



WHEATON CITY COUNCIL PUBLIC HEARING MINUTES

MAYOR PHILIP J. SUESS

COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN ERICA BRAY-PARKER | COUNCILMAN SCOTT BROWN
COUNCILWOMAN SUZANNE FITCH | COUNCILWOMAN LYNN ROBBINS | COUNCILMAN SCOTT WELLER

WHEATON CITY HALL, COUNCIL CHAMBERS, 303 W WESLEY STREET, WHEATON, ILLINOIS 60187

Monday, June 13, 2022

I. Call to Order and Roll Call

The public hearing of the Wheaton City Council was called to order at 6:58 p.m. by Mayor Suess. The public hearing was held in the Council Chambers, Wheaton City Hall, 303 W. Wesley Street, Wheaton, Illinois. Upon roll call, the following were:

Present: Mayor Suess
Councilwoman Bray-Parker
Councilman Brown
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Absent: Councilman Barbier

City Staff Present: Michael G. Dzugan, City Manager
John M. Duguay, Assistant City Manager
James Kozik, Director of Planning & Economic Development
Joseph Tebrugge, Director of Engineering
Susan Bishel, Public Information Officer
Allison Kaleta, Public Relations Coordinator

II. **Public Hearing** – ZA # ZA 22-16/ Rezoning and PUD/ Block bounded by Liberty Drive on the north, Hale Street on the east, Willow Avenue on the south, and Wheaton Avenue on the west/ Willow Avenue Apartments, LLC.

a. Presentation

City Manager Dzugan reviewed that the Council will not be voting on the presentation at the Public Hearing and that a separate public hearing will be conducted for the vacation of the alleyway that runs through the presented block on June 27, 2022. It was also discussed that this rezoning would most likely be presented to the council on the July 18 City Council Meeting, where they can choose to advise the City attorney to draft approval or denial regarding the proposal. That approval/denial is expected to be presented to the Council at their August 1 meeting for approval or denial of the rezoning application.

Councilwoman Robbins moved and Councilman Brown seconded a motion to include the evidence and testimony presented at the Planning and Zoning meetings held on April 26 and May 10, 2022, as well as emails the City has received regarding this topic with the presented application.

Roll Call Vote:
Ayes: Councilwoman Robbins
Councilman Weller
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously

Phil Luetkehans, the attorney representing Willow Avenue Apartments LLC, stated the project team would be presenting a summary of the modifications they have made to the plans since presenting to the Planning and Zoning Board and since the developer acquired the remaining parcels on the block.

Tom Suminski, on behalf of Banner Real Estate Group, presented recent changes that have been made to the proposal regarding the block bounded by Liberty Drive on the north, Hale Street on the east, Willow Avenue on the south, and Wheaton Avenue on the west. Banner Real Estate proposes building a seven-story apartment and townhome complex on that block which would require rezoning. This presentation was brought to the Planning and Zoning Board on April 26, 2022, and the commission did not recommend the rezoning to the City Council. Suminski reviewed Banner's background in real estate and their current properties throughout the United States.

Rob Muller, the project architect from BKV Group, reviewed the proposal for the seven-story building. The proposal includes 17 townhomes that are two stories each on the ground level, a space for Egg Harbor to relocate into, two levels of parking on the first two floors of the building, and units for multi-family living. On Hale Street and Wheaton Street, the building will have a deeper setback for the streetscape and pedestrian traffic.

Mr. Suminski reviewed the updates that have been made since the Planning and Zoning commission presentation. He stated that one concern of the Planning and Zoning Board regarded the proximity to adjacent properties. Since then, Banner has now acquired, with signed contracts, all properties on the block. Another concern discussed was parking, specifically with Egg Harbor employees and customers. After speaking with Egg Harbor owners, Banner added multiple parking spaces within their proposed parking garage for Egg Harbor employees to utilize. Egg Harbor's proposed new restaurant space will be slightly smaller than their current property, by the owners' request. Employees will be able to access

the parking garage with a code and will access Egg Harbor directly through the new property without having to step outside. Customer parking was also addressed as a concern. Seven additional curbside parking spaces will be added to the block for public use. Mr. Suminski stated there are currently nine curb cuts along the block. Those will be reduced to three, which includes one for a loading dock and two for the parking garages.

