

PLANNING & ZONING COMMISSION

**City Council Chambers
651 Prairie Pointe Drive, Yorkville, IL
Wednesday, July 9, 2025 7:00pm**

Meeting Called to Order

Chairman Richard Vinyard called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call

Ryan Forristall-yes, Michael Crouch-yes, Chad Green-yes, Marge Linnane-yes, Richard Vinyard-yes

Absent: Danny Williams, Seaver Tarulis

City Staff

Bart Olson, City Administrator
Krysti Barksdale-Noble, Community Development Director
Sara Mendez, Planner I
David Hansen, Senior Planner
Kathleen Field Orr, City Attorney
Lynn Dubajic Kellogg, City Consultant
Katelyn Gregory, Community Engagement & Marketing Coordinator
Brad Sanderson, City Engineer
John Burner, Administrative Intern
Alexandria Sandoval, Intern

Other Guests

Chris Vitosh, Vitosh Reporting Service	Dave Silverman/Mahoney, Silverman & Cross
Dale Konicek	Mike Konicek
Larry's I-pad, via Zoom	Jen Rakas, via Zoom
Shannon Westberg	Nathan Sevener, via Zoom
Sean R., via Zoom	Gary Koons, via Zoom
Bernie Weiler/Cardinal/Mickey, Wilson	John P. Bryan, Legacy Farms
Matt McCarron, Pioneer Development	Debra Baumgartner, via Zoom
Keith Landovitz	Dan Kramer, Attorney
Clayton Marker	Tom DeCarlo, KEOIL, LLC
Kitty Moore	Grant Wilson, Mahoney, Silverman & Cross
Christine Anderson, Prairie Meadows	Ethan Kruser, WSPY News
Patrick Winninger, Fox Haven	Brook Jadczyk, Bristol Bay
Carl J. Jadczyk, Bristol Bay	

Previous Meeting Minutes June 11, 2025

Motion by Mr. Crouch and second by Mr. Green to approve the minutes as presented. Roll call: Forristall-yes, Crouch-yes, Green-yes, Vinyard-yes, Linnane-yes. Carried 5-0

Citizen's Comments None

Amendment to Agenda:

Chairman Vinyard made a motion to move New Business items #2 and #3 after Citizen Comments and Mr. Forristall seconded. Roll call: Green-yes, Linnane-yes, Vinyard-yes, Forristall-yes, Crouch-yes. Carried 5-0.

New Business: out of sequence)

2. **PZC 2025-10 Greg Marker, on behalf of Marker, Inc. and Heartland Meadows West, LLC**, contract purchaser, with the United City of Yorkville, property owner, is requesting Final Plat approval for an approximately 8.3-acre site. The proposed development consists of 20 single-family residential lots intended for an active adult community, along with 4 commercial outlots. The property is zoned R-2 Single-Family Traditional Residence District and B-3 General Business District and is located on Blackberry Shore Lane between Northland Lane and Cannonball Trail.

Ms. Mendez said Final Plat approval is being requested for the 8.3 acre site which consists of 20 single-family lots and 4 commercial lots. She said the development reflects the approved amendment to the Kendall Marketplace PUD including the preliminary subdivision plat and the final PUD plat. An updated Final Plat was submitted based on engineering comments and they are in compliance with subdivision control ordinance standards. Upon approval, staff will establish a dormant Special Service Area. The final vote will be taken on July 22nd at City Council. Attorney Daniel Kramer was present on behalf of Marker, Inc. He said this parcel is in the Kendall Marketplace and he recalled that originally the city was going to construct a city building here. It was decided to not place a building here, the property was put up for bid and Marker, Inc. was the only bidder.

Action Item

Final Plat

There was no discussion by the Commissioners and a motion was made by Ms. Linnane and seconded by Mr. Green to approve the petition PZC 2025-10 Heartland Meadows West. Motion read by Mr. Vinyard as follows: In consideration of the proposed Final Plat of Subdivision of Heartland Meadows West, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner in plans prepared by Tebrugge Engineering dated last revised 6-30-25, subject to review comments provided by the City's engineering consultant, EEI, Inc., dated June 4, 2025 and June 9, 2025.

Roll call: Linnane-yes, Vinyard-yes, Forristall-yes, Crouch-yes, Green-yes. Carried 5-0.

3. **PZC 2025-11 Patrick Winninger, on behalf of 1115, LLC**, petitioner, has filed an application with the United City of Yorkville Kendall County, Illinois, requesting Final Plat approval for Fox Haven Subdivision, which consists of two (2) parcels. Parcel 1 consists of 17 residential buildings totaling 105 townhome units on 13.161 acres and is zoned R-4 General Multi-Family Residence District. Parcel 2 consists of 1.017 acres and is zoned B-3 General Business District for a future commercial development. The entire 14.178-acre site is located at 1115 South Bridge Street.

Senior Planner David Hansen presented the details for this petition for Final Plat approval. He reported the acreage and the number of buildings and townhomes for the first parcel and also described the second parcel. He said there are two PUD-related items for the final plat--cross access easements and appearance standards. An engineering review was also completed. Upon approval, the city will establish a dormant SSA. He said a final vote will be taken at City Council on July 22nd.

Action Item

Final Plat

There were no comments from Commissioners and a motion was made and seconded by Commissioners Crouch and Forristall, respectively, to approve the petition PZC 2025-11, Fox Haven - 1115, LLC. Motion was read by Chairman Vinyard as follows: The Planning and Zoning Commission recommends approval to the City Council of the Final Plat of Subdivision of Fox Haven, dated last revised 6-17-2025 and prepared by Spaceco Civil Engineering and Surveying, subject to review comments prepared by the City's engineering consultant, EEI, Inc., in a letter dated June 16, 2025 and any subsequent reviews related to said Final Plat of Subdivision.

Roll call: Vinyard-yes, Forristall-yes, Crouch-yes, Green-yes, Linnane-yes. Carried 5-0.

(return to regular order of agenda)

Public Hearings

Chairman Vinyard stated there was one Public Hearing for this meeting, PZC 2025-08 Pioneer Development, LLC which was continued from the June 11, 2025 PZC meeting. He swore in those who would speak.

Bart Olson: Data Center Overview/Question & Answer

Prior to opening the Public Hearings, City Administrator Bart Olson presented an overview of rising demand for data centers and why they want to come to Yorkville. He said a data center is a computer warehouse and businesses are renting space for cloud storage and artificial intelligence storage. The buildings represent millions of square feet. Companies desire to come to Yorkville because of nearby electric sub-stations and available land. Wind power is also used. Very high tax revenue is generated with minimal impact by not adding students in the schools. Mr. Olson listed all the interested, pending or approved projects. He said the earliest vote for Project Cardinal would be July 22nd or possibly in August at City Council.

Mr. Olson said electrical utility taxes will also be generated and as much as \$7.3 million could be generated annually per building. Property tax is also paid. He detailed the sizeable amount of tax generated by the Meta data centers in DeKalb and he noted the amount of square feet in Yorkville would be even larger. Due to the high taxes generated, a reduction in fees or property taxes for residents is a possibility.

He said there is a 20-year buildout at 2 years per building. City staff did due diligence prior to engaging with data center builders. A sound engineering firm has been hired to do noise studies and how to orient buildings for minimal sound impacts. He discussed building height restrictions, landscape buffers and water use. He said the city has asked all developers to use only air-cooled chillers or water cooled chillers with a closed loop system in order to conserve water. He noted that these data centers would use less water than a subdivision would use on the same property.

The city asked the developers to start construction farthest from residential. He said developers would be required to pay in advance for certain infrastructure items including roads. In general, Mr. Olson said ComEd is requiring the data centers, rather than residents, to pay for most of the system upgrades.

Public Hearing process cont.

Chairman Vinyard read rules of decorum, giving of testimony and comments for the Public Hearings. He explained the procedure that would be followed.

Mr. Vinyard entertained a motion to open the Hearings. At approximately 7:39pm a motion was made and seconded by Mr. Green and Ms. Linnane, respectively, to open the Public Hearings. Roll call: Forristall-yes, Crouch-yes, Green-yes, Linanne-yes, Vinyard-yes. Carried 5-0.

- 1. CONTINUED PZC 2025-08 Pioneer Development, LLC**, as the petitioner and contract purchaser, along with multiple property owners, has submitted applications to the United City of Yorkville In Kendall County, Illinois, seeking rezoning, special use authorization for a Planned Unit Development (PUD), and preliminary PUD Plan approval for approximately 1,037 acres across 20 parcels. The proposal involves rezoning the land from various residential and business districts to M-2 General Manufacturing District to facilitate the development of a state-of-the-art data center campus. This project would include 14 data center buildings totaling over 17 million square feet, two electrical substations, a utility switch yard and storm water detention basins. The applicants are also requesting several deviations from the Yorkville Unified Development Ordinance (UDO) related to setbacks, parking, circulation and design standards. The property is located northwest of Route 47 and Galena Road, south of Baseline Road and east of Ashe Road.

(See Court Reporter's transcript of Public Hearings)

(Petitioner's Standards & Responses to be included in the Official Record)

(E-mail from Lawrence & Deborah Wickter to also be included in official record)

After all testimony and comments were heard in the Public Hearing, a motion was made by Mr. Crouch and seconded by Ms. Linnane at 9:12pm to close the Public Hearings.

Roll call: Forristall-yes, Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes. Carried 5-0.

Unfinished Business None

New Business

1. PZC 2025-08 Pioneer Development, LLC (see full description above)

Ms. Noble gave a summary of the Pioneer Development and their requests. She said she would address items not discussed by Mr. Olson or Mr. McCarron and staff recommendations pertaining to items that were discussed tonight. She said 70% (736) of the acres were part of a previous residential development that would have added 1,600 single family and multi-family units. One of the PUD's is still active and with adoption of this plan, that existing PUD would be nullified. With proposed rezoning to M-2, 7 parcels would come in as R-1 under annexation and then be rezoned to M-2. The other parcels in the present corporate boundaries would also be rezoned to M-2.

Ms. Noble said there are 4 parcels not in the annexation petition and not discussed tonight and would then bring the total to 1,050 acres. Two are unincorporated residential parcels on the south side of Baseline Rd. and two are sliver parcels along Rt. 47. The petitioners are currently negotiating with the owners, but no buildings would be constructed there.

There is a 17-acre parcel south of Galena Rd. which could be used for water storage. The PUD includes a request for 13 deviations and the PUD allows some flexibility. The UDO requires that one standard be met to meet PUD standards—this development meets 2: regional utility improvements/water & sanitary services and funding for construction for public roadways. The developer has included all of the new standards just adopted by the city.

Fencing, security measures, vehicle access inside, transition zones and residential protection zones with height mitigation were noted. Ms. Noble said M-2 zoning does not have a maximum height, but the petitioner has been requested to not exceed a maximum of 70 feet within a 15 foot radius of an existing residential structure. The petitioner will only ask for relief from that requirement where necessary for noise mitigation. The Preliminary Plan has 3 access points, 2 off Galena and 1 off Baseline plus emergency access points.

Parking spots needed by the developer (3,700) are far less than required by the code (5,200). Staff is also asking for 104 electric charging stations. The developer can also provide a “fee in lieu of” to provide chargers for the downtown or other public facilities.

Staff is requesting a traffic management plan for construction and a full traffic study. The developer is proposing a 100 foot wide landscape buffer. They are also asking for a deviation from pedestrian circulation and staff has asked for walkways and bike trails around the project circumference. The developer will pay for all aspects of a 10-foot wide trail for the public. An 8-foot undulating berm will also be installed. Interior landscaping, mechanical screening, rooftop mechanicals, acoustical barriers, appearance standards, street improvements and a 10-foot fence were also discussed.

Ms. Noble made final recommendations based on staff research of other communities which have data centers. No nuclear energy will be allowed, a complete final noise study is required, limitations on testing hours/days for backup generators, emergency operations plan for fire suppression and other related items and working with KenCom for training and contact lists. Also recommended is battery storage outside of buildings.

The Comprehensive Plan showed estate conservation residential and parks open space. This plan was done in 2016 and with a 10-year shelf life, the updating process will begin soon.

There will be agreements for infrastructure and offset funding in addition to agreements for water and sanitary sewer.

Due to the scope and size of the project, staff requires the developer to reach out to affected HOA's and property owners. The petitioner met with unincorporated parcel owners and also the Bristol Bay residents.

Discussion by Commissioners

The Commissioners had a brief discussion. Mr. Forristall asked how far back the rooftop equipment sits on the roof. Mr. Koons will provide a detailed sketch. Mr. Crouch commented that the phasing of construction seems to be an important issue and in order to be a good neighbor, he asked the developer to consider starting the construction from the center. He said right now, the first scheduled buildings are the ones nearest the residents and they will be impacted.

REZONING:

Ms. Noble read the standards for rezoning and the Commissioners agreed with the findings.

Action Item

Rezoning

Chairman Vinyard asked for a motion to approve PZC 2025-08 Project Cardinal. Moved by Mr. Crouch and seconded by Mr. Forristall to approve this petition. Motion read by Mr. Vinyard as follows: In consideration of testimony presented during a Public Hearing on July 9, 2025 and

discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from R-1 Single-Family Suburban Residential District, R-2 Single-Family Traditional Residence District, R-3 Multi-Family Attached Residence District, and B-3 General Business District to M-2 General Manufacturing District for Project Cardinal, a proposed future data center campus, generally located northwest of Route 47 and Galena Road, south of Baseline Road, and east of Ashe Road totaling approximately 1,037 acres. Roll call: Forristall-yes, Crouch-yes, Green-yes, Vinyard-yes, Linnane-yes. Carried 5-0.

SPECIAL USE

Ms. Noble then read the standards for the Special Use and the Commissioners agreed with the findings with one exception. Commissioner Green commented that he did not agree that the residents on Ashe Rd. will see increased property values and other Commissioners concurred.

