

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved July 14, 2014

MINUTES

DEVELOPMENT COMMITTEE

June 9, 2014, 7:00 P.M.

1. Call to Order, Roll Call, and Establishment of a Quorum

Chairman Stout called the meeting to order at 7:00 P.M.

Roll call found Aldermen John Banas, James Beifuss, Laura Grodoski, Alan Murphy, Jim Smith, and Rebecca Stout present.

Also in attendance was Director of Community Development John D. Said.

2. Approval of Minutes

A. May 12, 2014

Alderman Alan Murphy made a motion, seconded by Alderman John Banas, to approve the May 12, 2014 Development Committee Minutes as presented. Voting Aye: Aldermen Banas, Beifuss, Murphy, James Smith, and Stout. Voting Nay: None. Alderman Grodoski abstained. The motion carried.

3. Public Participation

Alderman Stout inquired if there was anyone present with items for public participation.

Marilynn Kroll inquired about the status of the Blue Kangaroo building. Mr. Said stated that the owners are currently in the adjudication process. Ms. Kroll thanked Mr. Said for any influence he had in Walgreens resurfacing their parking lot.

James Line and Mike Utley both addressed the Committee with their concerns in opposition to the GlidePath Power LLC project, which is being proposed in their neighborhood.

4. Items for Consent

4A. Galena Furniture - 568 Main Street, Façade Grant

4B. Norris-Walen-Segert Funeral Home - 132 Fremont Street, Façade Grant

Development Committee Minutes

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Nancy M. Smith
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Michael L. Guttman
CITY ADMINISTRATOR

- 4C. VCN Prairie Material - 1201 W. Washington Street, Special Use Amendment
- 4D. City of West Chicago - Amendments to Appendix A (Zoning) of the West Chicago Municipal Code

Alderman Murphy made a motion, seconded by Alderman James Smith, to place Consent Items #4A and #4B on the June 16, 2014 City Council Agenda. The Committee members unanimously agreed and the motion carried.

After brief discussion regarding Items #4C and #4D, Alderman Beifuss made a motion, seconded by Alderman Grodoski to place Consent Item #4C on the June 16, 2014 City Council Agenda. The Committee unanimously agreed and the motion carried.

Alderman Beifuss made a motion, seconded by Alderman Banas to place Consent Item #4D, with changes as discussed, on the June 16, 2014 City Council Agenda. The Committee members unanimously agreed and the motion carried.

5. Items for Discussion

- 5A. GlidePath Power LLC - 1N635 & 777 Pilsen Road, Rezoning & Special Use

Mr. Said gave an overview of the proposal in accordance with the Agenda Item Summary. GlidePath Power LLC is requesting approval of a change in zoning from the ER-1, Estate Residential zoning district to the M, Manufacturing zoning district for the 5 acre property located at 1N635 Pilsen Road as well as the undeveloped 4.3 acre parcel located at the northeast corner of Pilsen and Lee Roads (777 Pilsen Road). The applicant is also requesting a special use for a utility substation on the 777 Pilsen Road property.

The subject properties to be rezoned (both 1N635 and 777 Pilsen Road) are 9.3 total acres in area and are currently zoned ER-1, Estate Residential. These properties were annexed by the City in February of 2010 and were given a "base" zoning of ER-1. The zoning of these properties has not changed since they were annexed because no development was proposed until now. The minimum lot area in the ER-1 district is 40,000 square feet and the minimum lot width is 200 feet at the building setback line. The subject properties, as they exist, comply with all of the ER-1 district's bulk requirements. The ER-1 district allows for a minimal amount of uses in comparison to the City's Manufacturing zoning district. The applicant is requesting a change in zoning to the M, Manufacturing zoning district because the proposed utility substation use is not permitted in the ER-1 zoning district, but is allowed as a special use in the Manufacturing zoning district. The Manufacturing zoning district does not have a minimum lot area and the minimum lot width is 100 feet at the front yard building setback line. The subject properties would comply with all of the Manufacturing district's bulk requirements if the rezoning is approved. The existing ComEd high tension power lines to the west are also zoned Manufacturing, while other surrounding properties are zoned ER-1.

