Comprehensive Plan**

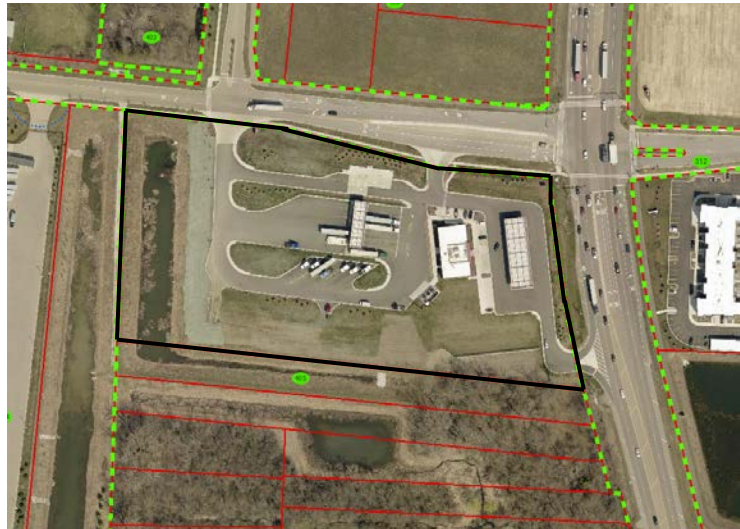
Commercial

**Approvals Sought**

- Special Use for Special Public Use for New Water Tower
- Variation from Front Yard Setback
- Final Plat of Subdivision

**Submittals**

See Exhibit A



**LOCATION MAP**

**PROJECT DESCRIPTION**

City of Warrenville Public Works Director Phil Kuchler, the “Applicant”, is requesting approval of a Special Use Permit, a Final Plat of Subdivision, and a front yard setback variation that would allow a new, 500,000 gallon, 157 +/- foot tall elevated water tower to be constructed at the southwest corner of the existing Thornton’s Gas Station property located at 3S660 Route 59 (the “Subject Property”). This request is the Applicant’s “sister” request to construct a well and iron filtration building at 30W121 Estes Street. The public feedback received after the first public hearing for the original, combined proposal of the water tower, well, and iron filtration equipment building on the Estes Street site led to the Applicant securing the Subject Property location for the proposed water tower component. To accommodate the water tower, the Applicant is (i) proposing a Final Plat of Subdivision that would subdivide the existing single lot into two new lots of record, (ii) requesting approval of Special Use Permit to locate the water tower on the proposed new lot of record that would be created the southwest corner of the Subject Property, and (iii) requesting approval of a variation

from the front yard setback requirements of the Zoning Ordinance for the proposed water tower location on lot 2.

**This Staff Report does not currently reflect any public input that might be provided at the continued November 10, 2022, public hearing, and therefore, it should be reviewed with this fact in mind. Any new additional information concerning the application provided at the public hearing may need to be reviewed by staff before a revised recommendation can be made.**

## **BACKGROUND**

Typically, Special Use Permit requests entail two public hearing meetings. Prior to submitting the application, the Applicant and the Community Development Department met with residents regarding concerns pertaining to the water tower's placement. After receiving feedback, reviewing alternatives, and meeting with residents of the surrounding community, the Community Development Department, barring substantial critical feedback at the November 10<sup>th</sup>, 2022 Plan Commission/Zoning Board of Appeals Meeting, is ready to recommend approval after one public hearing. Ultimately, the Plan Commission is responsible for making recommendations to the City Council for Special Use Permit requests.

## **ANALYSIS**

The application documents listed on attached Exhibit A of the November 10<sup>th</sup>, 2022, Plan Commission meeting agenda packet and are posted on the City's website at the following link: <https://www.warrenville.il.us/848/Water-Tower---Thorntons-Site>.

### **I. PRELIMINARY/FINAL PLAT OF SUBDIVISION** (This request does not require a formal public hearing)

***Overview of Proposed Plat of Subdivision:*** The Final Plat of Subdivision, prepared by Webster, McGrath & Ahlberg Ltd. and dated October 17, 2022, illustrates the creation of the following two lots:

**Lot 1** - The 7.2 acre corner lot at the intersection of Duke Parkway and IL Route 59. This lot will retain its current use as a gas station.

**Lot 2**- The proposed 1.12 acre lot, configured along part of the southern lot line, will house the water tower. An access easements will be granted to allow the Public Works Department, as well as occasional contractors and deliveries to access the interior parcel.

Both lots conform to the B-4 Motorist Service lot dimension requirements.