Action Item

Special Use

Chairman Vinyard entertained a motion for approval of 2025-08 Project Cardinal Special Use for Planned Unit Development. So moved and seconded by Commissioners Linnane and Crouch, respectively. Motion read by Chairman Vinyard as follows: In consideration of testimony presented during a Public Hearing on July 9, 2025 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization of a Planned Unit Development for Project Cardinal, a data center campus, to be generally located northwest of Route 47 and Galena Road, south of Baseline Road and east of Ashe Road totaling approximately 1,037 acres, subject to the conditions enumerated in a staff memorandum dated July 3, 2025.

Roll call: Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes, Forristall-yes Carried 5-0.

PRELIMINARY PUD PLAN

Action Item

Preliminary PUD Plan

Motion by Ms. Linnane and second by Mr. Crouch to approve PZC 2025-08 Project Cardinal Preliminary PUD Plan. Motion read by Chairman Vinyard as follows: The Planning and Zoning Commission recommends approval to the City Council of the Project Cardinal – Preliminary PUD Site Plan prepared by Burns McDonnell, Margulies Hoelzli Architecture and O² and dated 6-20-25.

Roll call: Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes, Forristall-yes. Carried 5-0.

Additional Business

Ms. Alexandria Sandoval presented the following information.

1. City Council Action Updates

a. PZC 2025-05 Amendment for Energy Industrial Use Standards/UDO

Approved by City Council

b. PZC 2024-09 Daniel Gorman on Behalf of USA Energy Independence

Special Use Permit for solar energy facility – Council did not object to project for 1.5 Mile Review

Adjournment

There was no further business and the meeting was adjourned at 10:04pm on a motion by Mr. Crouch and second by Ms. Linnane. Unanimous voice vote approval.

Respectfully submitted by Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

651 Prairie Pointe Drive
Yorkville, Illinois

Wednesday, July 9, 2025
7:00 p.m.

1 PRESENT:

2 Mr. Rich Vinyard, Chairman,
3 Mr. Ryan Forristall, Commissioner,
4 Ms. Marge Linnane, Commissioner,
5 Mr. Michael Crouch, Commissioner,
6 Mr. Chad Green, Commissioner.

7
8 ALSO PRESENT:

9 Mr. Bart Olson, City Administrator;
10 Ms. Krysti Barksdale-Noble, Community
11 Development Director;
12 Ms. Sara Mendez, Senior Planner;
13 Mr. David Hansen, Senior Planner;
14 Ms. Lynn Dubajic Kellogg, City
15 Consultant;
16 Ms. Katelyn Gregory, Community
17 Engagement & Marketing Coordinator;
18 Mr. Brad Sanderson, City Engineer;
19 Mr. John Burner, Administrative Intern;
20 Ms. Alexandria Sandoval, Intern;
21 Ms. Marlys Young, Minute Taker.

1 APPEARANCES:

2 OTTOSEN, DiNOLFO, HASENBALG & CASTALDO,
3 LTD.

4 BY: MS. KATHLEEN FIELD ORR
5 1804 North Naper Boulevard, Suite 350
6 Naperville, Illinois 60563
7 (630) 682-0085

8 appeared on behalf of the United City of
9 Yorkville;

10 MAHONEY, SILVERMAN & CROSS, LLC

11 BY: MR. DAVID J. SILVERMAN
12 822 Infantry Drive, Suite 100
13 Joliet, Illinois 60435
14 (815) 730-9500

15 appeared on behalf of the Project
16 Cardinal Development Company.

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I N D E X

WITNESS:	PAGE
MATT McCARRON	9
BERNIE WEILER	38
JOHN P. BRYAN	46
KEITH LANDOVITZ	65
DEBRA BAUMGARTNER	72

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(WHEREUPON, the following
proceedings were had in
public hearing, commencing
at 7:11 p.m. as follows:)

CHAIRMAN VINYARD: There is one public
hearing scheduled for tonight's Planning and
Zoning Commission meeting, PZC 2025-08, Pioneer
Development, LLC, which has been continued from
the June 11th, 2025 meeting.

The purpose of these hearings is to
invite testimony from members of the public
regarding the proposed requests that is -- that
are being considered before the Commission
tonight.

Public testimony from persons
present who wish to speak for -- may be for or
against the request, or to ask questions of the
petitioners regarding items being heard.

Once all public hearings on
tonight's agenda are closed, the Commission will
deliberate and we will vote on recommendations to
the City Council for each of the matters that was
subject of tonight's hearing.

Those persons wishing to testify are

1 asked to speak clearly, one at a time, and state
2 your name, who you represent. You are also asked
3 to sign in at the podium.

4 If you plan to speak during
5 tonight's public hearing as a petitioner or as a
6 member of the public, please stand, raise your
7 right hand and repeat after me.

8 (Witnesses sworn.)

9 CHAIRMAN VINYARD: Please be seated.
10 All right. Before we open public hearing, City
11 Administrator Bart Olson would like to give a
12 brief overview of data center developments.

13 (A discussion was had which was not
14 in public hearing and not
15 reported.)

16 ** ** ** **

17 CHAIRMAN VINYARD: Now I'd like to
18 review a few rules to ensure an orderly and
19 productive hearing. When speaking, please make
20 comments focused on the matter at hand. Avoid
21 personal attacks, unrelated topics or repeating
22 points already made.

23 As Chairman, I may limit repetitive
24 remarks or redirect speakers to stay on topic.

1 Any member of the public who repeatedly disrupts
2 or interrupts any of tonight's public hearing may
3 be asked to leave the chambers.

4 We ask that audience members remain
5 silent during tonight's hearing unless they are
6 speaking at the podium. The court reporter must
7 record tonight's testimony, and cooperation from
8 the audience will make her job easier and the
9 transcripts of those hearings more accurate.

10 Commission members may ask
11 clarifying questions at any time, and the public
12 may direct relevant questions to the petitioner
13 either through me or via cross-examination.
14 Likewise, a petitioner may respond to public
15 comments and ask for clarifying questions of
16 public speakers.

17 Once all public comments have been
18 heard, I will formally close the public comment
19 period, after which the Commission will
20 deliberate and vote. Thanks for your cooperation
21 and your participation.

22 Tonight the order for receiving
23 testimony will be as follows: We will start off
24 with the petitioner's presentation, followed by

1 those who wish to speak -- wish to speak in favor
2 or in opposition of the request.

3 May I have a motion to open the
4 public hearing on petition PZC 2025-08, Pioneer
5 Development, LLC?

6 COMMISSIONER GREEN: So moved.

7 COMMISSIONER LINNANE: Second.

8 CHAIRMAN VINYARD: Roll call vote on the
9 motion, please.

10 MS. YOUNG: Yes. Forristall.

11 COMMISSIONER FORRISTALL: Yes.

12 MS. YOUNG: Crouch.

13 COMMISSIONER CROUCH: Yes.

14 MS. YOUNG: Green.

15 COMMISSIONER GREEN: Yes.

16 MS. YOUNG: Linnane.

17 COMMISSIONER LINNANE: Yes.

18 MS. YOUNG: And Vinyard.

19 CHAIRMAN VINYARD: Yes.

20 Is the petitioner present and
21 prepared to make its presentation of the proposed
22 request?

23 MR. McCARRON: Yes.

24 CHAIRMAN VINYARD: Please.

1 MATT McCARRON,
2 having been first duly sworn, testified before
3 the Planning and Zoning Commission as follows:

4 MR. McCARRON: Hi. My name is Matt
5 McCarron. I am here tonight representing Pioneer
6 Development, who is a lead sponsor of Project
7 Cardinal, and we also have our project manager
8 from Burns & McDonnell who has dialed in, Gary
9 Koons, and our zoning attorney, Dave Silverman,
10 as well.

11 Additionally, for people that don't
12 know this, Burns & McDonnell is our engineer of
13 record, MHA is doing the design work, along with
14 O2 Landscaping Work, and all of these are
15 national leaders in mission critical
16 infrastructure and large-scale data center campus
17 delivery.

18 Additionally, we are working on the
19 utility interconnection and vertical development
20 strategy, there being an advance in direct
21 coordination with the national EPC contractor,
22 nationally recognized development firm and
23 investor and a nationally recognized data center
24 operator, each with a track record of delivering

1 some of the largest developments in North
2 America.

3 The project itself is fully
4 privately funded. There will be no city or
5 taxpayer exposure at any stage of the project.

6 Tonight we're going to be requesting
7 annexation for seven parcels and two rezoning, a
8 special use PUD and preliminary plan approval for
9 our approximately 1,050-acre data center campus,
10 and then full entitlement and technical due
11 diligence is in the process of being completed.

12 Most of it has been done, and we
13 have been working in direct cooperation with City
14 staff for about a year now. Next slide, please.
15 Go to the next slide. I'm sorry, back one.

16 So the site itself is, again,
17 approximately 1,050 acres. It's in the northwest
18 corner of Yorkville on the border of Sugar Grove.

19 It's positioned in a very low
20 traffic area, which we think is ideal because it
21 can be buffered from the rest of the city. The
22 location was selected in direct coordination with
23 the city infrastructure and growth objectives.

24 At full build-out over the next

1 decade, the campus will support approximately 14
2 two-story data center buildings delivered in
3 phases.

4 It will not be a speculative or
5 short-term industrial park. Every phase is
6 strictly demand driven, no building will be
7 constructed without a committed user in place,
8 and all investment risk is fully private.

9 Our approach is long-term, measured
10 and fully aligned with Yorkville's strategic plan
11 for growth. Again, there will be no public cost
12 or public risk at any stage of the project. Next
13 slide, please.

14 Here is a high-level overview of the
15 site. So as you can see, it's bordered by Base
16 Line, Illinois 47, Galena and Ashe Road. We are
17 envisioning, again, 14 buildings over roughly a
18 ten-year build-out schedule. And next slide,
19 please.

20 So, again, as I mentioned earlier,
21 we are seeking four formal approvals, annexation
22 of seven parcels, approximately 305 acres that
23 are unincorporated currently, bringing the entire
24 1,050-acre site into Yorkville under a binding

1 agreement that spells out every condition and
2 safeguard as an enforceable contract.

3 We'd like to rezone every parcel to
4 M-2, general manufacturing. This is the only
5 district that allows a data center campus and
6 substations by right, which is what we require,
7 and it directly supports the City's corridor
8 vision for this area.

9 We are also looking for a special
10 use PUD overlay so we can create a unified master
11 plan for the entire campus. This would allow for
12 13 targeted, and what we believe are justified
13 deviations, some of which include multiple
14 buildings per lot, private internal roads and
15 custom internal setbacks.

16 All of these are tied to enhancing,
17 buffering and operational needs as we will get to
18 further in the presentation.

19 And, finally, preliminary PUD plan
20 approval. We need to lock in the full site
21 layout, 14 buildings on pads, two substations,
22 one utility switchyard, stormwater basins, berm
23 work and buffers, and, again, these would be
24 phased in approximately over a decade.

1 Final engineering for each phase
2 would return to the City staff before any final
3 permits are issued.

4 And then all approvals and
5 mitigations are binding and enforced through the
6 annexation agreement and PUD agreement that we
7 are currently negotiating.

8 These four approvals would enable
9 the project and every buffer and operational
10 safeguard and public benefit for that matter to
11 be locked in.

12 Phasing, enforcement and public
13 protection are going to be fully built into this
14 process from day one. Next slide, please.

15 So we are seeking to do a phased
16 build-out. The campus itself would be developed
17 in three major phases over approximately a
18 decade. Each phase starts only when actual user
19 demand is confirmed. There is no speculative or
20 all-at-once construction.

21 Every building or group is matched
22 to a committed requirement and all capital at
23 risk is private.

24 There would be orderly and

1 predictable construction. Berms and buffer
2 plantings are installed and maturing long before
3 any construction on any shell approaches a
4 property line. That gives years for neighbors
5 and the City to adapt to the project.

6 There will be no abrupt surges or
7 sudden changes in our plan.

8 Dust and noise mitigation measures
9 will be implemented during construction, and all
10 construction hours will supply with City code.

11 The sequencing. So after initial
12 earth work is completed, there will be in-depth
13 landscaping, and then the first focus will be on
14 core power and utility infrastructure before the
15 buildings expand outward. No shell will be built
16 before landscape buffers are fully established as
17 well.

18 All access through the site will be
19 either through Galena or Base Line, never through
20 neighborhood streets, and any needed road or
21 intersection improvements, whether it be turn
22 lanes, signals or widening, are paid for by the
23 project and coordinated with the City and city
24 engineers.

1 The site itself is much more low
2 traffic than typical industrial developments.
3 Once operational, there is very minimal daily
4 traffic and far fewer trips than a logistics
5 warehouse.

6 There will be no truck fleets, there
7 is no commuter peaks, and all parking and
8 circulation is internal to the project, so there
9 will be no risk of backups or spillover onto the
10 local streets.

11 Right now we are working on the
12 utility entitlement with ComEd and PJM. All
13 phasing and construction is fully coordinated
14 with those utility entitlements.

15 This is really the main gain factor
16 for the project outside of the approval that we
17 are seeking tonight, and we are working closely,
18 again, with ComEd and technical partners to
19 secure the necessary approvals and needed
20 infrastructure capacity.

21 No building will go forward until we
22 have the utility entitlement and a contractually
23 binding agreement. And why this matters, so this
24 is standard practice for data center campuses,

1 but really it protects both the City here and
2 developer. There is, again, no speculative or
3 unfinished buildings, and all growth is tied
4 directly to confirmed utility delivery from
5 ComEd.

6 So, again, so all core
7 infrastructure, power, substations, roads, water,
8 it's all going to be engineered and privately
9 funded from day one. There will be no public
10 funding and no city risk at any stage, and we are
11 hoping that this is going to enable measured,
12 stable growth, and alongside the full buffer of
13 protection that we are going to be installing,
14 it's going to be a lasting benefit to both the
15 site and the community. Next slide, please.

16 So here is a preliminary phasing
17 rendering. So we first start with the
18 landscaping, dirt work and berm work, and then
19 focus on Phase 1, which is closest to the west
20 side of the property, before focusing on Phase 2
21 that's on the southeast corner before tackling
22 the last phase to the north.

23 All of this is pending potential
24 adjustment, but this is what we are targeting at

1 present. Next slide, please.

