



COMMUNITY DEVELOPMENT COMMISSION MINUTES

Committee Date: February 26, 2024

Present: James Parenti, April Jaeger Rudnicki, Teresa Szatko, Richard Petersen, David Woods

Absent: Jay Babowice, Jamie Ochoa

Also Present: Attorney Sean Conway, Gosia Pociecha, Andrew Koterak, Staci Springer, Forty Residents

Meeting Convened at: 7:00 p.m.

CALL TO ORDER

Mr. Woods made a motion, seconded by Ms. Rudnicki, to appoint Mr. Parenti as Chairman Pro Tem in Mr. Ochoa's absence. A voice vote was taken with all members voting aye; motion carried. The meeting was then called to order by Attorney Conway at 7:00 P.M. A roll call vote was taken and a quorum was present. He will act as the meeting facilitator.

APPROVAL OF MINUTES

Ms. Szatko made a motion, seconded by Mr. Woods, to approve the minutes of the January 15, 2024 meeting. A roll call vote was taken with all members voting aye; motion carried.

Ms. Szatko made a motion, seconded by Mr. Petersen, to approve the minutes of the January 22, 2024 meeting. A roll call vote was taken with all members voting aye; motion carried.

PUBLIC HEARINGS

Attorney Conway recommended that, owing to the facts involved in Case No. CDC-2023-0003 and Case No. CDC-2023-0008, that Commissioners consolidate the public comment portion of the hearing, as similar questions may apply to both phases of the development. Mr. Parenti made a motion to approve the consolidation. The motion was seconded by Ms. Rudnicki. A roll call vote was taken with all voting aye except for Mr. Woods who voted nay. Motion carried.

CASE NO. CDC-2023-0003

Mr. Parenti made a motion, seconded by Mr. Petersen, to approve re-opening the Public Hearing under Case No. CDC-2023-0003. A roll call vote was taken with all members voting aye. Motion carried.

This Public Hearing was initially presented before the CDC at their January 22, 2024 meeting and was continued until this date.

Ms. Pociecha reviewed the language of the original application which was filed by the property's owner, C1 Chicago 1 LLC:

“Special Use for Planned Unit Development (combined Concept for the entire site & Final Development Plan for Phase 1) with certain deviations, Special Use for Major Utilities and Public Service Facilities, Site Plan Review and Final Plat of Subdivision (Resubdivision) to enable construction of two data center buildings and a ComEd substation on property located to the west of IL Rte 83 (Busse Road) between Bryn Mawr Avenue to the north and Washington Street to the south.”

DISCUSSION

Staff provided Commissioners with a report (attached to staff memo as Exhibit M) listing all of the concerns and questions which were raised at the January 22, 2024 Public Hearing. The report contained responses and clarification of those issues from the applicant and staff. Mr. Bradd Hout, representing the applicant, was in attendance to reply to those issues and to offer additional information regarding this project. He described the change to the building height that has been made since the January 22, 2024 meeting; specifically, a reduction of the building height from the original request of 75 feet to 70 feet and added that the Federal Aviation Administration (FAA) has granted approval of a building up to 70 feet in height. He pointed to the economic benefits to the City with this project; specifically, increased tax revenue and the creation of jobs given the anticipated five to ten year time period for completion of this project. He described the fencing plans, testing of noise levels, diesel fuel storage tank design and location, the types of lighting being proposed, landscape screening, generator design and stated that all wells which served the demolished residences will be properly sealed as required by Du Page County. In addition, the applicant is working with the Fire Protection District to ensure that services will not be negatively impacted during and after construction. In conclusion, Mr. Hout stated that the applicant is open to discussion of any and all concerns raised by staff, commissioners and residents.

RECOMMENDATION

Ms. Szatko made a motion, seconded by Ms. Rudnicki, that based on the submitted petition and the testimony presented, the proposed request for a Special Use for Planned Unit Development (combined Concept for the entire site and Final Development Plan for Phase I) with certain deviations, Special Use for Major Utilities and Public Service Facilities, Site Plan Review, and Final Plat of Subdivision (resubdivision) on property generally located to the west of IL Route 83 (Busse Road) between Bryn Mawr Avenue on the north and Washington Street to the south is consistent with the Unified Development Ordinance and Comprehensive Plan; and, therefore, I move that the Community Development Commission adopt the findings of fact included within the staff memo dated February 26, 2024 as the findings of the Community Development Commission, and recommend to the City Council approval of the Special Use for Planned Unit Development (combined Concept for the entire site and Final Development Plan for Phase I) with certain deviations, Special Use for Major Utilities and Public Service Facilities, Site Plan Review, and Final Plat of Subdivision (Resubdivision) on property generally located to the west of IL Route 83 (Busse Road) between Bryn Mawr Avenue to the north and Washington Street to the south in Case No.CDC-2023-0003 subject to the following conditions:

