

PLANNING AND ZONING COMMISSION MINUTES
City of Geneva
109 James Street - City Council Chambers

August 24, 2023 — Meeting #52

1. Call to Order

Chairman Stocking called the meeting of the Geneva Planning and Zoning Commission to order at 7:00 p.m., and read a statement of procedures for the public hearing.

2. Roll Call

Present: Chairman Stocking, Commissioners John Mead; Mim Evans; Rebecca Holoman; Adam Matyskiel; Tim Moran; and Michael Slifka

Absent: None

Staff Present: Director of Community Development David DeGroot, City Planner Matt Buesing, Assistant City Planner Jessie Muncie, City Attorney Scott Fintzen

Also Present: Court Reporter Kristine Wesner

3. Approval of the Agenda

Motion by Commissioner Slifka, second by Commissioner Evans to approve the agenda. Motion carried unanimously by voice vote 7-0.

4. Approval of July 27, 2023 Minutes

Motion by Commissioner Moran, second by Commissioner Matyskiel to approve the minutes. Motion carried unanimously by voice vote 7-0.

5. Public Hearing:

A. Venture Park (Continued from July 27, 2023) – Requests for:

- i. Comprehensive Plan Amendment from Commercial to Industrial
- ii. Zoning Map Amendment upon annexation of proposed project site from RR Rural Single-Family Residential to I1 Light Industrial;

Location: PIN 12-12-300-071

Applicant: Venture One Acquisitions, LLC

City Planner Matt Buesing stated there will be a staff presentation and an updated applicant presentation this evening and both will be added to the city's website after the meeting.

Mr. Buesing stated he has received four letters of public comment from the following people; James Crowley on 8/22, Jason Patterson on 8/24, Jeff Mansfield on 8/24, Jeff Camerson on 8/24. He stated he emailed the commission copies, printed copies and also uploaded them to the website.

Assistant City Planner Jessie Muncie began the presentation. The table of contents of the presentation included; Geneva Planning and Land Uses, Regional Planning, Industrial Zoning Changes/Concerns In Nearby Towns, Industrial Outlook: Fox Valley, Approved/Pending Industrial Developments in Geneva, Commercial Use Estimates, and Affordable Housing Use Analysis.

The commissioners had few clarifying questions answered by Assistant City Planner Jessie Muncie.

The applicant, Ryan Stoller of Venture One, began his presentation. As requested by the commission at the last meeting, he presented a rendering of what the proposed development would look like from Kirk Road. Mr. Stoller said there are approximately 450 feet between Kirk Road and the building and he explained what is planned for that space. It includes an easement, a berm, landscaping, and a retention pond. A dark brown screening fence has been added to the proposed plan in order to lessen the view of the loading docks, which would face Kirk Road. He presented some market data analysis about vacancy rates that supported why they believe a building like this is in demand and why they believe this is a viable project they want to invest in. Mark Goode, Co-Founder of Venture One, added that Geneva has a lower industrial tax base that is "significantly less than any other community in the region." He said Geneva has not developed a lot of their sites for industrial yet, while surrounding towns have developed most of their sites for industrial.

Commissioner Holoman asked how the square footage of industrial buildings in Geneva compares to other towns that are sized similarly geographically.

Commissioner Evans agreed she would like to see data that compared overall land area to the land area used for industrial sites.

Chairman Stocking stated he would open the public testimony portion of the meeting and asked all those intending on giving testimony to rise and be sworn in.

Brian Maher, East Lane Road of Geneva Township, spoke in opposition of the proposed development, citing the increased truck traffic and pollution. Mr. Maher does not believe “speculative mega warehouses” are appropriate for Geneva.

Angelo Gelfuso, spoke in opposition of the proposed development. His opposition was community-based rather than numbers based. He stated he saw signs in Sugar Grove in opposition of mega warehouses proposed in their community so he stated this problem is not unique to Geneva. He believes the warehouses being built are tarnishing the unique image of Geneva and what draws people to Geneva.

Mag Bussey, 859 Old Kirk Road, spoke in opposition of the development. Ms. Bussey asked the commission and staff to consider maintaining the beauty of Geneva, stating that warehouses shaped like big boxes are not the way to do so. She would like to see a development that would allow for park space, or affordable housing or any type of housing, as residential prices have increased so much. She believes the MIF project is enough, along with the industrial sites being developed in neighboring Batavia and St. Charles.

Brian Klank, 506 Easton Avenue, stated he is a resident and has raised his family here for 13 years. He spoke in support of the development for the tax base. He suggested looking more closely at the data. He stated he believes there has been some “fear mongering” about this project during the public hearings. He believes the Kirk Road and Fabyan Parkway intersection is a thoughtfully and appropriately chosen location by Venture One.

David Walendziak, 578 Lexington Drive, clarified a point that was recorded at the previous Planning and Zoning meeting. He would like to see a buffer zone or transition area along Kirk Road, void of any truck intensive warehousing. He is not against warehousing, but he does not believe this is the right spot for the development. He would like to know what the city has done to actively seek out other businesses that would more closely conform to the Southeast Master Plan. Mr. Walendziak stated he would love to see more tax revenue but not at the expense of city culture. He asked that the commission deny the proposal.