***It is important to note that the Plan Commission makes recommendations to the City Council on Preliminary/Final Plats of Subdivision approval requests.***

### **II. SPECIAL USE PERMIT FOR SPECIAL PUBLIC USE IN THE FORM OF A NEW ELEVATED WATER TOWER** (This request requires a formal Public Hearing before the Plan Commission)

The Applicant has requested approval of a Special Use Permit for a new 500,000 gallon, 157-foot tall water tower on proposed new Lot 2. This water tower will serve as storage for the water produced at the well and iron filtration building proposed at 30W121 Estes Street.

According to Table 7C of the Zoning Ordinance, "In recommending or granting approval or conditional approval of a variance, the Zoning Board of Appeals and the City Council shall prepare written findings of fact that all of the conditions below apply to the application." (staff findings identified in *italic* font):

### 1. Traffic

Any adverse impact of types or volumes of traffic flow not otherwise typical in the zoning district has been minimized.

*Staff believes the proposed special use will have minimal impact on the type and amount of traffic. The water tower itself does not require daily monitoring. Any traffic generated will be for tower maintenance and inspection.*

### 2. Environmental Nuisance

Any adverse effects of noise, glare, odor, dust, waste disposal, blockage or light or air, or other adverse environmental effects of a type or degree not characteristic of Permitted Uses in the zoning district, have been appropriately controls.

*Staff believes that the water tower use will not create any environmental nuisance. The proposed project is not disturbing existing wetlands on the site.*

### 3. Neighborhood Character

The proposed use will fit harmoniously with the existing natural or man-made character of its surroundings and with Permitted Uses in the zoning district. The use will not have undue deleterious effect on the environmental quality, property values, or neighborhood character already existing in the area or normally associated with Permitted Uses in the district.

*Community Development Department staff believes the proposed use will not have undue deleterious effect on the environmental quality, property values, or existing neighborhood character.*

### 4. Public Services and Facilities

The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of Permitted Uses in the district, nor generate disproportionate demand for new services or facilities as compared with the Permitted Uses, in such a way as to place undue burdens upon existing development in the area.

*Staff does not believe the proposed water tower use will create any undue burden on the existing public services and facilities in the neighborhood. In fact, Staff believes that the proposed water tower will enhance public water supply and would help support additional quality private improvement and development in the surrounding area.*

### 5. Public Safety and Health

The proposed use will not be detrimental to the safety or health of the employees, patrons, or visitors associated with the use nor of the general public in the vicinity.

*The proposed water tower is not expected to be detrimental to the public safety and health of the surrounding area. Furthermore, the water tower will ensure a steady supply of water for sanitary and fire safety purposes.*

### 6. Other Factors

The Proposed Use is in harmony with any other elements of compatibility pertinent in the judgement of the Commission or Council to the particular Special use or its particular location.

*The proposed water tower will fit the location and the B-4 Motorist Service zoning district.*

**III. VARIATION FROM FRONT YARD SETBACK REQUIREMENT** (This request requires a public hearing before the Zoning Board of Appeals)

The Applicant is seeking a variation from the Zoning Ordinance's front yard setback requirements in the B-4 Motorist Service District that would allow the proposed new water tower to be setback 16 feet from the north property line of proposed Lot 2 when a 40 foot setback is normally required.

According to Table 7A of the Zoning Ordinance, "In recommending or granting approval or conditional approval of a variance, the Zoning Board of Appeals and the City Council shall prepare written findings of fact that all of the conditions below apply to the application." (staff findings identified in *italic font*):

#### 1. Special Circumstances

Special Circumstances exist relating to the physical character of the property that are peculiar to the property and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it practical to provide, in the form of an amendment to this Ordinance, a general rule to cover them.

*Landlocked parcels, such as proposed Lot 2, are not common in the City and in the surrounding district. Furthermore, the water tower use represents a unique use and a special circumstance itself.*

#### 2. Hardship or Practical Difficulties

Because of these special circumstances, the literal application of the provisions of this Ordinance would, without a variance, result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

*Under the Zoning Ordinance, landlocked parcels, such as Lot 2, must meet required front yard standards where there is lot access. The front yard required setback in B-4 Motorist Service zoned parcels is 40 feet. If the water tower was placed according to setback requirements, the water storage tank atop the tower would not fit in-between the required 40 foot front yard and 30 foot rear yard setback. The proposed 16 foot setback would be measured from the outermost protrusion of the storage tank to the front lot line. The measurement of the distance from the base of the water tower to the front lot line is 29.5 feet. The adjacent property to the north is already developed with gas station related improvements and therefore it is not feasible to expand the size of proposed new Lot 2 in that direction. Furthermore, an existing storm water management detention area along the south edge of the Subject Property restricts expanding the size of the proposed new lot to the south. In this case, staff believes the literal application of the front yard setback requirements would create undue and unnecessary practical difficulties to the development of proposed Lot 2.*

#### 3. Not Resulting from Applicant Action

The special circumstances, practical difficulties, or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of any party with a present interest in the property.