2 So our campus, compared to some of
3 the other developments in Yorkville and the other
4 communities near here, are going to have
5 extraordinary setbacks.

6 Every building is set back at least
7 500 feet from the nearest property line, with
8 most setbacks ranging from 1,000 to 1500 feet.

9 These distances are multiples above
10 City code and well beyond standards for data
11 center campuses. This separation ensures that no
12 structure is ever close to a home, school or
13 existing business, and it's the strongest
14 physical buffer that we can provide.

15 The entire perimeter will be ringed
16 with engineered berms and buffering where
17 appropriate that are undulating and six to
18 eight feet high alongside a 100-foot wide
19 landscaped buffer that will be densely planted
20 with native trees, grasses and wildflowers.
21 These landscaping adjustments block direct sight
22 lines, absorb sound and create a thick, natural
23 green belt.

24 In sensitive locations as well,

1 although our sound study just came back, and we
2 will get to that in a minute, we can add a third
3 layer of sound walls behind berms and trees if
4 needed.

5 Wide greenbelts, stormwater basins
6 and the berm land safe system will permanently
7 separate buildings from adjacent areas in the
8 community. These features are installed and
9 matured before any construction nears the edges.

10 The buildings themselves, so all
11 buildings are going to be two commercial stories.
12 The roof lines are at 55 feet. We are going to
13 be asking for a variance for 78 feet so we can
14 screen mechanicals on the rooftops so there can
15 be less noise pollution.

16 All rooftop equipment will be fully
17 concealed behind parapets or never exposed or
18 building edges. These structures are lower and
19 more visually recessive than most comparable
20 industrial developments.

21 Architecturally everything is
22 intentionally subdued. There is neutral tones,
23 there is non-reflective materials, there is
24 vegetative screening wherever possible. Again,

1 all rooftop equipment is screened.

2 The goal basically is to eliminate
3 any massing effect. Combined with the dense
4 landscape buffer, the campus essentially
5 disappears into the greenbelt as the plantings
6 mature over the next few years, and neighbors and
7 passersby will see green, not buildings.

8 Initially we weren't envisioning
9 planting trees on the interior of the project
10 given we were going to be building out a buffer,
11 but we have made an adjustment based on City
12 feedback and we are now going to be planting more
13 than 4600 new trees across the campus.

14 We think this is going to be a
15 significant ecological and visual transformation
16 at the City's edge given there is about 12 trees
17 on a thousand acres currently.

18 We will have a new public trail that
19 will run along the campus perimeter. It will be
20 fully separated from the data center operations
21 and buffered by landscaping.

22 The trail is going to be coordinated
23 with the City and park staff and it will be a
24 permanent amenity for recreation and connectivity

1 around the site.

2 So, in summary, the setbacks,
3 greenbelts, berm work, visual screening, combined
4 with low, unobtrusive architecture compared to
5 some other data center campuses, ensure that the
6 campus is as visually and acoustically
7 unobtrusive as technically possible.

8 At full maturity, neighbors will see
9 and hear virtually nothing, and we think this is
10 going to set a high standard -- a higher standard
11 and code and raise the bar for community
12 sensitive commercial development. Next slide,
13 please.

14 So here is a cut-out of what one of
15 the buildings could potentially look like, and as
16 you can see, it's kind of hard for the scale
17 here, but it's 55 feet tall, there is a lot of
18 glazing and metal work that make it, you know,
19 not like a monotonous concrete structure. And
20 the next slide, please.

21 So here is a cut-away of what the
22 site will look like or what one of the buildings
23 will look like from the parking lot level if you
24 are on-site, even though the site will be secure

1 and closed off.

2 So as you can see, even though we
3 are asking for a variance of up to 78 feet for
4 mechanical equipment, you cannot see that from
5 the parking lot level, even when you are, you
6 know, less than 100 feet away from the building
7 itself. Next slide, please.

8 Here is our updated landscape plan.
9 So as you can see, there is a lot more trees here
10 than there was in prior plans, so there is
11 roughly 987 conifers and 3600 deciduous trees and
12 about 18 different varieties across the site.
13 Next slide, please.

14 Here is a cut-out of what one of the
15 parking lots will look like that's adjacent to
16 the actual data center shell. As you can see,
17 there will be multiple trees and it will
18 basically be blending in with the surroundings
19 and create a buffer as well for anyone that has a
20 sight line to the actual data center shell. And
21 next slide, please.

22 Here is an image from what it looks
23 like from Route 47 from what someone walking on
24 to the to-be-installed trail would see, so

1 basically they will be looking directly into
2 landscaped berm work with natural prairie
3 vegetation, and there is trees on top of that.

4 Again, the actual buffer itself is
5 about 100 feet wide, and then the top height in
6 that rendering is 100 feet. We are going to be
7 hitting 55 feet, so it's going to be nowhere near
8 there, so really the tree lines, once the
9 landscape is more fully matured, will be blocking
10 out almost everything. Next slide, please.

11 So all campus lighting is engineered
12 to exceed dark sky standards. There will be no
13 light pole that exceeds 35 feet, and every
14 fixture is fully shielded and downward directed.
15 The light source is never visible from outside
16 the property.

17 All exterior lighting uses modern
18 LED fixtures with full cut-off shields. There
19 will be no flood lights, no high mast fixtures,
20 and no light pollution spill-over into
21 neighboring properties.

22 There will be zero upward facing
23 lightings, no sky beam effects, no decorative or
24 advertising lighting, no rooftop lighting except

1 for required FAA beacons, which are low
2 intensity, red and not visible except directly
3 overhead, and every window and entry lighting
4 will be shielded to prevent any off-site glare.

5 The campus itself will have smart
6 control systems, so there will be motion sensors,
7 timers, zone security systems to keep
8 illumination at a minimum whenever possible.

9 The objective here really is for the
10 site to be operated in quote, unquote, stealth
11 mode and have lights only active for security
12 reasons.

13 The result of all this is basically
14 going to be a zero off-site light trespass zone
15 with no sky glow and no impact to wildlife or the
16 rural character of Yorkville. Even at full
17 operation, the campus is going to be visually
18 absent at nighttime. And next slide, please.

19 So this is a rendering of one of the
20 shells and, as you can see, in the top right
21 corner there is an illuminance scale, and so
22 that's what the actual lights in the buildings,
23 if everything is on for security reason, would
24 look like and as you can see, everything is

1 shielded and there is no light pollution outside
2 of the actual building footprint. Next slide,
3 please.

4 The project anticipates that every
5 source of operational and emergency -- The
6 project anticipates every source of operational
7 emergency noise.

8 As Bart talked about, Yorkville
9 limits are 50 dBA at property line at night and
10 60 decibels a day, but our engineering targets
11 are stricter. We want to be below 50 decibels at
12 all boundaries at all times, including generator
13 testing.

14 Our initial modeling confirms that
15 our actual levels are going to be below code at
16 the nearest property line and quieter than a
17 typical suburban nighttime background.

18 All buildings are set back 500 to
19 1500 feet from the property line for maximum
20 sound dissipation. The campus perimeter
21 includes, again, substantial berm work and a
22 hundred-foot wide densely landscaped buffer to
23 deflect and absorb any sounds.

24 Generators are always going to be

1 centrally located and never at the site edge.
2 All major mechanicals, fans, chillers and
3 generators are going to be specified for no tonal
4 hum or low frequency vibration output.

5 Generators themselves are going to
6 be in attenuated enclosures with industrial grade
7 mufflers, and typically as well the generator
8 testing -- or generators are only used in
9 emergency purposes. For most of these campuses,
10 they are really never used outside of testing.
11 And given the tentative power redundancy we're
12 going to have from ComEd, the testing is only
13 going to occur once or twice a year, and it will
14 never be on nights, early mornings, weekdays or
15 holidays.

16 Additionally, there is going to be
17 24/7 perimeter noise monitoring with real time
18 reporting by City staff -- or to City staff. Any
19 compliance issue triggers immediate correction,
20 not just reporting.

21 This is going to be a binding PUD
22 condition; it's not going to be a discretionary
23 process where we just do the fines.

24 And then I have a data point, this

1 came up in one of our prior meetings, so what
2 could happen to home values that are nearby data
3 center campuses. So as Bart was talking about
4 Loudoun County earlier, so the center is in
5 Ashburn, Virginia, and homes within 500 feet of
6 data center campuses in Ashburn have been
7 appreciated by approximately 70 percent over the
8 last decade, so annualized rates of roughly
9 seven percent, matching the broader market.

10 There is no market evidence of
11 general home value loss or discounted sales due
12 to data center proximity. Prices and turnover
13 rates have been consistent with the rest of
14 Ashburn.

15 Independent studies show only one
16 real risk can end up suppressing values, and
17 that's usually by single-digit percentages
18 nonetheless, and that's persistent, unmitigated
19 noise, and that's something we're going to be
20 completely solving here.

21 Additionally, legacy Ashburn data
22 center campuses are built as close as a hundred,
23 130 feet from residential property lines. We're
24 committing to a minimum 500-foot setback,

1 exceeding historic Ashburn standards.

2 If you add in our berm work,
3 continuous noise monitoring and strict decibel
4 limits, we are going to be substantially under
5 those values.

6 So the bottom line is that neighbors
7 are not going to hear this campus. They are not
8 going to hear it during operation, they are not
9 going to hear it during generator testing. The
10 facility is engineered to be quiet and
11 unobtrusive by design, an enforceable operational
12 commitment to Yorkville.

13 As equipment is upgraded as well the
14 campus will only get quieter. There has been
15 amazing gains in equipment over the last few
16 years. Next slide, please.

17 So here is one of the initial slides
18 we received from our sound study that Burns &
19 McDonnell performed. They did an independent
20 acoustic analysis using real equipment data for
21 our proposed site plan, and their modeling
22 confirmed that our design will consistently meet
23 and in most cases significantly out-perform
24 Yorkville's strict sound level limits, even in

1 worst case conditions.

2 With low-noise chillers on rooftops
3 and precast concrete buffers around them,
4 projected operational sound levels at the
5 property line will be below 50 decibels, even
6 when using conservative source data.

7 And as an example, our chiller that
8 we tentatively selected for this, even though I
9 think our decibel rating will actually be under,
10 it was 91 decibels at the source results, and at
11 this boundary it's less than 50 at 500 feet, and
12 obviously it gets significantly better from that,
13 and this is in part due to our setback, our
14 berms, placing the chillers on the rooftops and
15 encompassing sound walls.

16 And we feel that combining equipment
17 choice, thoughtful layout and physical barriers
18 as we have been designing this site from day one
19 to take this into consideration, will deliver not
20 just code compliance, but real world, enforceable
21 noise protection for everybody in Yorkville.

22 Next slide, please.

23 As Bart mentioned, the project will
24 not use evaporative or open loop water cooling

1 for data halls, and this is a huge, major
2 differentiator for sites of this scale.

3 Most data centers still rely on
4 cooling towers, like Equinix is tackling in
5 Minooka, and it draws a significant amount of
6 water. We will not use evaporative cooling
7 towers.

8 Our per-acre water demand is far
9 below typical residential development, it cuts it
10 in about half actually on a per-acre basis.

11 All stormwater from the campus is
12 detained on-site in engineered basins and
13 naturalized areas. These systems are designed to
14 ensure post-development run-off does not exceed
15 pre-development rates.

16 It will be fully developed within
17 city and county standards. Water quality
18 controls remove sediment and contaminants before
19 any water leaves the site. The primary goal is
20 strict compliance, protection for neighbors and
21 city infrastructure.

22 And then as far as our generators,
23 all backup generators meet Tier 4 final EPA
24 standards, and what this means is basically

1 90 percent lower particulate and NOx emissions
2 compared to legacy equipment that some sites use.

3 Again, generators only run for
4 periodic testing or extremely rare grid
5 outages. I've actually never seen one in
6 non-continuous operation. There are no
7 breaching, air emission or hazardous waste under
8 normal conditions from our site.

9 Then renewable energy. The campus
10 will be fully compatible with renewable energy
11 procurement and credit programs.

12 Actual sourcing will reflect
13 whatever the available grid mix is from ComEd and
14 PJM at the time of operation, but our approach,
15 as is Illinois' and most of the major
16 hydroscalers, is to support removal adoption when
17 possible and maintain a reliable and resilient
18 service. Next slide, please.

19 So every required improvement from
20 power to water to sewer to road upgrades is
21 100 percent funded by the project. The City pays
22 nothing. There are no special assessments to
23 residents.

24 This includes the two on-site

1 substations, the new and extended water mains and
2 sewers we will be developing, lift stations if
3 needed, and permanent upgrades like the Galena
4 Road reconstruction and intersection
5 improvements.

6 All obligations are going to be
7 secured by a formal development agreement that we
8 are in the process of negotiating with Yorkville.

9 All utility extensions and upgrades
10 are purposeful and isolated for the data center.
11 The new substations themselves are going to
12 reinforce the transmission lines and they are
13 going to be engineered for our needs with no draw
14 on the City's existing electrical systems.

15 The water and sewer lines serve only
16 the campus, but given our low water usage on a
17 per-acre basis, there will be borderline no
18 reduction in supply, pressure or reliability for
19 any other customers in Yorkville, and our waste
20 water discharge will be extremely minimal.

21 Every utility interconnection is
22 designed specifically, you know, for this campus
23 itself. That's going to eliminate the risk of
24 any brownouts, water pressure drops or any hidden

1 congestion for Yorkville customers, both now and
2 in the future.

3 And, again, I know I've said this, I
4 am like a broken record here, but there will be
5 no fiscal impact, no hidden cost and no future
6 tax liability to the city. Everything is going
7 to be privately funded.

8 All utility upgrades are going to be
9 coordinated with the City agencies to ensure zero
10 disruption to existing service.

11 We are going to cover the full cost
12 of entry for the upgrades to City infrastructure
13 and shield the community from any financial risk
14 now and going forward.

15 For the City, its residents are
16 really going to receive a benefit from this
17 project, from improved roads and utilities and no
18 exposure and no cost risk there. We are really
19 going to be a self-sustaining project from day
20 one. Next slide, please. I guess it is this
21 one, sorry.