John Dashner, 733 Lexington Drive, spoke in opposition of the development. Mr. Dashner commented on the traffic study that was completed in 2022 and asked

the applicant to incorporate all the new developments that are going in, so we can have a quantitative analysis.

Kevin Mascino, Lexington Drive, spoke in opposition of the development. He noted that many of the attractions nearby are open air spaces; Rookies' new patio, golf course, baseball stadium, and are being combined with air and noise pollution and truck traffic. He stated that a sound study should be conducted so nearby residents can hear what the trucks will sound like and asked what Geneva will do to protect the residents from the noise.

Maureen McKeough, 1568 Kirkwood Drive, asked the commission to step back from the data and look forward to the legacy being left. She believes we can do better. She believes affordable housing is needed in the community.

Dominic Gelfuso, 38W453 Berquist Drive, spoke in opposition of the development. He stated he takes issue that someone from the community that spoke tonight in support of the development has employment and financial incentive with the developer. He wanted to draw attention to a trend of speculative warehousing developments, being built without tenants, as something that might not be a good fit for Geneva. Mr. Gelfuso stated the MIF development will be a large tax revenue and noted it is located a ways back from the community corridor. He does not believe this development fits the core competencies of Geneva.

Rachel Albers, 740 Chandler Avenue, spoke in opposition of the development. She stated that the residents will not reap the benefit of the development. There will be air, light, and noise pollution. Particularly, she emphasized the air pollution this development will cause and the negative health impacts. She wanted to go on record stating the resident who spoke in support of this development is a real estate broker who represents Venture One and has financial interest in this proposal. As she continued about that, Chairman Stocking interrupted Ms. Albers and stated that he believes her point has been made about the gentleman. She said she felt silenced and that she listened to others speak for much longer. Chairman Stocking stated he understands she is upset to which Ms. Albers responded she is not upset, but that she is right and she left the podium.

Austin Dempsey, 13 First Street, Batavia, introduced himself as the representative of the ownership group of the property. He responded to a question about why this property has not been developed. Mr. Dempsey stated it is not because of lack of effort. He believes this property being labeled as commercial in the Southeast Master Plan was wrong and there has not been a good proposal for the site until now. He believes Kirk Road is already an industrial corridor. He noted that affordable housing will not work for a 55 acre

site and that the industrial tax base should be embraced as a critical building block that many other communities around here are embracing.

Hayley Gelfuso, resident of Geneva for five years, spoke in opposition of the development. She cited her time in southern Ohio as a place where nobody wants to live because of all the warehousing going up. She believes diverse spaces in the surrounding area of the community including open spaces are inherently valuable.

Mark Goode of Venture One spoke again and responded to some of the comments made. He stated most trucks, about 80% coming out of the development, will turn south and get on I-88. A small minority will turn right on Kirk Road. He responded to the comments about noise and said they will have a large berm and an 8 foot tall solid fence that will act as a sound barrier, but stated he is happy to do a sound study. He said industrial developments are normally welcomed in a community as they don't use many of the city's resources like fire/police/schools and are placed on roads with easy access to highways, with Kirk Road being a major thoroughfare to facilitate access to I-88 quickly. He stated if they are going to invest \$60-70 million they believe the project will be successful. The tenants that would go into this large space would be a large corporation. Mr. Goode spoke about how they are proud of what they do and they want this building to fit into the community and look appropriate for Kirk Road.

Commissioner Matyskiel asked city staff what the commercial tax revenue versus the industrial tax revenue would be for this sized site and what it would be used for. He would like to see a comparison on taxes collected on a similar sized commercial site versus from an industrial site. Commissioner Matyskiel commented that much of the development occurred in this area after the overpass was built in 2013. Chairman Stocking commented that was a good point and said that was when development really started going in the area.

Commissioner Evans commented on the recreational vision for the west side of Kirk Road and asked why it has not been completed to the extent it was envisioned in the plan and who owns those sites. Mr. Buesing responded that Kane County owns Settlers Hill. Mr. DeGroot confirmed it is Kane County property and is not sure what efforts have been made. Mead asked if there were any private owners and Mr. DeGroot said he would have to verify that.

Commissioner Evans asked about the status of the MIF project, which is under review. She asked the other commissioners if the decision on this project would be affected if MIF is approved or not. Commissioner Slifka does not believe he would base a decision on one or the other and stated he could be moved away from the idea that this site is going to be commercial.

The commission decided they should close the public hearing before getting further into discussion.

Motion by Commissioner Moran to close the public hearing. Second by Evans. Roll call vote passed 7-0.

AYE: Mead, Evans, Slifka, Holoman, Matyskiel, Moran, Stocking

NAY: None

MOTION PASSED 7-0

Commissioner Moran stated his opinion has not changed from the last meeting but staff's information has clarified for him that this site will probably not be a commercial site. His main concern is the size of this particular building and reverse changes in the market give him concern about the possibility of having a half filled building taking up the entire 55 acre site not bringing in great tax revenue.