The City's Comprehensive Plan classifies the subject properties as Industrial. The proposed battery storage facility at 777 Pilsen Road is considered a compatible use in the Industrial land use designation. The existing single family residence located at 1N635 Pilsen Road is not a compatible use in the Industrial land use designation and will become legal non-conforming if the rezoning is granted. City staff is of the opinion that this is acceptable because the City's long term goals for this area are redevelopment with industrial uses that will comply upon redevelopment. The proposed change in zoning and designation of legal non-conforming for the residence is considered progress towards meeting the City's long term goals.

The special use is exclusive to the property referred to as 777 Pilsen Road and does not include the property with the existing single family residence at 1N635 Pilsen Road. The petitioner is proposing to construct an approximately 21,000 square foot paved pad in the northwest corner of the of the 777 Pilsen Road property where all of the proposed facility's equipment will sit. This corner of the property was chosen for development because there are existing wetlands elsewhere on-site that must be preserved. On the paved pad will be several rows of battery modules, transformers, power conversion modules, switch gear and a chilling unit. The battery modules will contain the dry cells that store the excess energy that will ebb and flow from the site into the nearby ComEd substation facility to help regulate the region's power supply during peak demand times. The site will be enclosed by a 6'-8' tall brick wall for security and aesthetic purposes. The exterior of the wall will have a red face brick façade with an earth tone color band and limestone cap on top. The applicant will also utilize a solid screen gate. The gate will have a metal frame with PVC planks. The applicant is not proposing any type of building on the premises nor needs access to any municipal utilities (i.e. water or sanitary sewer) as these improvements are not needed to operate a facility of this nature. The facility will have one point of access off of Pilsen Road and once constructed will only be visited during times of routine equipment inspection and maintenance. The applicant is not proposing any type of exterior site lighting at this time. City Code does not require exterior lighting for such a use because it is not a continually staffed facility. If lighting is proposed in the future it will be required to comply with the City's current lighting requirements.

The battery storage facility property has an existing hedgerow around most of the perimeter of the site. The applicant proposes to remove the majority of the hedgerow along the west and south property lines, except those areas within the designated wetland and wetland buffer. New landscaping is proposed along the north, south and west sides of the proposed facility and complies with current City requirements. The applicant is also proposing new landscaping along the south property line. This landscaping consists of a mixture of deciduous and evergreen trees and shrubs that, once mature, should provide a full visual screen from the north, south and west. The two existing wetlands on-site will be preserved as required per the DuPage County Stormwater Ordinance. The applicant is also proposing to install rain gardens immediately south and east of the proposed facility to comply with the City's stormwater control regulations. The balance

of the site's interior will be planted with a prairie seed mix, that once mature will resemble a native prairie typical to this area of Illinois.

At the June 3, 2014 Plan Commission/Zoning Board of Appeals meeting, six area residents spoke against the proposed requests, noting existing residential land uses and area appearance as primary concerns. A letter of support was received from one adjacent property owner, noting consistency with the Comprehensive Plan and area land uses.

At the June 3, 2014 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of the requested rezoning by a 4-2 vote. Commissioner Van-der-Mey recused himself from the consideration of this petition and Commissioners Hale and Hannemann voted against the rezoning because they felt the proposed rezoning did not comply with the findings of fact. The PC/ZBA recommendation is included as Exhibit "B" of the attached rezoning ordinance. The staff report and applicant's submittals presented to the PC/ZBA on June 3rd are also attached.

Also at the June 3, 2014 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of the requested special use by a 4-2 vote.

Alderman Stout read an email from Alderman John Smith as he was unable to attend the committee meeting. In his email, Alderman John Smith stated that he agrees with and supports the request for the GlidePath Power LLC proposed rezoning and special use.

Alderman Banas had questions regarding potential noise and the safety of the dry cell batteries.

Mr. Said stated that GlidePath has indicated that the batteries are dry storage batteries so there would be no liquid leaking and all power storage is in a solid container.

Mr. McKissack of GlidePath passed around examples of batteries to the committee members. He also stated that they performed an analysis and the sound level at the property boundaries was no more than 35 dBA, which is less than West Chicago noise ordinance night time residential. The enclosure would also help with any sound from chillers and transformers.

Alderman Banas inquired if the system would alleviate current outages with ComEd.