Another concern discussed at the Planning and Zoning meeting was pedestrian safety, specifically with cars pulling out of the proposed parking garages. Mr. Suminski stated Banner Real Estate Group updated their plan by creating a wider entrance/exit for the garages and moved the building back slightly to increase sight lines for drivers. The height of the building was also reviewed. Mr. Suminski showed a comparison of other buildings that are in the surrounding area, illustrating that the developer believes the proposed building would not stand out and is consistent and compatible with the current landscape.

Mr. Suminski reviewed the public benefit that this building would provide the City. Banner believes this development will enhance the work that has already been done to the downtown by bringing an upgrade to the south side of the railroad tracks. The landscaping surrounding the proposed building will be consistent with the current streetscape. The building also has a proximity to transportation and downtown activities that residents can utilize, therefore increasing the money spent at local businesses. Mr. Suminski stated Banner is devoted to sustainability and natural resources. The proposed building will utilize a storm water vault that will hold storm water under the parking garage for a slow release, thereby decreasing the amount of water flowing aboveground during a storm. The building will also have native plants to the area and have recycling chutes and electric car charging stations. Mr. Suminski also reviewed the public benefit, which includes an estimated \$1.6 million tax revenue at the end of the first year and the wide range of residents that will be attracted to this building due to the different styles of units, ranging from studio and three-bedroom apartments to townhomes.

The City's comprehensive plan was also referenced in Banner's presentation, specifically the call for increased multi-family density on the south side of downtown.

b. Public Comment

Mike Andrews, 317 S. Hale Street, stated he does not feel that Banner has sought residents' opinions regarding the proposed building, which he believes few favor. He also expressed his concern over the destruction of a historical site within Wheaton and that the development's size does not fit well in this location. Mr. Andrews stated he did not think there was enough communication from the City regarding this proposed rezoning, stating not enough people are informed about this proposal. He also questioned the future of Wheaton and what this proposed building will do to the Downtown area for future decades.

William Fanelli questioned the aesthetic of the proposed project stating he doesn't think it fits with the current downtown design landscape and that it will create traffic issues. He believes that the area should be developed, but with a project meeting the current C4 zoning restrictions.

William Barrett, 328 W. Oak Avenue, reviewed past construction of the Courthouse and the Chicago Title building and how there was concern when those projects were first approved, but he has come to appreciate the updates made. He also stated that he believes this proposed project fits with the needed development on the south side of the downtown. Change is inevitable, according to Barrett, and he believes that this new building helps the greater good of the community.

Mike Gresk, 111 N. Wheaton Avenue, expressed his approval for this project and commended the city for the thought they have put into working toward development.

Larry Pitts, 426 S. West Street, discussed the changes that have taken place in Wheaton since he became a resident, specifically the loss of homes that have been converted into businesses in the downtown area. He stated he approves of the proposed building plan because it will bring people into the Downtown.

Holly Wisner, 724 N. West Street, requested the occupancy rate of the various apartment buildings in Wheaton, information on how Wheaton will assist Egg Harbor in returning to Wheaton after the construction of the building and how many years the building will be tax-exempt for. She also expressed concern that some apartment buildings and recent construction in the area do not fit the current aesthetic for the downtown.

Donald Spitzer, 515 S. Hale Street, spoke in favor of the proposed development. He believes it will increase the tax base for the City, improve the property values in the neighborhood and will encourage infrastructure in the downtown area south of the railroad tracks. He also commented on the passion that community members have regarding the City of Wheaton.