22 At full build-out, Project Cardinal
23 is going to generate substantial new annual
24 property tax revenue for the City and all local

1 taxing bodies. This is pending our final utility
2 entitlement that we are working on, but at full
3 build-out, as Bart mentioned, the numbers can be
4 very substantial.

5 The scale of the campus is going to
6 materially expand Yorkville's tax base and
7 provide long-term financial stability, as
8 confirmed by both City staff and independent
9 fiscal analysis.

10 Unlike residential or warehouse
11 development, data centers create significant
12 fiscal benefit when placing minimal demand on
13 public services.

14 While the campus does increase the
15 utility loads and all the required upgrades from
16 power, water, sewer and road, everything is
17 privately funded and there is not going to be any
18 cost or operational risk to the City or its
19 residents.

20 The project does not add any
21 students to schools, it does not materially
22 increase calls for police or fire services.
23 There is no new operational costs for public
24 services from our project.

1 The campus itself supports ongoing
2 construction, high value technical jobs, so at
3 full capacity, if we get our full load
4 entitlement, there will be somewhere in the
5 neighborhood of 500 to 800 full-time jobs, and
6 these are high-paying, great jobs, and it's going
7 to be really a lot of major -- a major capital
8 investment in the community, and it should drive
9 supplier spending in the local community and
10 workforce development and provide sustained
11 economic development not just to Yorkville, but
12 to the region as a whole.

13 And then comparable data center
14 projects in Illinois. As Bart mentioned, Meta
15 site in DeKalb had delivered recurring increases
16 in local tax revenue, sometimes enabling property
17 tax rate reductions, while imposing a minimal new
18 burden on local services and the public.

19 We believe that Project Cardinal is
20 a net positive for City finances. It delivers
21 new revenue, economic growth and jobs without
22 increasing the service or utility burden for
23 Yorkville or its residents.

24 And, again, all campus

1 infrastructure is going to be privately funded
2 and purpose built, ensuring that the community
3 reaps all the benefits without incurring any
4 hidden costs. And next slide, please.

5 Project Cardinal directly implements
6 Yorkville's adopted income strategy. It brings
7 next generation high value data center
8 infrastructure to the City's targeted tech
9 corridor, delivering the type of investment
10 envisioned in the Comprehensive Plan of regional
11 growth priorities.

12 The campus is fully compatible with
13 surrounding industrial, tech and open space uses.
14 All major impacts from noise, light and traffic
15 are mitigated with extraordinary setbacks,
16 engineered berms, sound walls where appropriate,
17 and upgraded infrastructure going well beyond
18 code minimums. The result is going to be a
19 buffered, unobtrusive community phasing project.

20 Every utility, road and offset
21 improvement, whether it be power, water, sewer,
22 or roads, is going to be 100 percent developer
23 funded, built and maintained. There is zero cost
24 or fiscal risk to the City or its residents, and

1 all these obligations are going to be formalized
2 in the binding annexation and PUD agreements.

3 The project itself expands
4 Yorkville's tax base, delivers recurring revenue
5 for public services, creates quality jobs and
6 supports local work force development.

7 The residents of the city budget are
8 going to benefit directly from this long-term
9 investment. Our application meets or exceeds
10 every core PUD and zoning requirement.

11 Any requested deviation or variance
12 we believe is fully justified, narrowly tailored,
13 and tied to operational need or enhanced
14 buffering.

15 All of our findings have been
16 documented in the petition and on public record.
17 There has been no compromise to health, safety,
18 welfare or neighborhood character.

19 All operational and mitigation
20 commitments are going to be enforceable
21 conditions within the PUD, and I'd imagine
22 periodic compliance with these are going to be
23 conducted in coordination with City staff.

24 The project itself again is neither

1 speculative or temporary, it's going to be
2 anchored in Yorkville for the long-term with
3 every mitigation, benefit and standard codified
4 and enforceable in the PUD and annexation
5 agreement.

6 We are not leaving anything to good
7 faith. The City is going to retain full control
8 and enforcement over the project. The last
9 slide, please.

10 So this has been our project
11 objective from day one: We are not trying to
12 redefine Yorkville. We understand that we are a
13 guest in your community and we are trying to
14 become a full-time member of it.

15 Every standard, finding and City
16 requirement has been fully met or exceeded
17 throughout this process. All project impacts,
18 whether it be visual, noise, traffic or water,
19 have been comprehensively mitigated, with every
20 commitment formalized as a binding, enforceable
21 condition in the PUD and annexation agreements.

22 Project Cardinal will strengthen
23 Yorkville's economy, tax base and infrastructure
24 for decades to come while preserving community

1 character and quality of life.

2 And I want to thank you all for your
3 time and consideration tonight, and we are going
4 to be available for any questions you may have.

5 CHAIRMAN VINYARD: Thank you. Do the
6 Commissioners have any questions?

7 COMMISSIONER CROUCH: No.

8 COMMISSIONER GREEN: No.

9 CHAIRMAN VINYARD: Okay. Very good.
10 Thank you.

11 MR. McCARRON: Thank you.

12 CHAIRMAN VINYARD: Is there anyone
13 present who wishes to speak in favor or
14 opposition of the request?

15 I will remind you this is the only
16 time during tonight's hearing where you will be
17 allowed to speak.

18 BERNIE WEILER,
19 having been first duly sworn, testified before
20 the Planning and Zoning Commission as follows:

21 MR. WEILER: My name is Bernie Weiler.
22 I am an attorney licensed to practice law in the
23 state of Illinois, and as Mr. Kramer said,
24 specifically in Yorkville.

1 I represent the homeowner's
2 association of the development that is along Ashe
3 Road directly across from the western edge of
4 the -- the western section of the -- this
5 proposed development.

6 It would be disingenuous of me to
7 suggest that concerns that have been raised since
8 we initiated our interest in this project have
9 not been addressed by either the developer or by
10 staff. Many of the concerns that we have
11 addressed have, in fact, been addressed.

12 When we were last here, we addressed
13 the issue with regard to the reforestation of
14 significant portions of the community that will
15 not -- where there will not be any kind of
16 communication from one portion of the community
17 to the other because this will be a closed site.

18 That has been addressed since we
19 have last been here with the landscape plan that
20 has been presented that says there are 4,000
21 trees that are being developed -- or that are
22 planned.

23 Now, when those are going to be
24 planted will be an issue because the planting is

1 not going to occur until the construction has
2 been done on various issues.

3 But one of the things that -- also
4 one of the concerns that our residents have had
5 are not only the decibel level that will be
6 generated, which is being addressed by staff,
7 and, of course, by the promises that have been
8 made by the developer, but also the low tonal,
9 uninterrupted humming noise that is generated by
10 these issues. That was also addressed in the
11 presentation that was made.

12 However, one of the things that has
13 been specifically addressed by Bart and by the
14 developer themselves, is the phasing of the
15 development.

16 In Bart's presentation on three
17 separate occasions he has expressed the caveat as
18 to what happens in the event that the bubble
19 bursts or that this development does not take
20 place as predicted.

21 The developer has also told you
22 tonight that nothing is going to be built until
23 they have a commitment from a specific user.

24 We have also heard tonight that

1 there is competition for the placement for those
2 users to come to a community or a specific site.

3 Bart had specifically indicated that
4 Yorkville was in a competition with DeKalb for
5 one of these sites. All of the incentives that
6 have been expressed are of interest to all of the
7 communities.

8 In fact, Yorkville itself is
9 planning four of these developments that are
10 going to compete with each other, so the
11 long-term effect of this is we need to look at
12 what is the effect should this competition and
13 should the need for these things reduce the rate
14 at which this development is going to go forward,
15 and so one of the issues that is of greatest
16 concern to us -- and once again I would be
17 disingenuous to suggest that these concerns are
18 not being addressed -- but the phasing of this
19 development.

20 The most intensive use and the least
21 screened use is on the western edge of this
22 development, and as you can see, when you look at
23 the landscaping plans, you will see that what
24 they plan, what the developer plans as the -- and

1 if you could go to the slide that shows the
2 development with the -- with the detention, that
3 would show it.

4 So if you look at the far west
5 portion, and if we develop from west to east, we
6 find that the development immediately across Ashe
7 Road will be the first to be impacted at a time
8 when the landscaping is the least mature.

9 You will also show that although the
10 trees in the landscape plan shows that there are
11 4,000 trees that are within the interior, there
12 is a very thin layer of rim around the entire
13 development, and with regard to the interior
14 trees, which I think are very generously applied,
15 will -- there are areas in every other area of
16 the development between the buildings and the
17 landscaping screening.

18 With regard to what's happening on
19 the west, there is the detention pond which
20 provides no screening and there is no space for
21 screening between the western edge of those
22 buildings and that subdivision.

23 So in the event that we -- that the
24 only users that this development has is in the

1 western side, this development to the west of
2 Ashe Road is going to be the most affected and
3 will be the most affected and will be permanently
4 affected in the event that this development fails
5 or does not get built out.

6 So the better idea would be to
7 develop this on the areas which are least
8 impacted, which would be either along Route 47
9 would be least impacted by residential use or on
10 the southeast sections along Galena Road, which
11 would be an extension of the industrial uses that
12 are going up Eldamain Road.

13 So I think if we are to invest our
14 confidence in what Bart and his staff had done in
15 researching this, we do really need to listen to
16 the caveats of what happens should -- should even
17 our own other developments compete with this
18 development for users.

19 So we would -- we would like to --
20 that's really one of the most -- one of the
21 principal concerns.

22 The other thing is that we need to
23 look at what this really looks like. We are
24 saying that this is two-story buildings; well,

1 the height of these two-story buildings are
2 70 feet, and -- which really equates to a
3 five-story building, so it's important to look at
4 what the effect is for the residents who are
5 going to have to look at that, particularly in
6 the event that the benefits and the, you know,
7 the redistribution of the tax base is not -- is
8 not satisfied.

9 So that's one of the biggest
10 concerns, and so because this would be a special
11 use, one of the conditions of the special use
12 could be the phasing of the development.

13 Now, one of the reasons that was
14 given by the developer as to why they have to go
15 from west to east is that Commonwealth Edison,
16 who is the 800-pound gorilla on the block, and
17 one of the comments was made that nobody tells
18 Commonwealth Edison what to do.

19 However, if the -- if the horizon
20 for revenues for the city is a hundred million
21 dollars, we need to look at how that -- how that
22 looks from an economic standpoint from the people
23 who are interested in that development.

24 That hundred million dollars is a

1 very small percentage of the actual revenues that
2 are generated by this, so that Commonwealth
3 Edison has a very big interest in creating the
4 power applications for this use, so there is a
5 huge economic development and the fact that
6 Commonwealth Edison would like to build on the
7 west side, they can be encouraged -- they can be
8 encouraged to build in a different phased way.

9 And if they say we don't want to do
10 that because we can't guarantee that this is
11 going to be developed, well, we ought to have the
12 same consideration and concern.

13 We have other people that will
14 iterate some other concerns, but we do have a lot
15 of trust in the staff, who have addressed all of
16 our concerns and have redefined some of the --
17 some of the issues in the actual ordinance that
18 will be controlling this.

19 So -- but that's one -- that's one
20 of our biggest concerns, and we need to
21 understand that this is 3,000 acres which is
22 being dedicated to this use, and this is a
23 radical departure from the zoning and the
24 Comprehensive Plan that the residents depended on

1 when they -- you know, when they built their
2 houses, so -- and when they located here, so I
3 think concern needs to be directed to them and
4 that -- and that their concerns need to be
5 listened to and accommodated.

6 Thank you.

7 CHAIRMAN VINYARD: Would anyone else
8 like to speak? Would the developer, would you
9 like to get on to any of his concerns, both the
10 City or the developer?

11 MR. McCARRON: Now?

12 CHAIRMAN VINYARD: Yeah, would you like
13 to address some of it real quickly?

14 MR. SILVERMAN: You want to wait until
15 the end?

16 MR. McCARRON: Wait until the end.

17 CHAIRMAN VINYARD: That's fine.

18 JOHN P. BRYAN,
19 having been first duly sworn, testified before
20 the Planning and Zoning Commission as follows:

21 MR. BRYAN: I appreciate the time to
22 address y'all on this project. I'm going to try
23 and not duplicate anything that Mr. Weiler said.
24 I may, and I am not doing it on purpose, but I

1 just want to -- you know, just kind of a little
2 background of me.

3 My name is John P. Bryan. I have
4 been a Kendall County resident now for 18 years.
5 I have owned property at Legacy Farms for 20. I
6 have some other property in the area, but I don't
7 live there, I live in Legacy Farms.

8 I bought my lot 20 years ago, and
9 one of the reasons I bought the lot was that
10 parcel was rezoned residential. It was Del Webb
11 Pulte.

12 The owners of the farm got a nice
13 down payment for the property, and the great
14 recession hit and they pulled the pin, so it
15 remains to this day still residential, and, you
16 know, maybe I am foolish, but I figured, you
17 know, once it's residential, who changes it --
18 who changes it to industrial? It's residential.

19 So I built my -- I built my house.
20 I was the second house on the property. I put a
21 lot of blood, sweat and tears into that house. I
22 love it. I am probably never going to move
23 regardless if this lobotomy goes on of our
24 farmland, but, you know, I expected homes, and I

1 don't have a problems with homes, I think that's
2 what it should be, but to reverse that is just
3 kind of in my book dirty pool.

4 I looked -- in my former life I was
5 with a paving contractor, and I looked at
6 Eldamain. Eldamain Road is a 40-year concrete
7 pavement. It is built for industrial use.

8 Menards moved in there; what was
9 Sugar Grove's loss was Yorkville's gain, and I
10 knew that that part of Yorkville slash Kendall
11 County would be industrial and I didn't have a
12 problem with that. Why would I?

13 I also know that Ashe Road is posted
14 for no trucks and as is part of Base Line Road,
15 and Base Line Road, the United City of Yorkville
16 took over the -- took over Base Line Road, I
17 don't know, a couple, five years ago maybe, and
18 rebuilt it last year to a -- probably a 20 to
19 25-year pavement out of asphalt, fold-up asphalt.
20 Very nice. What it was beforehand was awful.