1. The Special Use, Planned Unit Development, Variation, Site Plan Review and Plat of Subdivision shall substantially conform to the staff memo dated February 26, 2024 and the attached exhibits, except as such plans may be modified to meet City code requirements. Where deviations to the codes have not been requested as part of this approval, the existing codes must be met, as applicable, at the time of permit application.
2. The Special Use permit shall be deemed to relate to, and be for, the benefit of the lot itself.
3. Final engineering approval prior to building permit issuance.
4. If the rooftop units are visible from the streets, the developer will be required to provide screening.
5. The developer has the ongoing obligation to maintain the landscaping on the site in accordance with the approved landscaping plan.



A roll call vote was taken with the following results:

Ayes: None

Nays: Szatko, Rudnicki, Woods, Petersen, Parenti

Abstain: None

Motion denied.

CASE NO. CDC-2023-0008

An application has been filed for a Map Amendment (re-zoning) upon Annexation via Annexation Agreement and Preliminary Subdivision Plat including Vacation of streets to enable redevelopment of the area generally located along IL Rte 83 (Busse Road) between Washington Street to the north and Foster Avenue to the south, also known as the Bryn Mawr Phase III project. C1 Chicago 2 LLC is the applicant and the property owner.

DISCUSSION

Mr. Marshall Hubery, representing C1 Chicago 2 LLC presented a conceptual plan for the development of property generally located at the northwest corner of the intersection of IL Rte. 83 (Busse Road) and Foster Avenue. The approximately 38 acre property is currently improved with 63 unincorporated single family homes which are served by private well and septic systems. The intent of the developer is to build three data center buildings which will be contiguous with the data center buildings and ComEd substation to the north currently being reviewed under Case No. CDC-2023-0003. As described by Mr. Huberty, each of the three buildings will be two stories in height and will have a total square footage of approximately 731,400 square feet when fully built out. This project would result in a five building gated data center campus with connections between both developments.

At this point in the discussion, the public was invited to speak and to offer their comments and concerns regarding information presented at the Public Hearings under Case No. CDC-2023-0003 and Case No. CDC-2023-0008 (see attached sign in sheet). Attorney Conway reminded residents that remarks must be relevant to zoning matters only and while understanding their desire to air all of their concerns and grievances, this meeting is a legal proceeding convened for the purpose of discussing zoning issues only, not private property sales or transactions. All of the residents who offered comments expressed their opposition to this project pointing to safety concerns arising from the neglected condition of the area following demolition, the anticipated traffic on Foster during construction and during the Fire District's burn training, the effect that this project will have on their property values, the noise which may be created from the generators,

and, in particular, dissatisfaction with the buyout procedures. A member of the public made statements that the City was remiss in allowing any aspect of this project to go forward without an agreement by the applicant at the outset to purchase every home affected.

RECOMMENDATION

At the conclusion of discussions, Mr. Woods made a motion, seconded by Mr. Petersen, that based on the submitted petition and the testimony presented, the proposed request for a Map Amendment (Rezoning) upon Annexation via Annexation Agreement and Preliminary Subdivision Plat including Vacation of streets to enable redevelopment of the area generally located along IL Rt. 83 (Busse Road) between Washington Street to the north and Foster Avenue to the south is consistent with the United Development Ordinance and Comprehensive Plan; and, therefore, I move that the Community Development Commission adopt the findings of fact included within the staff memo dated February 26, 2024 as the findings of the Community Development Commission, and recommend to the City Council approval of Map Amendment (Rezoning) from R-1 to I-1 upon Annexation and Preliminary Subdivision Plat including Vacation of Streets to enable redevelopment of the area generally located along IL Rte 83 (Busse Road) between Washington Street to the north and Foster Avenue to the south, also known as Bryn Mawr Phase III project in Case No. CDC-2023-0008.

A roll call vote was taken with the following results:

Ayes; None

Nays; Rudnicki, Szatko, Woods, Petersen, Parenti

Abstain: None

Motion denied.

STAFF LIAISON REPORT

None to report; the next scheduled meeting will take place on March 18, 2024.

ADJOURNMENT

The meeting was adjourned at 10:45 P.M.

Minutes taken by Marilyn Chiappetta