Jim Mathieson, 211 S. Wheaton, spoke on behalf of the 211 Building, sometimes referred to as the "Old Bank Building". Mr. Mathieson commented on his involvement in multiple boards and commissions within the City. Mr. Mathieson is proud of the proposal and the updates they are making to the downtown area because they will be removing vacancies that are in that area as well as provide more money for the City. He also approved of the absence of TIFs from this project as well as the economic developments that have been made in recent years. He is concerned that if this plan is denied, it will result in builders not wanting to approach the City with new projects.

John King spoke on behalf of St. Michael's Parish and School. The Parish is concerned with the increased traffic that this new building will cause, specifically for students during drop off and pick up.

William Billingham, 616 S. Hale Street, expressed concern regarding the traffic that will increase due to this proposed building. He believes the building is too big, too tall, too dense, and does not offer enough green space. He also expressed concern regarding the balconies that overhang the sidewalks and the related safety issues.

Gabriella Reczek, 428 S. West Street, expressed safety concerns related to the many children in the area, including increased traffic around St. Michael's school. She also discussed a need for more affordable housing in Wheaton.

Allison Orr, 130 W. Liberty Street, spoke on behalf of the Downtown Wheaton Association staff and Board of Directors. She stated the DWA unanimously supports the proposed development.

Matt Vlasman, 404 W. Franklin, stated he is opposed to the rezoning proposal. He is concerned that Wheaton will lose its "small town" feel and become more like every other city surrounding Wheaton if this project goes forward. One question was raised was about the distance the parking garages will be from the street. He also asked about the height and why Banner cannot decrease the size of the structure to fit the current zoning requirements.

Jacob Grad, 330 S. Naperville Road, spoke on behalf of the building at 330 S. Naperville Road. He stated the block being discussed is mostly vacant and believes that the City is lagging behind surrounding suburbs with the lack of growth taking place. He expressed support for Banner's proposal because of the amount of people that will then come to the Downtown area and spend money at the shops and restaurants.

Betsy Frank, 217 W. Illinois St., stated she does not approve of this proposal but believes that a compromise can be made for a building that fits the current zoning requirements.

Cornelia Barrie, 204 W. Evergreen Street, referred to her husband's letter that he wrote to the Council, which includes concerns of the balconies hanging over the sidewalks and the safety of residents in the proposed building if there is severe weather.

Eric Kelso, 221 S. Wheaton Avenue, expressed support for the project. He stated the majority of this area south of the railroad tracks is vacant and thinks this project would improve the area.

Mickey John, 906 Pershing Avenue, expressed concern that the proposed design does not fit the charm of Wheaton and that the loading dock on Hale Street would not make for a welcoming entrance into the downtown. Ms. John also stated she would like for the City to bring more businesses into the downtown, not residences.

Jessica Rivoire, 203 W. Evergreen St., stated she would like to see development but is not supportive of this structure. She suggested a smaller structure would be more appropriate for the site.

Ted Knorring, 616 W. Elm Street, believes that the south side of downtown Wheaton needs improvement but doesn't believe that this proposed building solves the problem. He is also concerned about the traffic this will cause and how it will affect the safety of the children at St. Michael's school.

Catherine Molloy, expressed concerns with the rezoning proposal due to the building's height compared with the surrounding area. She expressed the opinion that a four-story building would be more appropriate. She also discussed safety concerns with the school across the street and increased traffic.

Elizabeth Hain, 724 Warrenville Road, stated she believes that the area south of the railroad tracks does need to be developed, but not with a seven-story building. She also expressed the opinion that the developer is not demonstrating flexibility with their plans, and she believes the building's aesthetic does not fit the surrounding area.

Susan B, of the 600 block of Hale Street, expressed concern about the traffic on Hale Street and the safety of children, if this building is approved. It is her opinion the building would bring more business to downtown Wheaton and expressed concern that parking is a larger issue than reflected in the traffic study.

Hannah Julian, 726 W. Michigan St., expressed a desire for more affordable housing within Wheaton.