21 And so like I'm, you know, well,
22 great, this is always going to stay a rural area,
23 maybe with houses because that's in the
24 Comprehensive Plan of the United City of

1 Yorkville, not -- it's not the united city of
2 data centers, it's the United City of Yorkville.

3 And I was always aware of a ComEd
4 substation. I mean, I've known it since I was a
5 little kid. My job -- as I got longer into my
6 job, I traveled a lot, I did a lot of paving in
7 Kendall County, Kane County and various -- and I
8 always saw that, and then 20 -- and then 9/11 hit
9 and everybody thought of -- everybody was told if
10 you see something, say something, right?

11 And I'm like wow, that is a huge
12 soft target for terrorism. It really is.

13 I never in my wildest imagination
14 thought that that substation would actually be
15 the terrorist, because that substation is
16 creating ecoterrorism.

17 You are destroying the farmland and
18 you are destroying the look of Yorkville with --
19 The thing is about that picture is it doesn't
20 give you a scope of how big these buildings are.

21 Drive down I-88 and you will see one
22 of these data centers going up. They are huge.
23 And you just don't get a feel for just how big
24 they are. It's two miles from Ashe to Route 47,

1 and that is completely out of the ordinary from
2 what I thought Yorkville was going to be.

3 One of the things I am wondering,
4 too, with Illinois Route 47 right there, we know
5 that it's going to be expanded, the Phase 2
6 engineering is complete, I think they are waiting
7 for utility relocation right now.

8 I think in front of Bristol Bay they
9 are relocating telephone poles right now, or
10 ComEd poles or whatever they are, and I think
11 once the utilities are relocated, it will go out
12 for bid and I'm guessing that's going to be a 60
13 to \$70 million project.

14 Why in the world would you not have
15 ingress and egress off of 47 for this project? I
16 don't care -- You definitely should start in the
17 middle, but why not have the access road go all
18 the way back to the middle and have the
19 ingress/egress out to Route 47, okay?

20 You've got to mess with the Rob Roy
21 drainage ditch, okay, they've got -- they've got
22 boxes for that. And what would that cost?
23 Deceleration lanes, a box culvert probably a
24 thousand feet long maybe, depends what IDOT would

1 require. IDOT would definitely give a permit for
2 this.

3 Might cost \$10,000,000. For the
4 scope of this project, that's like you and me
5 flushing a toilet, so why in the world are we
6 going off of rural roads when we can go off
7 Illinois Route 47? That's what it's built for.
8 It's going to be a four-lane highway into
9 Yorkville. Why would you not have the ingress
10 and egress coming off of Illinois Route 47? It
11 really -- it surprises me.

12 I was a little surprised, you know,
13 I've been to quite a few of these meetings, I was
14 at a Kane County Board meeting yesterday, I was
15 at the Yorkville Board meeting yesterday also,
16 and they gave the pledge of allegiance.

17 We pledge allegiance to the republic
18 for which it stands. The republic. What is the
19 difference between a republic and a democracy? A
20 republic, the founding forefathers created a
21 republic so that the minority would not be
22 squashed. Why do we have the U.S. Senate? Every
23 state has two senators. Illinois has two
24 senators. Wyoming, which is where Pioneer

1 Development is from, has two senators. Why? So
2 that the minority doesn't get squashed.

3 The people in Legacy Farms are the
4 minority, and it feels to me we are getting
5 squashed. That is not in the true sense of the
6 republic for which it stands.

7 I personally think I would describe
8 them as carpetbaggers. They are coming into our
9 state, they are coming into our community,
10 they're going to make not millions, not tens of
11 millions, not hundreds of millions, billions of
12 dollars. Billions of dollars.

13 On whose backs? Well, in my book
14 the people in Legacy Farms. We were -- yes. If
15 I build next to an airport, shame on me if I'm
16 going to complain about the planes. Shame on me.
17 But I built next to a farm field, not 14 data
18 centers. 14.

19 There's been talk about -- well,
20 okay. Pioneer Development over and over and over
21 has said two or three times that you don't
22 have -- you're not -- it's not going to cost the
23 United City of Yorkville a dime for any
24 infrastructure improvements.

1 I have participated in hundreds,
2 hundreds, of developments in and around Kane,
3 DuPage and Kendall County, and even a little into
4 Will. Not one single developer that I knew
5 didn't pay for every single infrastructure
6 improvement.

7 I know that because in 2007 and 8
8 when the markets crashed, a lot of my fellow
9 competitors lost a lot of money because they
10 built the infrastructure, and the way it works in
11 Illinois unfortunately -- and I tried to get it
12 changed in Springfield, but no luck -- is that
13 you only have to -- you only have to put a
14 performance bond down for a development, which
15 means it's not a contract bond.

16 So that means there is not -- they
17 are not guaranteed payment, the contractors.
18 Many a contractor built roads, built sewers,
19 built, you know, electric, et cetera, et cetera,
20 that were left hung out to dry because there was
21 no -- there was no contract bond, and, of course,
22 there was no payment bond.

23 So every single development I have
24 ever been on, and like I said, I did hundreds of

1 them, the developer pays for the infrastructure.
2 I am so sick and tired of Pioneer Development
3 telling you people we're going to pay for
4 everything.

5 What -- that's not different than
6 any other development than I've ever seen, so I
7 am just a little -- I am just a little tired of
8 them telling this board that you don't have to
9 worry about it, we are going to have to pay for
10 everything. How is it different than any other
11 development? So it's not. So just put that
12 checkmark off because that's great, I mean, it's
13 nothing different.

14 ComEd. I know that Bernie talked
15 about it, and they said in the last meeting that
16 ComEd requires that you have to start from west
17 and then move east, and you can't -- you can't
18 tell the utilities what to do.

19 Number one, tell that to IDOT,
20 right? IDOT, as I just said, is having all the
21 utilities relocated on 47 so it can be expanded
22 to four lanes and ComEd does not pay for that --
23 or, I mean, I'm sorry, IDOT does not pay for
24 that. ComEd does.

1 And last I checked, ComEd and the
2 state of Illinois doesn't have the greatest
3 reputation in the world right now. Ask the man
4 that's going to prison for seven and a half years
5 for colluding with ComEd, Mr. Michael J. Madigan.

6 CHAIRMAN VINYARD: Can we just stick to
7 the facts of the argument for this and not get
8 into --

9 MR. BRYAN: Well, okay. All right.

10 CHAIRMAN VINYARD: Thank you.

11 MR. BRYAN: I'm sorry. Well, it's all
12 kind of --

13 CHAIRMAN VINYARD: I understand.

14 MR. BRYAN: I understand.

15 CHAIRMAN VINYARD: I got you.

16 MR. BRYAN: I understand that there is
17 no stress on the schools, I understand that there
18 is no stress on the fire department. I did talk
19 to the fire department.

20 But I also remember back in the day
21 that you had impact fees and these developers had
22 to pay impact fees to try and make up for some of
23 the stress of the city services.

24 You know, I look at these things and

1 I look at my phone and how many times do I get
2 spam calls? They are all generated from AI.
3 Where is that AI? Who needs to get ready for
4 medicare A and B, are you ready for -- you know,
5 your car warranty is expired, you need a business
6 loan, you get an AI call.

7 Well, you know what? That's all
8 coming from those things, and I know, I
9 understand they are going to build them
10 somewhere, but do I need them in my backyard?
11 But they are. I mean -- I mean, it's crazy.

12 I am concerned. I do know that
13 there is a lot of power. For the old people like
14 me that remember 1988 with the rolling blackouts
15 in -- rolling blackouts in New York, the rolling
16 brownouts in Chicago, the rolling brownouts in
17 New York and the East Coast.

18 Our infrastructure, electric
19 infrastructure, is not set up for all this power.
20 I know a lot of electrical contractors. I am
21 curious when this thing is completely built, say
22 there is a problem, say we have another heat wave
23 like 1988 when hundreds died in Chicago. Who is
24 going to get the power, the data centers or

1 Grandma's nursing home?

2 I know that once those things don't
3 have power, I think they are going to have a lot
4 of data loss, but, I mean, that's something to
5 consider.

6 Now, we've got -- I am going to talk
7 a little bit about the economic impact. I get
8 it, Yorkville is going to have a huge windfall,
9 \$7.5 million a building is what Pioneer has told
10 us just tonight when they are done, but, I mean,
11 for us at Legacy, we are not -- we are not -- we
12 are not residents of Yorkville.

13 So you can say that the property
14 taxes cannot go down, they have -- Pioneer has
15 said that, because if the property taxes go down,
16 their property taxes also go down, and that will
17 put a dent in, you know, the money that's going
18 to come to the United City of Yorkville.

19 They -- Pioneer has said that home
20 values will increase, and they have gone up
21 70 percent in the last ten years. I think we had
22 a thing called a pandemic. Didn't everyone's
23 home value skyrocket, and especially in Illinois
24 right now where the -- the real estate market is

1 so tight because there is just no inventory, so
2 everybody's price of their homes has gone up.

3 We have -- we have studies and we
4 have realtor information that shows that
5 within -- within the close proximity of data
6 centers the home values will fall between five
7 and 15 percent.

8 I can't believe they're -- I mean,
9 who really thinks that your home value is going
10 to go up when you are looking at a concrete
11 jungle?

12 We saw the pictures, they said it's
13 not going to be all, you know, concrete walls.
14 They showed you the front, the sides and the
15 back; they're all concrete. It's not pleasant to
16 look at.

17 The trees will block the view.
18 When? 30 years from now? I'll be dead. I will
19 be dead. So they're not going to block the view.

20 Speaking of views. What about the
21 cranes? I mean, so we've got to look at cranes
22 that -- those cranes, if you're building -- if
23 you're putting something on a 50-foot tall
24 building, those cranes are going to be a hundred

1 to 150-foot high.

2 I mean, that's -- that's in
3 violation of the code, but you've got to build
4 them, so no tree in the world is going to block
5 that.

6 The trees in Legacy are upwards of
7 90 to 100 feet high for the -- for the very
8 mature ones, so think about that. It still won't
9 block the cranes, they are still going to be
10 there and we're going to have to look at them.

11 I will ask again. I am a little
12 confused when Mr. Olson says that it's a 20-year
13 build-out and then Pioneer Development says it's
14 a ten-year build-out. Can somebody tell me which
15 one it is?

16 20 years I will be 82. Ten years I
17 will be 72. You know, I built there as my -- my
18 dream house. My dream spot. I am close to
19 everything, but still rural, for a while.

20 And speaking of rural, isn't it in
21 Yorkville's Comprehensive Plan to remain a rural
22 community? If that's rural, I am definitely
23 confused on what the definition of that is
24 because that is far from rural.

1 The local businesses, okay, you
2 know, I have tried to look at some research on
3 how many people these buildings really employ. I
4 haven't got -- he says it's going to employ 500
5 people, okay? I've heard other people tell me,
6 you know, it's going to be six to ten people per
7 building because they are all automated. They
8 are run by computers, that are the computers.

9 What's that doing for the businesses
10 in Yorkville? If you put homes in there, the
11 businesses will thrive, but these aren't -- these
12 are -- these are employees supposedly, we don't
13 really know the number, but it's going to be for,
14 you know, 20 years before it's built out, or
15 ten years. The businesses in the United City of
16 Yorkville are not going to see any benefits from
17 this program. They just won't.

18 The noise. So everybody wants to
19 talk about the -- you know, the noise and it's
20 going to be great, it's going to be quiet when
21 it's done after ten years, 20 years, I don't know
22 which it is, but back-up alarms are not quiet.
23 They are designed to be safety protection for the
24 people on the ground.

1 The amount of concrete trucks, the
2 precast drywall or -- or the precast concrete
3 walls, those all come in on trucks. They're
4 loud, they're going to be loud, and they are
5 going to generate dust.

6 Could you imagine this year with no
7 rain, the dust? I am curious to see what the
8 dust control is going to be.

9 And when, you know, if you go by the
10 one in Yorkville, and I have a picture -- it
11 doesn't do me any good, it's for like a 31-acre
12 site, and the amount of -- there is six cranes on
13 this 31-acre site and dozens and dozens of
14 vehicles for the trades. Dozens.

15 So the traffic will not be -- it
16 will be there. When they are done it won't be,
17 but that's ten or 20 years, so I don't want to
18 hear this either that there won't be any
19 increased traffic, because there will be, because
20 you've got to get the building materials and
21 you've got to get the men to be there.

22 So that's another really kind of --
23 a lot of these things that are being told by
24 Pioneer is when it's done, but it's not going to

1 be done for a long time.

2 Site remediation. We were told in
3 another prior meeting that these things have a
4 75-year useful life. How many of you have ever
5 heard of a data center before five years ago?
6 Anybody? Not me.

7 I mean, there's a good chance --
8 everybody knows what lithium is now, right? It
9 fuels our -- that's the batteries that we put in
10 our electric cars, but lithium may be gone in
11 ten years because, you know what, someone is
12 going to come up with another. Might be
13 hydrogen.

14 How do we know 75 years from now the
15 technology right now that is moving at breakneck
16 speed -- I mean, Elon Musk lands a -- lands a
17 booster rocket in a set of chopsticks. I mean,
18 who would have thought that was possible ten
19 years ago?

20 So you are going to tell me that
21 this really has a 75-year useful life? I mean, I
22 am curious to see what's going to happen with the
23 wifi buildings, you know, because they've got one
24 purpose, these buildings are one purpose, and if

1 this technology changes, you're going to have --
2 you're going to have urban blight right in my
3 backyard.

4 So I am thinking, you know, if you
5 do approve this project, I would like -- and not
6 a bond. I would like to see an escrow, a very
7 large escrow, for demolition and clean up.

8 I think that's something that the
9 Planning Committee should really, really think
10 about, and you should do it per building, just --
11 and like I said, not a bond, because a bonding
12 company is going to fight it. Going to fight it.

