

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

July 14, 2022 – Meeting #42

Chairman Stocking called the meeting of the Geneva Planning and Zoning Commission to order at 7:00 p.m. and read a statement explaining the proceedings for the remote and in-person meeting. Chairman Stocking and City Attorney Ron Sandack also noted that per Federal guidelines the Planning and Zoning Commission is unable to judge based on health concerns and will not consider testimony in regards to radio frequency emissions.

Roll Call:

Present: Chairman Stocking, Commissioners Evans, Mead, Moran, and Slifka
Absent: Commissioners Holoman and Matyskiel
Staff Present: Community Development Director David DeGroot, City Planner Chayton True, City Attorney Ron Sandack, and Assistant Planner Matt Buesing
Also Present: Mr. Ray Shinkle, Mr. Mark Layne, and Mr. Ari Rosenthal on behalf of Verizon Wireless; Planet Depos Court Reporter

Chairman Stocking swore in those individuals who would be speaking on the proposal.

Approval of the Agenda

Motion by Commissioner Mead, second by Commissioner Evans to approve the agenda. Motion carried unanimously by voice vote of 5-0.

Approval of June 9, 2022 Minutes

Motion by Commissioner Moran, second by Commissioner Evans, to approve the June 9, 2022 minutes. Motion carried unanimously by voice vote 5-0.

Public Hearing

A. Verizon Tower at Oscar Swan – Requests for an Amendment to the Blackberry Planned Unit Development (PUD) to allow Wireless Communication Facilities as a Special Use; and a Special Use to erect a 100 ft. concealed wireless communication tower. Location: 1800 W. State Street. Applicant: Tower North / Verizon Wireless.

Planner Chayton True read into the record the contents of the planning file.

Mr. Ray Shinkle with Verizon Wireless introduced his team: Mark Layne, Land Appraiser; Ari Rosenthal, Attorney; Jessie McDaniel, Verizon RF Engineer (joined virtually). Mr. Shinkle proceeded to present a slideshow describing the need for an additional cell tower in the proposed area due to a coverage gap, and he described how the proposed project meets the standards outlined in Geneva's Zoning Ordinance. Pictures from a "balloon test" along with mock drawings of the proposed tower were shown. Mr. Shinkle noted that there is no evidence of a correlation between cell towers and property values.

Chairman Stocking invited commissioner comment. Conversation centered on future tower sites in the City of Geneva, the height of the proposed tower, how Verizon determined there was a lack of service in this area, and what the timeline is until the area experiences complete coverage failure. Director DeGroot clarified for the Commission that per the Zoning Ordinance cell towers don't have to be 100 ft. tall, but, rather, that they can go up to a maximum height of 100 ft. Mr. McDaniel explained that four of the six sectors in the target area are already exhausted and that a 100 ft. tower would help to alleviate the capacity issues. Mr. Shinkle added that the sectors surrounding the subject site are at risk of immediate capacity failure. Mr. McDaniel also noted that Verizon determines coverage issues based on a variety of proprietary metrics that they cannot share with the public.

Chairman Stocking invited in-person comments from the public.

Mr. Chuck Chilicki, 540 Dempsey Place, asked about why this specific location was selected and voiced concerns about decreased property values. He asked how Verizon collected coverage data on Randall Road. Lastly, Mr. Chilicki asked about the impact the tower would have on new residents who may have been unaware of the tower.

Ms. Lisa Haymond, 366 Colonial Circle, asked about previous sites that Verizon looked into for a new tower, and wondered how the proposed site was different from those previous options.

Mike Reitz, 1943 Blackberry Drive, asked about the accuracy of the balloon test and the mockup design pictures from the balloon test.

Don Sprague, 2169 Clover Lane, asked why Verizon would choose a site close to residential properties and voiced concerns about property values.

Jerry Miller, 550 Dempsey Place, stated that he was against amending the PUD. Mr. Miller also noted that the balloon test pictures did not show what the proposed tower would look like in the winter when the surrounding trees lost their leaves.

Lynn McHale, 564 Bradbury Lane, asked if there were any provisions for if the owner of Oscar Swan sold the property.

Tom Negele, 408 Wakefield Lane, voiced concerns about property values.

Fred Eddy, 2266 Blackberry Drive, voiced concerns about property values and what would happen in the future if the proposed tower was approved.

John Martens, 512 Bradbury Lane, asked about additional sites that Verizon was looking at. Chairman Stocking referred to previous applications that came before the Planning and Zoning Commission from Verizon for cell towers.

Chris Perozek, 355 Colonial Circle, asked if there would be any lights on the tower and if the tower made any significant noise.

Chairman Stocking invited virtual comments from the public.

Bruce and Sylvie noted that existing towers in the area are located on undeveloped land. They voiced concerns about property values, and questioned if the proposed tower violated Standard #5 due to its height; they asked if the tower can increase to 120 ft. without a public hearing. Lastly, they noted that the proposed tower location is close to a preschool.

Chairman Stocking invited in-person comments from the public.

Michael Ward, 2022 Wellington Court, questioned the validity of Verizon's data and asked the Commission to request more data from Verizon. Mr. Ward suggested that the City revise its code on cell towers and create a comprehensive map of potential locations for future cell towers.

Bill Nelson, 345 Colonial Circle, noted that the removal of dead or unimportant trees around the subject site could make matters worse. Mr. Nelson asked why the future coverage map shown by Verizon didn't show any improvement to the desired location to the West.