Micki spoke against the proposed building plan. She stated that she would prefer condos and/or townhomes because people who buy in the community care more about the community. She also feels that the proposed building does not fit the historical architecture in the area and would prefer a four-story building to blend in with the residential buildings surrounding the block.

Banner Real Estate Group clarified a few points and answered questions brought up during Public Comment.

Mr. Suminski stated that the balconies overhanging the sidewalk are code compliant. City staff confirmed that City Code does allow overhang of a balcony with specific language addressing the issue.

Kelly Conolly, who conducted the traffic study, discussed the study in detail. It was stated that the traffic study, per standard practice, looks at traffic volumes during certain times of the day and the peak of the streets which is 7 a.m. – 9 a.m. and 4 p.m. – 6 p.m., which represents the highest traffic volume of that street. The St. Michael's traffic was also addressed in the updated traffic study that was presented to the Council. During arrival and dismissal, there is a lot of car activity, but Ms. Conolly stated it is well-maintained. Ms. Conolly stated the proposed

development would improve pedestrian safety by both increasing the number of pedestrians, which makes drivers more aware of pedestrians, and adding features such as curb extensions. She stated the project would also decrease the number of curb cuts where drivers could pull out from 10 to 3.

In response to a question if there are 500 residents living in the building, how many would be leaving the site from 7 a.m. and 9 a.m., Ms. Conolly stated she estimates 120 trips would be taken within that time frame, which includes people coming into the building and going out. The traffic study was conducted in January 2022, with parking counts done in March of 2022 and June of 2022. The traffic study also accounted for future developments and the study added 35% to the traffic counted to conservatively account for the effect of COVID-19 on traffic.

Mr. Suminski suggested that the addition of speedbumps would help slow down traffic and increase safety for pedestrians. He stated that Banner Real Estate Group would be willing to add these to the proposal.

Mr. Suminski stated that affordable housing will not be included in the proposal and there is a contract in place for Egg Harbor to occupy the building's restaurant space on the first floor at the intersection of Liberty Drive and Hale Street.

Mayor Suess requested that Banner elaborate on the vacation of the alley that needs to take place to move forward with the project. Mr. Suminski stated that he believes Banner and the City have come to an agreement regarding the alley but is happy to discuss it further, if needed.

Mayor Suess requested that Banner Real Estate elaborate on the height of the building. Mr. Suminski stated that greater height leads to greater density which then leads to more people spending money and time in the downtown area within Wheaton.

c. Council Comment

Councilman Weller asked for confirmation that the A/C units will be on the rooftops without any issue, which Mr. Suminski confirmed. Councilman Weller also asked for confirmation about how many stories will have a brick façade. Mr. Suminski confirmed that the first three stories will have brick. Councilman Weller suggested the design further buffer the setback to the south.

Councilman Weller also asked for more information regarding the loading dock. Banner representatives confirmed that the loading dock will be inside the building. Trucks will pull into the building in order to unload.

Councilwoman Robbins asked for confirmation about the number of opportunities for retail within the proposal. Mr. Suminski stated that the design provided a space for Egg Harbor to resume business, but more retail possibilities were not requested or considered, especially with the number of nearby retail vacancies.

Councilwoman Robbins brought up the importance of having green space associated with this project and requested the developer consider altering the exterior colors to better blend with neighboring properties.

Councilwoman Robbins asked about the potential for the parking garage spaces to decrease in size, which may take away some parking opportunities for residents, but importantly also decrease the overall size of the building on the block. Mr. Suminski stated that dramatically reducing the size of the parking garage would affect the ratio for residents to park their cars in the garage. Banner Real Estate expects tenants to be able to park their cars inside the garage if they wish.

Councilwoman Robbins asked if a parking garage placed above ground, behind the building, as a separate structure was ever considered with this plan to decrease the overall height of the building. Mr. Suminski stated that it could be proposed but it would be less aesthetically pleasing and would require an entirely new building plan and possibly a less efficient building.