13 CHAIRMAN VINYARD: I understand.

14 MR. BRYAN: So, okay, my final thoughts,
15 I know you guys are getting antsy. Like I said,
16 this project goes totally against Yorkville's
17 Comprehensive Plan.

18 They are right, they said they are
19 going to redefine Yorkville. Well, you are right
20 because the Comprehensive Plan is going right out
21 the window. It really, really is.

22 Central Park. We all know Central
23 Park in New York. You know how many acres
24 Central Park is? 890. This thing is bigger than

1 Central Park.

2 We in Legacy Farms are not residents
3 of Yorkville, so we won't -- I call this taxation
4 without representation. Why? Because we are
5 being taxed and tax isn't just money, tax is a
6 burden.

7 We are going to be burdened with
8 dust, noise and ugliness for ten years, and we
9 have no say so because we're not -- we don't live
10 in Yorkville.

11 We're not going to see any of these
12 grandioso, you know, fee reductions, and we will
13 see -- the only economic benefit we will get is
14 we will lose money on our houses. That's it. I
15 mean, this is pure and simple taxation without
16 representation.

17 My last statement, the bottom line
18 is this land was zoned residential. It was zoned
19 residential, and you are going to change it to
20 M-2 industrial.

21 It's not fair to me, it's not fair
22 to my neighbors, and it's not fair to anyone that
23 drives down that road, you know.

24 I will quote a late great actor,

1 Patrick Swayze. Why am I so -- why am I so --
2 just so angry about this project? Because I live
3 here.

4 Thank you.

5 CHAIRMAN VINYARD: Thank you. Would
6 anyone else like to speak? Preferably on topics
7 that haven't been addressed with either of the
8 last two.

9 KEITH LANDOVITZ,
10 having been first duly sworn, testified before
11 the Planning and Zoning Commission as follows:

12 MR. LANDOVITZ: Good evening. Keith
13 Landovitz, 275 Ashe Road. My wife and I live
14 immediately to the west of the subject property.

15 We are immediately -- we are
16 adjacent to, but not part of, the Estates at
17 Legacy Farms subdivision, residential
18 subdivision, so although I've come very much to
19 respect Mr. Weiler, he -- the homeowner's
20 association that he represents doesn't cover my
21 wife and me.

22 I'm going to try -- some of my
23 concerns are tangentially the same. I am going
24 to try to raise only points that are specific and

1 haven't been specifically said before.

2 CHAIRMAN VINYARD: Thank you.

3 MR. LANDOVITZ: I won't succeed in that
4 a hundred percent, but I will do the best I can
5 to respect your time.

6 So first I do want to acknowledge,
7 as Mr. Weiler did, some good things that have
8 happened in the course of planning this.
9 Particularly I see that the most recent site
10 plan -- and I thank the petitioner and the City
11 staff for putting some newer documents on the
12 website recently, I think within the last week,
13 the most current site plan doesn't show entrance
14 or exit along Ashe Road, so I think that's great.

15 I still wish the two residential
16 driveways, including mine, were on the plan. My
17 access to Ashe Road is not part of the Leg -- the
18 residential subdivision road network, so there is
19 a separate, and there are two now separate
20 residential driveways.

21 I think that's all material to the
22 overall transportation planning, so it should be
23 part of the record, but -- and I believe I heard
24 the petitioner say this also tonight, that the

1 access to the site would be just along Base Line
2 and Galena, so that's great, I want to see that
3 continue as part of the PUD agreement.

4 But then some concerns, and with
5 reference specifically to the more recently
6 published documents, the sound study, I think
7 there are some inconsistencies between the
8 published document and some of the things the
9 petitioner said this evening in his testimony.

10 The document does not allude to the
11 lower thresholds for tonal sound, and, again, I
12 applaud Yorkville for I think that was an
13 enlightened act to enact those lower standards,
14 right, recognizing that tonal sound punches above
15 its weight, right, in terms of nuisance impact,
16 but I don't think that's acknowledged in the
17 study, so I would want to see that updated, and I
18 would want to see assurance that, in fact, the
19 sound will be below -- below those thresholds in
20 the appropriate categories for atonal versus
21 tonal sound.

22 The -- and tonal sound, I think even
23 as good as the Yorkville thresholds are, tonal
24 sound is a real concern, right, particularly with

1 industrial zoning as opposed to residential or
2 other uses, even commercial, right, because the
3 idiosyncratic industrial uses generate their own
4 particular tonal sounds.

5 Mr. Bryan gave what to me is the
6 paradigmatic example of the thousand hertz
7 back-up alert thing, but, you know, I don't
8 expect data centers to have much of that,
9 although I would love to see that, a prohibition
10 against any of that in the special use, right,
11 but there may be, and this may be an opportunity
12 if Yorkville is trying to benefit from lessons
13 learned from other places that have done these
14 data centers, understanding what kind of tonal
15 noise they generate and having specific
16 requirements in the -- in the special use or the
17 general zoning ordinance for that I think would
18 be good.

19 I know the sound study also
20 alluded -- and I think petitioner did in
21 testimony this evening -- to possibly ordering
22 equipment designed not to generate tonal noise.

23 I don't know if that's -- you know,
24 I could put out an RFP for equipment that -- for

1 a chiller that's shaped like a giraffe. I don't
2 know if anybody actually makes that, right?

3 So whether these things are actually
4 made with different sound profiles and are
5 available in the market, I don't know if that's
6 hypothetical or proved, but, in any case, I think
7 that warrants a little more work tightening up
8 the sound study and getting better assurance that
9 both the sound levels will be below the
10 appropriate thresholds both for tonal and atonal.

11 In terms of light, the photometric
12 study -- and I understand the way these are
13 typically done, right, for a couple of things.

14 First, I think in the published
15 documents it was really just showing one
16 building, and I am assuming that's because the
17 theory is that all the buildings are going to be
18 the same.

19 I think ideally that's not really as
20 good as having a full lighting plan, which I
21 think would be better, but even just working from
22 that study, right, what a photometric study
23 typically shows is -- I think the proper
24 engineering term would be luminous flux. That's

1 the thing that's measured in lumens or foot
2 candles.

3 I think in layman's terms that kind
4 of translates into like ambient brightness, so
5 that's like when you think of light pollution,
6 that's what you think of, it's just light going
7 in all directions, right, and how much, how
8 intense is that omnidirectional light. That's
9 not the same thing.

10 So saying the photometric study
11 shows that a certain distance from the buildings
12 there will be zero foot candles of light -- of
13 luminous flux, right, that's not the same as
14 saying, as I think the petitioner did this
15 evening, and I'll ask him to beg my pardon if I
16 am misquoting him, that the buildings would for
17 all intents and purposes be invisible.

18 In fact, the whole principle by
19 which ornamental lighting works -- and I know we
20 are not having ornamental lighting here -- but
21 ornamental lighting is low intensity, right, the
22 overall light output is low, but you see it. You
23 can't read by it, but it makes an impression.

24 My concern, to put this in concrete

1 terms, is that we are going to have something
2 here that looks like the Martians landed their
3 UFO in the neighboring farmer's field, or their
4 whole fleet of UFOs, right, if there are 14
5 buildings.

6 Now, if none of those -- and I'm not
7 sure, I think the -- the photometric study I
8 think said 25 feet up for the luminaires, I think
9 the M-2 would be 35 feet, I think it's 20 feet
10 for residential, if I remember the zoning code
11 correctly, so I would love to see not more than
12 20 feet, but what I really care about is that the
13 lights just not be visible from the outside of
14 this thing, so that you're not looking up at
15 buildings and seeing this row of lights, right,
16 and, again, other than if they are not blinking,
17 you know, it kind of looks like a UFO landed in
18 the field, right?

19 Even if the lights are not very
20 bright, that's something -- it's kind of the same
21 thing as tonal noise in that it has an aesthetic
22 impact that punches above its weight, right, in
23 terms of just the energy output. So those were
24 some specific concerns with the revised

1 documents.

2 I think my biggest concern, and
3 forgive me here, I do have to repeat a bit of
4 what was said before, but the planned -- the
5 phased planning building from west to east,
6 right, of course I am another person that lives
7 in the west, to the west, I, you know, share the
8 concern about disproportionate impact on people
9 who are not residents of Yorkville, right, who
10 live in an unincorporated area and, therefore,
11 the equal protection implications of that.

12 I would very much like to see, and
13 think it would be more equitable for the entire
14 community, a plan that builds out from the
15 center, right, particularly given how long this
16 development may take and the possibility that it
17 may not be fully realized.

18 And I know, again, forgive me here
19 for repeating a bit, but my wife and I had an
20 experience similar to Mr. Bryan's, we haven't
21 owned our property for 20 years, it's been about
22 six years, living here for five, but when we
23 moved here, we could tell Eldamain was -- the
24 Eldamain corridor was going to be industrial,

1 right, you could see that from the road
2 improvements, you could see that from looking at
3 both Yorkville, Kendall County and Plano zoning
4 maps, comprehensive plans, right? Didn't think
5 that industrial would go north of Galena.

6 Now, that's not to say that it
7 shouldn't or can't. I understand these
8 comprehensive plans get updated. On the whole my
9 objections are not to the data center development
10 as a use, but I would like to see better
11 transition to other land uses, right, and really
12 the principles from the Yorkville development
13 guidelines, right, the principles are preserving
14 rural character, and transition between land uses
15 I think could be done a little bit better here.
16 Part of that would be not building -- not having
17 the development start in the west.

18 So with that, I think that in terms
19 of the specific matters that the petition
20 comprises, right, and my prayer to the Commission
21 regarding the annexation, my plea is to recommend
22 against that unless and until the phasing is
23 revised because the only part that needs to be
24 annexed is the part that would be Phase 1, right,

1 and the annexation specifically enables that
2 phasing from west to east, so that's why -- I
3 have no other objection to the annexation, but
4 obviously leverage for a phasing that I would
5 view as more favorable to my interests is
6 undermined by the annexation.

7 In terms of the M-2 zoning, I would
8 prefer to see it -- particularly given the other
9 developments happening along the Eldamain
10 corridor, I would prefer to see a data center
11 district zoning rather than the general
12 manufacturing zoning.

13 I understand pros and cons of going
14 with the special use versus that specific zoning,
15 but I think given all the specialist
16 considerations around the data center use and
17 given the amount of territory that will likely be
18 zoned for that use, that is something for which I
19 would plead.

20 Regarding the special use overlay,
21 that's part -- that's a part where I think it's
22 all great, everything that I saw that was done
23 all seemed favorable in terms of lessening the
24 impact, so no concerns about any of that.

1 And then, finally, in terms of the
2 annexation agreements and the PUD agreement,
3 right, obviously I have talked about the
4 annexation, PUD agreement, similar issue with the
5 phasing, and also I think the general idea that
6 we -- you know, if this is going to go for 10 or
7 20 years, however long it's going to be, right,
8 saying this is -- we have all these hearings,
9 right, and state law mandates a certain process
10 and our zoning ordinances mandate a certain
11 process, but once that's all done and a PUD
12 agreement is signed, a lot of things that
13 materially affect the impact of a development,
14 particularly one this size, can happen in the
15 life of that development, and I would hope that
16 the PUD agreement would include requirements,
17 procedural requirements, above and beyond what
18 the state law and the existing local ordinances
19 require, to allow for checkpoints or toll gates
20 in the course of this development to help course
21 correct, both for things that may be adverse to
22 people who live in the area and also for other
23 general developments because nobody knows what's
24 going to happen over the course of 20 years.

1 I understand that developers need to
2 lock in certain parameters upfront, but I'd like
3 to see some procedural safeguards over the life
4 of the development.

5 My final point is my wife and I came
6 here as refuge -- came to Kendall County as
7 refugees from poorly planned development in Will
8 County.

9 I mean, already I see things being
10 done a thousand times better here in the way the
11 whole process is unfolding and the nature of the
12 development being planned, so I am very gratified
13 to see that, but I think there is still room for
14 improvement in terms of those -- you know,
15 setting up these gargantuan districts and then
16 the quality of transition, right?

17 A buffer is not a transition. I
18 know the plan has already gotten better since its
19 inception in terms of buffering, but I don't
20 think that's a substitute for better transition
21 to adjacent land uses.

22 So thank you for your time.

23 CHAIRMAN VINYARD: Thank you. Would
24 anyone else like to speak?

1 (No response.)

2 CHAIRMAN VINYARD: Would anyone joining
3 in on Zoom tonight like to speak?

4 (No response.)

5 CHAIRMAN VINYARD: Seeing as there is
6 none -- All right.

7 MS. BAUMGARTNER: Hello?

8 CHAIRMAN VINYARD: Yes.

9 DEBRA BAUMGARTNER,
10 having been first duly sworn, testified before
11 the Planning and Zoning Commission as follows:

12 MS. BAUMGARTNER: Hi. This is Debra
13 Baumgartner. My family owns the farm property
14 across the road on Base Line that is bounded by
15 Base Line, Miguel and Ashe Roads, so I actually
16 had some questions for either the City or the
17 petitioner.

18 My first question is in relation to
19 the roads, Base Line and Ashe Road. The report
20 says that those are going to have a hundred feet
21 total planned corridor, and I am just wondering
22 is the right-of-way dedication all coming from
23 the Pioneer Development or will you be seeking
24 easements from the land owners on the other sides

1 of Base Line and Ashe?

2 CHAIRMAN VINYARD: Okay.

3 MS. NOBLE: Um --

4 CHAIRMAN VINYARD: Go ahead.

5 MS. NOBLE: Oh.

6 CHAIRMAN VINYARD: You're good, if you
7 can answer, help.

8 MS. NOBLE: Sure. The petitioner will
9 be required to dedicate roadway on their side of
10 the land. I am not sure if it would require any
11 other easements on anybody else's property.

12 The City engineer just left the
13 room, so when he comes back, he will be able to
14 address that comment.

15 MS. BAUMGARTNER: Okay. Another
16 question involving easements. The plan shows a
17 future utility corridor, it's also referred to as
18 a future utility easement, that is 300 feet wide.
19 That is the length of a football field. That's
20 huge.

