

Minutes to the City of Wilmington
Planning and Zoning Commission Meeting
Wilmington City Hall
1165 South Water Street
Thursday, September 12, 2022, at 5:00 PM

Call to Order

The September 12, 2022 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:00 p.m. by Chairman Bryan Humphries

Roll Call

Upon Roll Call by the Clerk the following members answered "Here" or "Present":

Commissioners Present Humphries, Clennon, Smith, Duffy, Longest, Walinski, Tryner

Quorum

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

Other Officials in Attendance

Also, in attendance were City Administrator Jeannine Smith, City Attorney Bryan Wellner, and Deputy City Clerk Joie Ziller

Approve the Previous Meeting Minutes

Commissioner Smith made a motion and Commissioner Duffy seconded to approve the June 2, 2022 meeting minutes and have them placed on file.

Upon roll call, the vote was:

AYES: 7 Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

NAYS: 0

Motion passed.

Public Hearing (#1)

Commissioner Smith made a motion and Commissioner Clennon seconded to open the Public Hearing at 5:04 PM to Consider the request by Petitioner 85 Wilmington LLC, 2500 S. Highland Ave., Suite 103, Lombard IL 60148 and contract purchaser, Walrus CC LLC, 5275 Mount Vernon Way, Dunwoody, GA 30338 for a Planned Unit Development and Plat of Subdivision per Wilmington's Code of Ordinances Chapter 150, Article 6 be designated for the development of approximately 85 acres as described below. Further under the proposed PUD, the purchaser, Walrus CC LLC on Phase 1, approximately thirty (30) acres of property located on the southeast corner of E Kankakee River Drive and HWY 53 in the City of Wilmington, and as described below shall be allowed to depart from section 150.64(D)(5) and will be allowed to construct a building on Phase 1 of the site at a building height of 100 feet, shall be allowed to depart from section 150.81(D) of which its 30 acres shall not have official ROW frontage, and shall be allowed to depart from section 152.102 allowing utilities serving the site not to be run through existing ROWs

Upon roll call, the vote was:

AYES: 7 Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

NAYS: 0

Motion passed.

Deputy City Clerk Ziller confirmed that the public notice was published in the August 24, 2022 edition of the Free Press Advocate along with a sign posted on the property.

City Administrator Smith deferred to the staff report as prepared by City Engineer Casey McCollom.

Commissioner Smith asked for clarification on Phase II of the project. Attorney Wellner stated that tonight's

meeting is regarding Phase I of the project, Walrus CC LLC. Phase II would be reviewed upon developer interest.

Deputy City Clerk Ziller issued the oath to Lawrence Freedman, John Ripple, Mike Dahm, Stewart Mills.

Lawrence Freedman, Attorney for the petitioner, thanked the Commissioner for accommodating a meeting this evening. Attorney Freedman stated that his client is the owner of the 85 acres and he has a contract to sell the Walrus CC LLC 30 acres. At this time, there is no known buyer nor do they know the use for the remaining acres of the property. Phase 1, if recommended by the Commission and approved by Council, Walrus CC LLC would purchase the property, would develop the cooling tower at a maximum height of 100 feet. On the remaining 50 acres, because we are Planned Unit Development, we could not do anything on the site, even though it is zoned, without coming back to Planning & Zoning.

John Ripple, representing Agile Cold Storage stated that they are a third-party cold storage operator bringing in our client's products, holding them in the freezer, and then shipping those items out on behalf of clients. People working in the building are Agile Cold Storage employees, we own the building. We are proposing to build in two phases, Phase 1 will be approximately 321,827 square feet. The Agile Cold Storage building will provide approximately 150 quality jobs with 50 people per shift, working two 10-hour shifts per day and on Saturdays and Sundays, it is day shift only. Trucks would be approximately 4 to 6 trucks per hour coming and going to the building.

Lawrence Freedman added that the applicant commissioned a traffic impact study for the purpose of demonstrating that for the initial phase that the access is sufficient.

Mike Dahm from Ruettinger, Tonelli & Associates clarified that the two reliefs for the hundred feet and frontage are only on Agile's property on Phase I.

Commissioner Tryner stated for clarification that he noticed the application noted preliminary plat approval, are we (Commissioner) expecting to have a final site plan approval before the building permit is issued? Mr. Freeman confirmed that the final plan would be brought back to the Commission for review and recommendation.

Commissioner Clennon made a motion and Commissioner Duffy seconded to close the public hearing at 5:33 PM.

Upon roll call, the vote was:

AYES: 7 Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries
NAYS: 0

Motion passed.