In response to Councilwoman Robbins's question regarding a solar component to the design, Mr. Suminski stated that there still could be opportunities available.

In response to Councilwoman Robbins's question on outdoor gathering areas, Mr. Suminski confirmed that there are community spaces within the plan including a business office, three different outdoor decks, a bike center for storage, community spaces and pools. There are also setbacks on Hale Street and Wheaton Street where Egg Harbor would have outdoor seating and the townhomes would have front yard spaces.

Councilwoman Robbins asked for confirmation that the storm water vault would meet the current requirements, to which Director of Engineering Tebrugge confirmed that it would.

Councilwoman Fitch asked if there was consideration to put one of the parking garages underground to decrease the overall height of the building. Mr. Suminski stated that the first parking deck is partially underground and that putting parking decks fully underground would generate significantly higher costs.

In response to Councilwoman Fitch's comment about a lack of greenspace, Banner representatives confirmed there are opportunities for planters up against the face of the building as well as parkway planters. City staff is also suggesting that Banner matches the current streetscape with planters and trees along the block. Councilwoman Fitch asked for clarification of how many trees will be removed if this project is approved. Director of Planning & Economic Development Kozik stated that a tree preservation plan has not been created but there are not many trees that meet the requirements of keeping based on the species and age.

Councilwoman Fitch asked for clarification regarding where certain employees of the leasing office will park their cars, to which Banner Real Estate group stated that most employees of the building will live in the building, so they will be assigned a parking spot, just as tenants of the building are.

Regarding parking for Egg Harbor employees, Mr. Suminski stated employees of Egg Harbor will be able to park inside the parking garage and then have direct access to Egg Harbor from the parking garage. He reiterated that an additional seven curbside parking spaces will also be added for customers.

Councilwoman Fitch requested clarification on the overhanging balcony code as it pertains to residential areas. Director of Planning & Economic Development Kozik stated that it is allowed by the building code.

Regarding the vacation of the public alley, Councilwoman Fitch asked for the square footage of the alley and the fair market value, to which those answers will be provided at a future date once they have been confirmed.

Councilwoman Bray-Parker stated that she was in favor of the setback on Willow Avenue and for the townhomes to have a front lawn, stating that it will add a nice change to the overall structure exterior face.

Councilwoman Bray-Parker requested more information regarding the lighting on the structure. Banner representatives stated light pollution will not occur, and lighting from within the units will be the main source of light, with only low lighting lining the ground level around the building.

Councilwoman Bray-Parker asked for confirmation that the loading dock will not be seen from the street unless a truck is pulling into that area, to which Banner representatives confirmed that it is hidden unless it is actively being opened for a garbage truck, moving van or supply delivery for Egg Harbor.

Councilwoman Bray-Parker asked about landscaping and designing a façade that matches the current area. Mr. Suminski recommended visiting the Flynn in Downtown Elmhurst to get a feel of the size and scope of the project, as it is very similar to what is being proposed in Wheaton.

Councilman Brown stated that a redesign of the façade is recommended to better fit aesthetics of the area.

Mayor Seuss requested recommendations on how to decrease the mass of the building and to increase the setback on Willow Avenue. Banner Real Estate Group stated that there has been conversation regarding the setback which include decreasing the parking garage size and decreasing other spaces within the building to bring the building away from the street.

Mayor Seuss also requested a new color scheme to make the building more compatible with what already exists, suggesting red brick.

Councilwoman Bray-Parker moved, and Councilwoman Robbins seconded a motion to continue the public hearing to June 27, 2022.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Nays: None

Absent: Councilman Barbier

Motion Carried Unanimously

III. Adjournment

Councilwoman Bray-Parker moved, and Councilman Brown seconded a motion of adjournment at 10:20 p.m.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilman Brown
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Nays: None

Absent: Councilman Barbier

Motion Carried Unanimously

Respectfully submitted,

Allison Kaleta