Mr. McKissack stated outages would not be prevented but the system would absorb some of the shock during a surge or outage and would help protect appliances from damage during brown-outs and basically help regulate the power grid.

Alderman Banas asked if these facilities had been installed anywhere else and if there were any problems with the facilities.

Mr. McKissack stated that they have installed billions of dollars of energy infrastructure projects and they have not had any issues.

Alderman Grodoski asked if the substation would be able to store energy from wind or solar power and if the substation would ever be expanded.

Mr. McKissack stated that the substation would regulate power not store it and the substation would not be expanded.

Mr. Said stated that GlidePath has a condition of approval and they are obligated by law to adhere to the approved plans. They would have to come back to the Committee to make any amendments to their plans.

Alderman Beifuss asked what kind of security, monitoring, and fire suppression would be in place at this facility.

Mr. McKissack stated there would be 24/7 remote monitoring and that all batteries are contained and monitored. If a door opens they would be notified. Each battery rack has five alarms as well as smoke detection. The fire suppression system would put out any fires.

Alderman Beifuss asked how often the substation would require maintenance and how often larger trucks would visit the site to bring in or remove equipment.

Mr. McKissack stated there are 2 cycles of maintenance. Regular inspections usually occur twice a month to check locks and check for vandalism. Then twice a year, a more thorough inspection would be completed. He also stated there should be no need for larger trucks after the initial construction of the facility and then again maybe 10-20 years later if batteries needed replaced.

Alderman Beifuss inquired about the height of the trailers and other structures.

Mr. McKissack stated that maximum height of all structures would be 9.6 feet and that there would be no overhead wiring coming in, everything would be underground.

Alderman Stout asked for clarification on the type of containers that would store the batteries.

Mr. McKissack stated that the containers look like shipping containers. They are shipped with all equipment built in and they are ready to connect.

Alderman Beifuss asked about any exterior lighting and whether there would be motion lights or pole lights.

Mr. McKissack stated that there would be no lighting that would stay on. Above every door there are lights that are only activated by a switch so if someone has to do work they could switch on lights and then off when they leave.

Alderman Beifuss asked about the height of the brick walls.

Mr. McKissack stated the walls would be 6 foot on the frontage and 8 foot on the other 3 sides.

Alderman Beifuss asked if the barriers could be taller.

Mr. Said stated that a variance would be required in order to increase the height of the walls and it may not be an allowed variance.

Mr. McKissack commented that the trees they will also be planting would be 10-12 feet at time of planting.

Alderman Murphy asked for confirmation that the wires at the substation would be buried under ground.

Mr. McKissack stated that they would only be tying into existing overhead wires and ComEd would be installing a switch at the overhead wires to turn it into cable and bury it underground.

Alderman Murphy asked if the batteries contain any type of harmful chemical and Mr. McKissack stated that they do not.

Alderman Murphy inquired about weekly truck traffic to the site once it is built and what the plans are for prairie planting.

Mr. McKissack stated the site would only require approximately 2 visits per month and that they will be planting a dry prairie mixture similar to what is currently in the West Chicago Forest Preserve.

Alderman Stout stated she feels the applicant has met the criteria and has addressed any potential adverse impacts. She expressed that her opinion is to move forward.

Alderman Beifuss commented that though this use is not residential, it is low intensity.

Alderman Banas asked that if by rezoning this area to manufacturing, would it set a precedent because most of this area is estate residential.

Alderman Stout commented that the rezoning would be keeping within the scope of the comprehensive plan.

Alderman Grodoski made a motion, seconded by Alderman Banas to move forward with the proposal. Voting Aye: Aldermen Grodoski, Banas, Beifuss, Jim Smith, and Stout. Voting No: Alderman Murphy. The motion carried.

5B. West DuPage Building Corporation - Commerce Drive, Comprehensive Plan Amendment

Mr. Said gave an overview of the proposal in accordance with the Agenda Item Summary. West DuPage Building Corporation, is requesting a zoning map amendment (rezoning) from the ORI, Office Research and Light Industrial zoning district to the M, Manufacturing zoning district. The applicant is also requesting a Comprehensive Plan amendment from the ORI, Office Research and Light Industrial land use designation to the Industrial land use designation. The undeveloped subject property is 7.2 acres in area and is located at the western terminus of Commerce Drive, which is a cul-de-sac street off of the south side of Roosevelt Road.