*The Subject Property was developed by the owner of the Thornton's Gas Station. The Applicant (the City of Warrenville) is proposing to resubdivide the Thorntons Gas Station site to create a lot that could accommodate the construction of a new municipal water tower structure. The special circumstances in this case are not the result of the Applicant's actions.*

#### 4. Reasonable Use and Return

Without the requested variance, the property cannot yield a reasonable return, or cannot be reasonably used consistent with the intent of the zoning district and the use of other properties therein, but the purpose of the variance is not otherwise to increase the return from the property or to confer special privileges not ordinarily enjoyed by other properties in the same district.

*Without the variance, the water tower, as permitted by a Special Use Permit, would not be able to be developed on the current configuration of the site. Approval of the variation would allow the proposed water tower to be built. Staff feels the construction of a new water tower on proposed Lot 2 would be a reasonable use at this location.*

#### 5. Not Alter Local Character

The variance will not alter the essential character of the locality or substantially impair public safety or welfare or property values in the area.

*Staff believes that the front yard setback variance on this landlocked lot will not alter the essential character of the locality or impair public safety, welfare, or property values in the area.*

#### 6. Minimum Variance Needed

The variance approved is the minimum required to allow reasonable use and enjoyment of the property. *Staff believes that this single variance is the minimum required relief to place the water tower at the proposed location.*

### **IV. STAFF COMMENTS, QUESTIONS, AND RECOMMENDATIONS**

#### ***Engineering Review:***

The City of Warrenville's Senior Civil Engineer Kristine Hocking conducted an engineering and storm water review and provided the following comments and conditions to be addressed as a part of the permit issuance process:

1. Provide impervious calculations/CN values to show this proposed site has equal to or less new impervious than the concept site plan as part of the Thorton's project and to show that adequate detention was provided in the existing detention pond.
2. The landscape plan to the south and west of the pavement needs to be adjusted to include buffer enhancement plantings that were required as part of the Thorton's Stormwater Management report to replace the function of the mitigated wetland buffer.
3. The fence shall be designed to not block drainage from site.
4. Pavement should meet Zoning requirements of at least 2.8.
5. Confirm IDOT signature block is required on Plat.
6. Submit final engineering plans with details, notes and erosion control measures
7. Submit a SWM Certification Application.

### **CONCLUSION**

***Based on the findings outlined in this report, staff recommends the Plan Commission recommends City Council approval of the following motions:***

1. ***The Plan Commission recommends City Council approval of Ayleen Plat of Subdivision in the City of Warrenville, Illinois prepared by Webster, McGrath & Ahlberg LTD., dated October 26, 2020, revised on 10-17-22.***
2. ***The Plan Commission recommends the City Council approval of a Special Use for special public use to allow the construction and a 157-foot tall, 500,000 gallon water tower in the B-4 Motorist Service District subject to the Applicant complying with the staff review comments, recommendations, and conditions outlined in Section IV of the November 10, 2022 Community Development Staff Report.***
3. ***The Zoning Board of Appeals recommends the City Council approval of a Variation to reduce the front yard setback on proposed Lot 2 from the required 40 feet to 16 feet.***

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**ATTACHMENTS**

EXHIBIT A: List of Applications and Plan Submittals

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1. General Application Information Form, 3 pages, prepared by Philip M. Kuchler, dated 10/19/2022
2. Variation Application Form A, 3 pages, prepared by Philip M. Kuchler, dated 10/19/2022
3. Special Use Permit Application Form B, 3 pages, prepared by Philip M. Kuchler, dated 10/19/2022
4. Preliminary/Final Planned Unit Development-Application Form D, 9 pages, prepared by Philip M. Kuchler, n.d.
5. Check List Review of Final Plat of Subdivision, 4 pages, prepared by Philip M. Kuchler, October 19, 2022
6. Property Owner Letter, 1 page, prepared by Robert A. Iezzi, manager of TZBP Warrenville LLC, dated and signed October 20, 2022
7. ALTA/NSPS Land Title Survey, 1 sheet, prepared by Webster, McGrath & Ahlberg, LTD., dated 1-2-19
8. Final Plat Ayleen Plat of Resubdivision in the City of Warrenville, 1 sheet, prepared by Webster, McGrath & Ahlberg, LTD., dated October 26, 2022
9. Site Plan, 1 sheet, prepared by Engineering Enterprises, Inc. dated October 2022
10. Final Landscape Plan, 3 sheets, prepared by Gary R. Weber Associates, Inc., dated October 12, 2022
11. Water Tower Renderings, 1 sheet, prepared by Engineering Enterprises, Inc. dated October 2022