21 I am wondering, it runs north/south
22 just east of Phase 1. Is that utility
23 corridor -- Well, what is going to be in it for
24 one thing, and is there going to be an easement

1 sought for my farm, which is directly to the
2 north of that, which aligns with the easement
3 shown on the plan?

4 MS. NOBLE: That easement is an existing
5 ComEd easement, utility easement. ComEd would be
6 the one that would reach out if there is any
7 acquisition needed, not the City or in response
8 to the development.

9 MS. BAUMGARTNER: So do you know
10 anything about what is to be built on that?

11 MS. NOBLE: If the developer is willing
12 to respond.

13 MR. McCARRON: Hi, Deborah, nice to meet
14 you. So that 300-foot wide easement, currently
15 it's actually ComEd-owned acreage that runs
16 through our property. It dead ends at Base Line
17 Road. It will not be going north through there.

18 The lines actually end in the middle
19 of our property and then take a hard 90-degree
20 turn before going east, and we're not going to be
21 building lines north of your property.

22 MS. BAUMGARTNER: Okay. Thank you. Do
23 you know anything about the road right-of-ways,
24 my previous question?

1 MS. NOBLE: Our engineer is back, Brad
2 Sanderson, can address that question for you.

3 MR. SANDERSON: Yeah, I'm sorry, had to
4 take a break, but what was the question in
5 regards to the road right-of-ways?

6 MS. BAUMGARTNER: I was asking if Base
7 Line and Ashe Roads, which the information says
8 they are going to be widened, and I wondered if
9 the entire right-of-way dedication would come
10 from the Pioneer project development or if you
11 were going to be seeking right-of-way easements
12 from any of the property owners on the north side
13 of Base Line or the west side of Ashe Road.

14 MR. SANDERSON: Yeah, still to be
15 determined, but most likely on Base Line Road we
16 would try to obtain right-of-way from both sides
17 of the roadway and keep the roadway basically
18 where it is, but still to be determined. Those
19 details won't be planned for quite some time.

20 MS. BAUMGARTNER: And I had one more
21 question for the petitioner. How many data
22 center projects has Pioneer Development
23 completed?

24 MR. McCARRON: That's confidential, but

1 I think this will be collectively our fifth.

2 MS. BAUMGARTNER: Anything of this
3 scale?

4 MR. McCARRON: On a megawatt basis, this
5 is on the larger side of campuses.

6 MS. BAUMGARTNER: And is it the largest
7 that you have been involved with?

8 MR. McCARRON: It is the largest campus
9 I have been involved with.

10 MS. BAUMGARTNER: Thank you.

11 CHAIRMAN VINYARD: Does that conclude
12 your questions?

13 MS. BAUMGARTNER: Yes. Thank you.

14 CHAIRMAN VINYARD: Thank you. Would
15 anyone else in Zoom land like to speak? Speak
16 now or forever hold your peace.

17 (No response.)

18 CHAIRMAN VINYARD: Okay. Would the
19 petitioner like the testimony -- Would the
20 petitioner like to have their responses to the
21 standards entered into the public record?

22 MR. McCARRON: So just some high level
23 things. So thank you, Debra, Keith and John for
24 your comments, everybody as well. We appreciate

1 working with you guys, too, and trying to make
2 this project more harmonious for you.

3 So as far as the sound study goes
4 for no tonal noise, I saw before this meeting, it
5 hasn't been included yet, we have an updated
6 preliminary sound study based upon feedback from
7 Soundscape that have been going back and forth
8 with their engineers, so there will be no tonal
9 noise.

10 Additionally, as far as Keith, your
11 comment about wanting to see a full photometric
12 plan, but also noting that there is no light
13 pollution necessarily from our snapshot of the
14 building, so given that there is not going to be
15 any light pollution from a single building, there
16 is not going to be collective light pollution
17 either, so I'm not sure how that would be
18 different.

19 And then as far as lighting goes,
20 everything is going to be motion activated, so
21 it's not like all these parking lots are going to
22 be illuminated at night, and hopefully that was
23 made clear in the presentation, so from a
24 distance, especially given the berm work, the

1 hundred feet landscape buffer and the trees once
2 they are more mature, you are not going to really
3 see anything.

4 As far as the phasing issue, it is
5 at ComEd's discretion to a degree as well as PJM
6 and FERC. Our site plan for phasing has already
7 been submitted to them, so we can't really tell
8 them what to do.

9 And then for the comment that they
10 are adjusting poles along Route 47 right now, so
11 why can't we adjust ours, that is power at the
12 distribution level, it's not at the transmission
13 level. It's a totally different regulatory body.

14 The actual building heights that I
15 would like to reassert are 55 feet, they are not
16 70 feet, even though there is I believe an
17 ordinance now that we can build up to 70 feet.

18 What we are asking for is a 78-foot
19 variance for mechanical equipment that will be
20 inset from the building edges substantially. You
21 will never see that.

22 And I know it's hard to see from the
23 site plan that was up during some of these
24 questions, but it's a hundred feet wide of

1 buffer, which is massive. It's a third of a
2 football field.

3 So it's really hard to tell from the
4 scale, but it's an unbelievable amount of
5 landscaping, and it really is going to contain
6 the site and make sure it's obstructed from
7 any -- the shells are obstructed from view as
8 much as possible, once everything is fully built
9 out.

10 And then one point, Pioneer
11 Development is an Illinois LLC, it is not a
12 Wyoming LLC. We are an Illinois-based company.
13 All of our partners on the project are
14 Illinois-based.

15 And then as far as us being a
16 nuisance or potentially causing curtailment on
17 the grid for residential customers, that is
18 impossible. ComEd would never allow it.

19 We are paying for all grid
20 infrastructure upgrades to serve the site, and if
21 it's curtailed in an emergency, we would be
22 curtailed first and we would have backup
23 generators. We are not going to cause a
24 brownout.

1 And I understand Legacy Farms is
2 also not pleased that they are not going to see
3 any of the benefits here on a tax basis for
4 potential tax revenue going down. Potentially
5 maybe Legacy Farms should be annexed into
6 Yorkville and they can see some of the tax
7 benefits.

8 That's it. Thank you.

9 CHAIRMAN VINYARD: Thank you.

10 MR. SILVERMAN: Mr. Chairman, we would
11 like those entered into the record.

12 CHAIRMAN VINYARD: Very good. I am also
13 going to add into the public record a memo -- I'm
14 sorry, email sent on July 7th from Lawrence D.
15 Wickter and Deborah Wickter discussing the
16 development and the property -- possible property
17 losses. This will be added into the record. I
18 believe you have been given that as well. Very
19 good.

20 Okay. So we are going to conclude
21 the public hearing. Since all public testimony
22 regarding this petition has been taken, may I
23 have a motion to close the taking of testimony in
24 this public hearing?

1 COMMISSIONER CROUCH: So moved.

2 COMMISSIONER LINNANE: Second.

3 CHAIRMAN VINYARD: Roll call vote,
4 please.

5 MS. YOUNG: Yes. Forristall.

6 COMMISSIONER FORRISTALL: Yes.

7 MS. YOUNG: Crouch.

8 COMMISSIONER CROUCH: Yes.

9 MS. YOUNG: Green.

10 COMMISSIONER GREEN: Yes.

11 MS. YOUNG: Linnane.

12 COMMISSIONER LINNANE: Yes.

13 MS. YOUNG: And Vinyard.

14 CHAIRMAN VINYARD: Yes.

15 The public hearing portion of
16 tonight's meeting is now closed.

17 (Which were all the proceedings had
18 in the public hearing, concluding
19 at 9:13 p.m.)

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I further certify that my certificate attached hereto applies to the original transcript and copies thereof signed and certified under my hand only. I assume no

1 responsibility for the accuracy of any reproduced
2 copies not made under my control or direction.

3 IN WITNESS WHEREOF, I do hereunto set my
4 hand at Leland, Illinois, this 28th day of July,
5 2025.

6
7
8 /s/ Christine M. Vitosh

9 CHRISTINE M. VITOSH,
10 Illinois C.S.R. Certificate
11 No. 084-02883
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PZC - Public Hearing - July 9, 2025

\$	275 [1] - 65:13 28th [1] - 88:4	57:21, 83:16, 83:17 72 [2] - 4:7, 59:17 730-9500 [1] - 3:9 75 [1] - 62:14 75-year [2] - 62:4, 62:21 78 [2] - 18:13, 21:3 78-foot [1] - 83:18 7:00 [1] - 1:22 7:11 [1] - 5:4 7th [1] - 85:14	11:22, 19:17, 45:21, 63:23 act [1] - 67:13 action [1] - 87:20 activated [1] - 82:20 active [1] - 23:11 actor [1] - 64:24 actual [11] - 13:18, 21:16, 21:20, 22:4, 23:22, 24:2, 24:15, 30:12, 45:1, 45:17, 83:14 adapt [1] - 14:5 add [4] - 18:2, 27:2, 33:20, 85:13 added [1] - 85:17 additionally [5] - 9:11, 9:18, 25:16, 26:21, 82:10 address [4] - 46:13, 46:22, 78:14, 80:2 addressed [11] - 39:9, 39:11, 39:12, 39:18, 40:6, 40:10, 40:13, 41:18, 45:15, 65:7 adjacent [4] - 18:7, 21:15, 65:16, 76:21 adjust [1] - 83:11 adjusting [1] - 83:10 adjustment [2] - 16:24, 19:11 adjustments [1] - 17:21 Administrative [1] - 2:19 Administrator [2] - 2:9, 6:11 adopted [1] - 35:6 adoption [1] - 30:16 advance [1] - 9:20 adverse [1] - 75:21 advertising [1] - 22:24 aesthetic [1] - 71:21 affect [1] - 75:13 affected [3] - 43:2, 43:3, 43:4 agencies [1] - 32:9 agenda [1] - 5:20 ago [4] - 47:8, 48:17, 62:5, 62:19 agreement [11] - 12:1, 13:6, 15:23, 31:7, 37:5, 67:3, 75:2, 75:4, 75:12, 75:16 agreements [3] - 36:2, 37:21, 75:2 ahead [1] - 78:4 AI [3] - 56:2, 56:3, 56:6 aided [1] - 87:10 air [1] - 30:7	airport [1] - 52:15 alarms [1] - 60:22 alert [1] - 68:7 Alexandria [1] - 2:20 aligned [1] - 11:10 aligns [1] - 79:2 all-at-once [1] - 13:20 allegiance [2] - 51:16, 51:17 allow [3] - 12:11, 75:19, 84:18 allowed [1] - 38:17 allows [1] - 12:5 allude [1] - 67:10 alluded [1] - 68:20 almost [1] - 22:10 alongside [2] - 16:12, 17:18 ALSO [1] - 2:8 amazing [1] - 27:15 ambient [1] - 70:4 amenity [1] - 19:24 America [1] - 10:2 amount [5] - 29:5, 61:1, 61:12, 74:17, 84:4 analysis [2] - 27:20, 33:9 anchored [1] - 37:2 AND [1] - 1:10 angry [1] - 65:2 annexation [12] - 10:7, 11:21, 13:6, 36:2, 37:4, 37:21, 73:21, 74:1, 74:3, 74:6, 75:2, 75:4 annexed [2] - 73:24, 85:5 annual [1] - 32:23 annualized [1] - 26:8 answer [1] - 78:7 anticipates [2] - 24:4, 24:6 antsy [1] - 63:15 APPEARANCES [1] - 3:1 appeared [2] - 3:5, 3:10 applaud [1] - 67:12 application [1] - 36:9 applications [1] - 45:4 applied [1] - 42:14 applies [1] - 87:22 appreciate [2] - 46:21, 81:24 appreciated [1] - 26:7 approach [2] - 11:9, 30:14 approaches [1] - 14:3
\$10,000,000 [1] - 51:3 \$70 [1] - 50:13	3			
/	3,000 [1] - 45:21 30 [1] - 58:18 300 [1] - 78:18 300-foot [1] - 79:14 305 [1] - 11:22 31-acre [2] - 61:11, 61:13 35 [2] - 22:13, 71:9 350 [1] - 3:3 3600 [1] - 21:11 38 [1] - 4:4			
/s [1] - 88:8	4	8		
0		8 [1] - 53:7 800 [1] - 34:5 800-pound [1] - 44:16 815 [1] - 3:9 82 [1] - 59:16 822 [1] - 3:8 88 [1] - 87:7 890 [1] - 63:24		
084-02883 [1] - 88:10	5	9		
1		9 [2] - 1:21, 4:3 9/11 [1] - 49:8 90 [2] - 30:1, 59:7 90-degree [1] - 79:19 91 [1] - 28:10 987 [1] - 21:11 9:13 [1] - 86:19		
1 [4] - 16:19, 73:24, 78:22, 87:7 1,000 [1] - 17:8 1,050 [1] - 10:17 1,050-acre [2] - 10:9, 11:24 10 [1] - 75:6 100 [7] - 3:8, 21:6, 22:5, 22:6, 30:21, 35:22, 59:7 100-foot [1] - 17:18 11th [1] - 5:9 12 [1] - 19:16 13 [1] - 12:12 130 [1] - 26:23 14 [6] - 11:1, 11:17, 12:21, 52:17, 52:18, 71:4 15 [1] - 58:7 150-foot [1] - 59:1 1500 [2] - 17:8, 24:19 18 [2] - 21:12, 47:4 1804 [1] - 3:3 1988 [2] - 56:14, 56:23	4 [1] - 29:23 4,000 [2] - 39:20, 42:11 40-year [1] - 48:6 46 [1] - 4:5 4600 [1] - 19:13 47 [11] - 11:16, 21:23, 43:8, 49:24, 50:4, 50:15, 50:19, 51:7, 51:10, 54:21, 83:10			
	6	A		
		able [1] - 78:13 abrupt [1] - 14:6 absent [1] - 23:18 absorb [2] - 17:22, 24:23 access [4] - 14:18, 50:17, 66:17, 67:1 accommodated [1] - 46:5 accuracy [1] - 88:1 accurate [1] - 7:9 acknowledge [1] - 66:6 acknowledged [1] - 67:16 acoustic [1] - 27:20 acoustically [1] - 20:6 acquisition [1] - 79:7 acre [3] - 29:8, 29:10, 31:17 acreage [1] - 79:15 acres [5] - 10:17,		
	7			
2	60 [2] - 24:10, 50:12 60435 [1] - 3:8 60563 [1] - 3:4 630 [1] - 3:4 65 [1] - 4:6 651 [1] - 1:17 682-0085 [1] - 3:4			
2 [2] - 16:20, 50:5 20 [13] - 47:5, 47:8, 48:18, 49:8, 59:16, 60:14, 60:21, 61:17, 71:9, 71:12, 72:21, 75:7, 75:24 20-year [1] - 59:12 2007 [1] - 53:7 2025 [3] - 1:21, 5:9, 88:5 2025-08 [2] - 5:7, 8:4 24/7 [1] - 25:17 25 [1] - 71:8 25-year [1] - 48:19	7.5 [1] - 57:9 70 [5] - 26:7, 44:2,			