The subject property is owned in conjunction with the adjacent property to the north (1300 W. Roosevelt Road). The two properties are separated by the Burlington Northern railroad. The subject property does not have direct access to Roosevelt Road; it only has access to Commerce Drive. The subject property was part of the City's comprehensive ORI rezoning and Comprehensive Plan amendment along the Roosevelt Road corridor in 2002. Prior to 2002 the subject property was zoned Manufacturing and designation as Industrial on the Comprehensive Plan.

The applicant desires to rezone the subject property to Manufacturing and amend its Comprehensive Plan designation to Industrial. The applicant thinks the property would be more marketable for development with the changes, and there is no specific development plan proposed for the subject property at this time. Since the property's zoning and Comprehensive Plan land use designation was changed in 2002 the applicant has indicated that there has been very little interest in the property from potential purchasers due to the types of light industrial, commercial, and office uses allowed in the ORI zoning district. The property also has an unusual triangular shape, which creates further development constraints, although the required building setbacks are slightly more restrictive in M than ORI zoning district. The greatest variation between the districts is in the uses that are allowed within each zoning district. The Manufacturing district allows for much more intensive and potentially noxious uses, such as outside storage yards, where the ORI district is limited to less intensive uses with no outside storage permitted. The City's land use goals that were established in 2002 for the Roosevelt Road corridor, including the subject property, were to develop the area with more aesthetically pleasing and cohesive commercial and light industrial development best facilitated by the City's existing ORI zoning district and Comprehensive Plan land use regulations.

The applicant has owned the undeveloped subject property in excess of 30 years. The applicant has indicated that prospective land uses that have expressed interest in the

subject property since 2002 are more industrial in nature, and not compatible with ORI zoning or the ORI Comprehensive Plan land use designation. The applicant understands and agrees with the City's desire and intent to provide more aesthetically pleasing and cohesive commercial and light industrial development along the Roosevelt Road corridor. However, the applicant is requesting the proposed Manufacturing zoning and Industrial land use designation because the subject property does not have any frontage on Roosevelt Road, has limited visibility from Roosevelt Road, and is adjacent to a rail line to the northwest and land owned by Fermi Lab to the south.

At its May 6, 2014 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of the requested rezoning for the subject property from the ORI, Office Research and Light Industrial zoning district to the M, Manufacturing zoning district by a 6-0 vote.

At its June 3, 2014 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of the requested Comprehensive Plan amendment for the subject property from the ORI, Office Research and Light Industrial land use designation to the Industrial land use designation by a 6-1 vote.

Alderman Beifuss commented that the comprehensive plan would need to be amended and usually when discussing rezoning there is an end user in mind. In this case, there is no end user or use in mind.

Mr. Said stated that staff also had that concern; i.e. that there is no end user at this time.

Alderman Beifuss asked what the owner has in mind for this property.

Mr. Kasson, the attorney representing the landowner, stated that this is a difficult piece of property to work with and they are trying to generate interest. They did a rezoning similar to this a few years ago. ORI makes it difficult to market.

Alderman Beifuss asked what 1171 and 1150 on Commerce are currently being used for.

Mr. Said stated that the only parcel being used as manufacturing is 1150 Commerce and all the other pieces are zoned ORI.

The Committee members briefly discussed the impact of rezoning this property, including the amount of time that a comprehensive plan review would entail, and agreed they were not comfortable moving forward with rezoning when there was no specific end user in mind.

Alderman Banas made a motion, seconded by Alderman Beifuss to approve the proposal. Voting Aye: None. Voting No: Aldermen Banas, Beifuss, Grodoski, Jim Smith, and Stout. Voting Present: Alderman Murphy. The motion was denied.

6. Unfinished Business

None.

7. New Business

None.

8. Reports from Staff

Mr. Said stated there were no major reports from staff, but he did comment on the local farmer's market at Route 59 and North Ave and that staff has been addressing a lot of issues including Tall Grass & Weeds enforcement.

9. Adjournment

Alderman Banas made a motion, seconded by Alderman Grodoski, to adjourn the June 9, 2014 Development Committee meeting at 8:05 P.M. The Committee members unanimously agreed and the motion carried.

Respectfully submitted,

Charity Mitchell
Executive Secretary