City Attorney Scott Fintzen responded that the issue of viability should not be taken into consideration when this body is making the decision. Director of Community Development David DeGroot directed the commission to review page four of the staff report which contains the four map amendment standards.

Chairman Stocking stated they need to look at the plan and decide if it should be adjusted. He commented that he believes the land that is left without a use in Geneva is getting limited and if they want other land uses in the community, the opportunities are getting fewer, quickly. Commissioner Evans asked if the zoning was changed to industrial, if the commission could limit the size of the building, and the answer is they cannot.

Commissioner Slifka asked if the plan could be amended to a mixed use site. Mr. DeGroot pointed out there is wording in the plan now that has some vagueness to allow for that, but that is not what has been requested and is not the proposal before the commission. The commission discussed exactly what they are charged with deciding tonight, which is if there has been evidence presented tonight and at the previous meeting that justifies the request to change the site's land use from commercial to industrial. Mr. DeGroot noted that if the Comprehensive Plan Amendment does not pass, then the Zoning Map Amendment request should also not pass, as one of the standards for the Zoning Map Amendment is its consistency with the Comprehensive Plan.

Motion by Commissioner Mead to approve the change in the Comprehensive Plan Amendment from Commercial to Industrial for the site

generally located east of Kirk Road between Old Kirk Road and Fabyan Parkway subject to the findings of fact in the staff report and updated staff presentation. Second by Commissioner Slifka. Roll Call:

AYE: Mead, Evans, Slifka

NAY: Holoman, Matyskiel, Moran, Stocking

MOTION FAILED 3-4

Motion by Commissioner Mead to approve Zoning Map Amendment upon annexation of proposed project site from RR Rural Single-Family Residential to I1 Light Industrial subject to the findings of fact in the staff report and updated staff presentation. Second by Commissioner Moran. Roll Call:

AYE: Mead, Evans, Slifka

NAY: Holoman, Matyskiel, Moran, Stocking

MOTION FAILED 3-4

6. Site Plan Review:

A. Venture Park (Continued from July 27, 2023) – Request for site plan review for a proposed industrial development.

Location: PIN 12-12-300-071

Applicant: Venture One Acquisitions, LLC

Commissioner Mead spoke about the layout of the site, with truck docks undesirably facing Kirk Road. Mr. Goode stated they are in a supply and demand business for this large of a building. He said they talk to people who are currently spread out in multiple smaller buildings and they want to consolidate. He noted he has torn down commercial buildings to put in this type of large, new warehouse. Commissioner Mead asked his question about changing the layout again, seeking a clear answer. Mr. Goode responded that if the dock doors were moved to the north and south, they would be too far from the center of the building for moving supply within the building to the trucks. Commissioner Mead asked about moving the docks to the east wall. Mr. Stoller added that the building depth/driving distance should be no more than 300 feet from an exit and if they

changed the layout they would be forced to cut the building size in half, which is a nonviable project for them. He does not think it would not be as competitive of a building with another layout for the docks as there are already those types of warehouses already out there. Mr. Goode added that he does not believe this site will be commercial or anything other than industrial in the future.

The commission discussed wording for the motion. At 10:00 pm Commissioner Mead called a point of order, asking if they need a caveat in the motion stating that if city council changes the zoning, then this site plan would be approved. Mr. DeGroot said he did not believe that was necessary in the motion. He referenced the standards of site plan review and noted A and B have not been met this evening. After more discussion at the wording of the motion, Mr. DeGroot suggested the simplest way to vote is to make a motion in the affirmative, without any caveat or conditions added onto the motion, and since the first two standards have not been met, the motion would fail.

Motion by Commissioner Mead to approve the site plan. Second by Commissioner Slifka. Roll Call:

AYE: None

NAY: Mead, Evans, Slifka, Holoman, Matyskiel, Moran, Stocking

MOTION FAILS 0-7

As the commissioners voted, each stated the reason for their vote of “nay.” Each commissioner said they voted nay because conditions A and B of the standards for site plans have not been met.

Mr. DeGroot stated that these recommendations will be forwarded to the city council for approval on September 11, 2023, at 7:00 pm in the same room of this meeting.

7. Public Comment

Angelo Gelfuso commented on the proposed plan which states the building is 450 feet from Kirk Road and he would like to know from which edge of the building does that measurement begin, as the building and Kirk Road do not run parallel. He also stated he has issues with the applicant’s comments that the city is going to lose money if we do not develop this into a warehouse and that there is no other option for this site.

Brian Maher commented that he would like to know about how the applicant knows that 80% of the tenants traffic would be heading south towards I-88.

8. Other Business

Mr. Buesing stated there is an American Planning Association (APA) conference in September in Naperville and commissioner training might be available as it usually is.

Mr. Buesing stated there will be two public hearings at the next regularly scheduled meeting on September 14, 2023. One is for a fence site variation at 304 Deerfield Way and the second is for The Roosevelt-Great Western Flooring Project, which is the new project name.

9. Adjournment

Motion made by Commissioner Evans to adjourn the meeting at 10:16 p.m.