Tom Johnson, 365 Colonial Circle, asked if there was a plan outside of residential areas that addressed the coverage issues at Geneva Commons.

City Planner True recognized Bin Evans of Cityscape.

Mr. Evans stated that the proposed plans for the tower did not include a light, and he recommended adding a condition on the building permit stating that lights could not be added. Mr. Evans added that the monopine tower design can be more densely covered in branches. Lastly, Mr. Evans recommended adding a permit condition stating that the tower cannot exceed a height of 100 ft.

Chairman Stocking invited in-person comments from the public.

Jeanie McGowan, 227 N. Cambridge Drive, noted that a correction needed to be made on the agenda because the balloon went down at 10:48 a.m. but the agenda states it was up until 11:00 a.m.

Chairman Stocking invited virtual comments.

Emily M. stated that her daughter attends the nearby preschool and she is worried about the proposed tower being so close to the school. She asked if they can notify the parents of children who attend the school.

Chairman Stocking invited in-person comments from the public.

David Carey, 353 Colonial Circle, noted maintenance issues with the Oscar Swan site and has concerns about the maintenance of the tower. Mr. Carey asked about locating the tower closer to the industrial site to the West or in Geneva Commons. Lastly, Mr. Carey asked if Verizon would add additional branches to the monopine tower.

Fran Fatta, 2019 Wellington Court, asked for clarification on a point made by the applicant, Ray Shinkle.

Bridget Siligmueller, 532 Dempsey Place, stated that she just recently purchased a house near the subject site, but noted that she wouldn't have purchased said house if she knew about the tower.

In response to the public comment, Mr. Shinkle stated that the proposed subject site is zoned B-1 and is not located in a residentially zoned district; the crane used for the balloon test did not come down until the required time, however, the balloon popped before the crane came down. Mr. Shinkle addressed the discussion about reduced property values and noted that this is merely speculation. Lastly, he confirmed that the tower will not have a light and that the noise from the tower meets the code requirements.

Commissioner Mead asked about the leasing structure of the tower and if there would be any provisions to remove the tower if the main tenant were to leave. Mr. Shinkle stated that Tower North would be leasing the space to Verizon (other carriers would be subtenants). City Planner True added

that there is also a provision in the City Zoning Ordinance that addresses taking down the tower under certain circumstances.

Commissioners addressed Mr. Layne in regards to concerns about property values. Mr. Layne confirmed that he is a certified appraiser in the state of Illinois. He stated that he has never found evidence that shows that cell towers have any impact, positive or negative, on property values.

Commissioner Evans asked Staff if they have looked into alternative sites for the tower. Director DeGroot stated that they do not have data on where cell towers are needed and, therefore, have not looked into any alternative sites. Commissioner Evans asked Staff if they spoke with Emergency Services about potential issues if the tower doesn't go up. City Planner True stated that he did not receive any comments from Fire or PD during the review process. Commissioner Evans asked if Verizon could survey residents about coverage issues. Mr. Shinkle noted that this would not be something that Verizon would be able to do.

Commissioner Mead asked the applicant if Verizon could provide basic sets of data. Mr. Rosenthal responded by stating that Verizon is not able to share proprietary data with the public.

Commissioner Slifka asked who is responsible for the maintenance of the existing trees around the site. Mr. Shinkle said that Verizon would not be responsible for existing trees, but Verizon would be responsible for any new trees they put in. Director DeGroot added that there are additional requirements in the City's Tree Preservation Plan.

Motion by Commissioner Evans, second by Commissioner Moran to close the public hearing. Roll call:

Aye: Evans, Mead, Moran, Slifka, Stocking

Nay: None

MOTION PASSED. VOTE: 5-0

Motion by Commissioner Moran, second by Commissioner Mead to approve an Amendment to the Blackberry Planned Unit Development (PUD) to allow Wireless Communication Facilities as a Special Use on Parcels 2 and 3.

Roll call:

Aye: None

Nay: Evans, Mead, Moran, Slifka, Stocking

MOTION FAILS. VOTE: 5-0

Motion by Commissioner Mead, second by Evans to approve a Special Use to erect a 100 ft. concealed wireless communication tower at 1800 W. State Street, in accordance with Section 11-3-12 (Wireless Communication Facilities) and Section 11-14-4 (Special Use Permits) of the Geneva Zoning Ordinance and subject to the Findings of Fact in the Staff Report and the following conditions:

1. The tower shall not exceed a maximum height of 100 ft.

2. The tower shall not include a light.

3. The density of the monopine design shall be approved by City Staff before approval.

Roll call:

Aye: None

Nay: Evans, Mead, Moran, Slifka, Stocking

MOTION FAILS. VOTE: 5-0

Per staff, the above recommendation will tentatively go before City Council on either August 1, 2022 or August 8, 2022 at 7:00 p.m. in the Council chambers.

Public Comment - None.

Other Business

Planner True confirmed the commission will have a meeting on July 28, 2022 with one item for review. 1258 Meadows Road is asking for two variations for three driveway access points and lot coverage in regards to the addition of a second driveway with two access points. Additional applications submitted to the City are not ready for public hearing yet. Staff confirmed the variation at 427 Fulton St was approved as submitted by City Council, and the Even Flow sign variation will go before the City Council on July 18, 2022.

Adjournment

A motion was made by Commissioner Evans to adjourn the meeting at 10:35 p.m. Motion carried unanimously by voice vote of 5-0.