There being no further discussion, Commissioner Tryner made a motion and Commissioner Clennon seconded to recommend Granting Conditional Uses for a Planned Unit Development, Approving a Preliminary Plat of Planned Unit Development and Approving a Preliminary Site Plan for Phase 1 and Other Related Requests By 85 Wilmington LLC and Agile Cold Storage to the City Council of the City of Wilmington

Upon roll call, the vote was:

AYES: 6 Smith, Duffy, Longest, Clennon, Tryner, Humphries
NAYS: 1 Walinski

Motion passed.

Public Hearing (#2)

Commissioner Duffy made a motion and Commissioner Smith seconded to open the Public Hearing at 5:37 PM to Consider a text amendment to chapter 150 – a zoning ordinance of the City of Wilmington code of ordinances to include procedures that allow for the City of Wilmington to designate official historic landmarks within the City of Wilmington on public and private property and to provide for regulations of such historic

landmarks, including the prohibition to construct, move, alter, change, make an addition to, make any improvement to, add structures or buildings on a lot or tract with a designated historical landmark, demolish or remove the exterior or any aspect of the exterior of any designated historic landmark

Upon roll call, the vote was:

AYES: 7 Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

NAYS: 0

Motion passed.

Administrator Smith explained that during a recent City Council meeting there was a discussion regarding several historical landmarks within the city which are privately owned. As they are not currently registered as historic landmarks, the City Council was concerned for the maintenance and preservation of these structures and placed, and directed staff to present a solution. Attached is the proposed ordinance for review and discussion.

Deputy City Clerk Ziller confirmed that the public notice was published in the August 24, 2022 edition of the Free Press Advocate along with a sign posted on the property.

Administrator Smith stated that currently, we do not have any ordinances in Wilmington where we could local landmarking of buildings, structures, or places. We are trying to preserve these special places within the City of Wilmington. The proposed ordinance includes language on how to designate historic landmarks.

Commissioner Clennon requested clarification if anyone could request the designation, not just the property owner. Administrator Smith stated, yes, anyone could come forward with the designation and ask the City to landmark it. We would have to follow the procedure which includes making notice to the private property owner and they would have a right to come forward to make a statement.

Attorney Wellner stated that any person can request that something be designated as a landmark. The property owner is provided an opportunity to be heard but it is ultimately up to the City Council under this ordinance to designate and impose some sort of regulation considering what the property owner has to say.

Commissioner Smith questioned (B)(3) of the draft ordinance where it states that "Planning & Zoning shall determine" and suggested that it be changed to "recommend".

Attorney Wellner stated that as the ordinance is drafted, the City Council is the board that determines the designation and regulation.

Commissioner Longest is concerned about who would set the tone once the designation is approved and suggested that a Historical Preservation Committee be formed.

Administrator Smith stated that if the City became a certified city it could potentially mean the property owner could be eligible for grant funding in order for them to preserve the structure.

Commissioner Tryner expressed his concerns that we are going to make the City of Wilmington a partner with everyone we might choose to designate as a historical site and say we are going to make the final decision whether you can do what you want to do with your personal property.

Commissioner Humphries suggests language be added on how to remove a previously approved historical designation.

The consensus of the Committee would prefer language added stating that a designation must have the property owner's consent.

The Committee agreed that revisions to the proposed ordinance be made and to continue the public hearing for further discussion and review.

There being no further discussion, Commissioner Longest made a motion and Commissioner Tryner seconded to continue the public hearing to consider a text amendment to chapter 150 – a zoning ordinance of the City of Wilmington code of ordinances to include procedures that allow for the City of Wilmington to designate official historic landmarks within the City of Wilmington on public and private property and to provide for regulations of such historic landmarks, including the prohibition to construct, move, alter, change, make an addition to, make any improvement to, add structures or buildings on a lot or tract with a designated historical landmark, demolish or remove the exterior or any aspect of the exterior of any designated historic landmark until October 6, 2022 at 5:00 PM at the Planning & Zoning Commission meeting held at 1165 S. Water Street, Wilmington, IL.

Upon roll call, the vote was:

AYES: 7 Smith, Duffy, Longest, Walinski, Clennon, Tryner, Humphries

NAYS: 0

Motion passed.

Public Comment

No public comment was made.

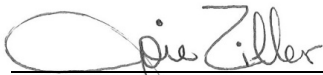
Other Pertinent Information

No other information was discussed.

Adjournment

A motion to adjourn the meeting was made by Commissioner Smith and seconded by Commissioner Clennon. Upon voice vote, the motion was carried. The Wilmington Planning & Zoning meeting held on September 12, 2022, adjourned at 6:25 p.m.

Respectfully submitted,



Joie Ziller
Deputy City Clerk