PZC - Public Hearing - July 9, 2025

<p>appropriate [4] - 17:17, 35:16, 67:20, 69:10</p> <p>approval [3] - 10:8, 12:20, 15:16</p> <p>approvals [4] - 11:21, 13:4, 13:8, 15:19</p> <p>approve [1] - 63:5</p> <p>architecturally [1] - 18:21</p> <p>architecture [1] - 20:4</p> <p>area [7] - 10:20, 12:8, 42:15, 47:6, 48:22, 72:10, 75:22</p> <p>areas [4] - 18:7, 29:13, 42:15, 43:7</p> <p>argument [1] - 55:7</p> <p>Ashburn [5] - 26:5, 26:6, 26:14, 26:21, 27:1</p> <p>Ashe [14] - 11:16, 39:2, 42:6, 43:2, 48:13, 49:24, 65:13, 66:14, 66:17, 77:15, 77:19, 78:1, 80:7, 80:13</p> <p>asphalt [2] - 48:19</p> <p>assessments [1] - 30:22</p> <p>association [2] - 39:2, 65:20</p> <p>assume [1] - 87:24</p> <p>assuming [1] - 69:16</p> <p>assurance [2] - 67:18, 69:8</p> <p>atonal [2] - 67:20, 69:10</p> <p>attached [1] - 87:22</p> <p>attacks [1] - 6:21</p> <p>attenuated [1] - 25:6</p> <p>attorney [4] - 9:9, 38:22, 87:17, 87:18</p> <p>audience [2] - 7:4, 7:8</p> <p>automated [1] - 60:7</p> <p>available [3] - 30:13, 38:4, 69:5</p> <p>avoid [1] - 6:20</p> <p>aware [1] - 49:3</p> <p>awful [1] - 48:20</p>	<p>backups [1] - 15:9</p> <p>backyard [2] - 56:10, 63:3</p> <p>bar [1] - 20:11</p> <p>Barksdale [1] - 2:10</p> <p>Barksdale-Noble [1] - 2:10</p> <p>barriers [1] - 28:17</p> <p>Bart [10] - 2:9, 6:11, 24:8, 26:3, 28:23, 33:3, 34:14, 40:13, 41:3, 43:14</p> <p>Bart's [1] - 40:16</p> <p>Base [14] - 11:15, 14:19, 48:14, 48:15, 48:16, 67:1, 77:14, 77:15, 77:19, 78:1, 79:16, 80:6, 80:13, 80:15</p> <p>base [4] - 33:6, 36:4, 37:23, 44:7</p> <p>based [4] - 19:11, 82:6, 84:12, 84:14</p> <p>basins [3] - 12:22, 18:5, 29:12</p> <p>basis [4] - 29:10, 31:17, 81:4, 85:3</p> <p>batteries [1] - 62:9</p> <p>BAUMGARTNER [13] - 4:7, 77:7, 77:9, 77:12, 78:15, 79:9, 79:22, 80:6, 80:20, 81:2, 81:6, 81:10, 81:13</p> <p>Baumgartner [1] - 77:13</p> <p>Bay [1] - 50:8</p> <p>beacons [1] - 23:1</p> <p>beam [1] - 22:23</p> <p>become [1] - 37:14</p> <p>beforehand [1] - 48:20</p> <p>beg [1] - 70:15</p> <p>behalf [2] - 3:5, 3:10</p> <p>behind [2] - 18:3, 18:17</p> <p>below [7] - 24:11, 24:15, 28:5, 29:9, 67:19, 69:9</p> <p>belt [1] - 17:23</p> <p>benefit [8] - 13:10, 16:14, 32:16, 33:12, 36:8, 37:3, 64:13, 68:12</p> <p>benefits [5] - 35:3, 44:6, 60:16, 85:3, 85:7</p> <p>berm [8] - 12:22, 16:18, 18:6, 20:3, 22:2, 24:21, 27:2, 82:24</p> <p>berms [5] - 14:1, 17:16, 18:3, 28:14, 35:16</p> <p>BERNIE [2] - 4:4, 38:18</p> <p>Bernie [2] - 38:21, 54:14</p> <p>best [1] - 66:4</p> <p>better [9] - 28:12, 43:6, 69:8, 69:21, 73:10, 73:15, 76:10, 76:18, 76:20</p> <p>between [6] - 42:16, 42:21, 51:19, 58:6, 67:7, 73:14</p> <p>beyond [3] - 17:10, 35:17, 75:17</p> <p>bid [1] - 50:12</p> <p>big [3] - 45:3, 49:20, 49:23</p> <p>bigger [1] - 63:24</p> <p>biggest [3] - 44:9, 45:20, 72:2</p> <p>billions [2] - 52:11, 52:12</p> <p>binding [6] - 11:24, 13:5, 15:23, 25:21, 36:2, 37:20</p> <p>bit [4] - 57:7, 72:3, 72:19, 73:15</p> <p>blackouts [2] - 56:14, 56:15</p> <p>blending [1] - 21:18</p> <p>blight [1] - 63:2</p> <p>blinking [1] - 71:16</p> <p>block [6] - 17:21, 44:16, 58:17, 58:19, 59:4, 59:9</p> <p>blocking [1] - 22:9</p> <p>blood [1] - 47:21</p> <p>board [1] - 54:8</p> <p>Board [2] - 51:14, 51:15</p> <p>bodies [1] - 33:1</p> <p>body [1] - 83:13</p> <p>bond [6] - 53:14, 53:15, 53:21, 53:22, 63:6, 63:11</p> <p>bonding [1] - 63:11</p> <p>book [2] - 48:3, 52:13</p> <p>booster [1] - 62:17</p> <p>border [1] - 10:18</p> <p>bordered [1] - 11:15</p> <p>borderline [1] - 31:17</p> <p>bottom [2] - 27:6, 64:17</p> <p>bought [2] - 47:8, 47:9</p> <p>Boulevard [1] - 3:3</p> <p>boundaries [1] - 24:12</p>	<p>boundary [1] - 28:11</p> <p>bounded [1] - 77:14</p> <p>box [1] - 50:23</p> <p>boxes [1] - 50:22</p> <p>Brad [2] - 2:18, 80:1</p> <p>breaching [1] - 30:7</p> <p>break [1] - 80:4</p> <p>breakneck [1] - 62:15</p> <p>brief [1] - 6:12</p> <p>bright [1] - 71:20</p> <p>brightness [1] - 70:4</p> <p>bringing [1] - 11:23</p> <p>brings [1] - 35:6</p> <p>Bristol [1] - 50:8</p> <p>broader [1] - 26:9</p> <p>broken [1] - 32:4</p> <p>brownout [1] - 84:24</p> <p>brownouts [3] - 31:24, 56:16</p> <p>BRYAN [8] - 4:5, 46:18, 46:21, 55:9, 55:11, 55:14, 55:16, 63:14</p> <p>Bryan [2] - 47:3, 68:5</p> <p>Bryan's [1] - 72:20</p> <p>bubble [1] - 40:18</p> <p>budget [1] - 36:7</p> <p>buffer [13] - 13:9, 14:1, 16:12, 17:14, 17:19, 19:4, 19:10, 21:19, 22:4, 24:22, 76:17, 83:1, 84:1</p> <p>buffered [3] - 10:21, 19:21, 35:19</p> <p>buffering [4] - 12:17, 17:16, 36:14, 76:19</p> <p>buffers [3] - 12:23, 14:16, 28:3</p> <p>build [13] - 10:24, 11:18, 13:16, 32:22, 33:3, 45:6, 45:8, 52:15, 56:9, 59:3, 59:13, 59:14, 83:17</p> <p>build-out [7] - 10:24, 11:18, 13:16, 32:22, 33:3, 59:13, 59:14</p> <p>building [23] - 11:6, 13:21, 15:21, 17:6, 18:18, 19:10, 21:6, 24:2, 44:3, 57:9, 58:22, 58:24, 60:7, 61:20, 63:10, 69:16, 72:5, 73:16, 79:21, 82:14, 82:15, 83:14, 83:20</p> <p>buildings [27] - 11:2, 11:17, 12:14, 12:21, 14:15, 16:3, 18:7, 18:10, 18:11, 19:7, 20:15, 20:22, 23:22, 24:18, 42:16, 42:22, 43:24, 44:1, 49:20, 60:3, 62:23, 62:24, 69:17, 70:11, 70:16, 71:5, 71:15</p> <p>builds [1] - 72:14</p> <p>built [22] - 13:13, 14:15, 26:22, 35:2, 35:23, 40:22, 43:5, 46:1, 47:19, 48:7, 51:7, 52:17, 53:10, 53:18, 53:19, 56:21, 59:17, 60:14, 79:10, 84:8</p> <p>burden [3] - 34:18, 34:22, 64:6</p> <p>burdened [1] - 64:7</p> <p>Burner [1] - 2:19</p> <p>Burns [3] - 9:8, 9:12, 27:18</p> <p>bursts [1] - 40:19</p> <p>business [2] - 17:13, 56:5</p> <p>businesses [4] - 60:1, 60:9, 60:11, 60:15</p> <p>BY [2] - 3:3, 3:7</p>	<p>C</p> <p>C.S.R [1] - 88:9</p> <p>campus [27] - 9:16, 10:9, 11:1, 12:5, 12:11, 13:16, 17:2, 19:4, 19:13, 19:19, 20:6, 22:11, 23:5, 23:17, 24:20, 27:7, 27:14, 29:11, 30:9, 31:16, 31:22, 33:5, 33:14, 34:1, 34:24, 35:12, 81:8</p> <p>campuses [8] - 15:24, 17:11, 20:5, 25:9, 26:3, 26:6, 26:22, 81:5</p> <p>candles [2] - 70:2, 70:12</p> <p>cannot [2] - 21:4, 57:14</p> <p>capacity [2] - 15:20, 34:3</p> <p>capital [2] - 13:22, 34:7</p> <p>car [1] - 56:5</p> <p>Cardinal [6] - 3:10, 9:7, 32:22, 34:19, 35:5, 37:22</p> <p>care [2] - 50:16, 71:12</p> <p>carpetbaggers [1] - 52:8</p>
--	--	---	--

PZC - Public Hearing - July 9, 2025

cars [1] - 62:10 case [2] - 28:1, 69:6 cases [1] - 27:23 CASTALDO [1] - 3:2 categories [1] - 67:20 causing [1] - 84:16 caveat [1] - 40:17 caveats [1] - 43:16 center [26] - 6:12, 9:16, 9:23, 10:9, 11:2, 12:5, 15:24, 17:11, 19:20, 20:5, 21:16, 21:20, 26:3, 26:4, 26:6, 26:12, 26:22, 31:10, 34:13, 35:7, 62:5, 72:15, 73:9, 74:10, 74:16, 80:22 centers [9] - 29:3, 33:11, 49:2, 49:22, 52:18, 56:24, 58:6, 68:8, 68:14 Central [4] - 63:22, 63:24, 64:1 centrally [1] - 25:1 certain [4] - 70:11, 75:9, 75:10, 76:2 certificate [1] - 87:21 Certificate [1] - 88:9 Certified [1] - 87:3 certified [1] - 87:24 certify [2] - 87:5, 87:21 cetera [2] - 53:19 Chad [1] - 2:6 CHAIRMAN [33] - 5:5, 6:9, 6:17, 8:8, 8:19, 8:24, 38:5, 38:9, 38:12, 46:7, 46:12, 46:17, 55:6, 55:10, 55:13, 55:15, 63:13, 65:5, 66:2, 76:23, 77:2, 77:5, 77:8, 78:2, 78:4, 78:6, 81:11, 81:14, 81:18, 85:9, 85:12, 86:3, 86:14 Chairman [3] - 2:2, 6:23, 85:10 chambers [1] - 7:3 chance [1] - 62:7 change [1] - 64:19 changed [1] - 53:12 changes [4] - 14:7, 47:17, 47:18, 63:1 character [4] - 23:16, 36:18, 38:1, 73:14 checked [1] - 55:1 checkmark [1] - 54:12 checkpoints [1] -	75:19 Chicago [2] - 56:16, 56:23 chiller [2] - 28:7, 69:1 chillers [3] - 25:2, 28:2, 28:14 choice [1] - 28:17 chopsticks [1] - 62:17 CHRISTINE [2] - 87:3, 88:9 Christine [1] - 88:8 circulation [1] - 15:8 city [12] - 10:4, 10:21, 10:23, 14:23, 16:10, 29:17, 29:21, 32:6, 36:7, 44:20, 49:1, 55:23 CITY [1] - 1:6 City [40] - 2:9, 2:14, 2:18, 3:5, 5:22, 6:10, 10:13, 13:2, 14:5, 14:10, 14:23, 16:1, 17:10, 19:11, 19:23, 25:18, 30:21, 32:9, 32:12, 32:15, 32:24, 33:8, 33:18, 34:20, 35:24, 36:23, 37:7, 37:15, 46:10, 48:15, 48:24, 49:2, 52:23, 57:18, 60:15, 66:10, 77:16, 78:12, 79:7 City's [4] - 12:7, 19:16, 31:14, 35:8 clarifying [2] - 7:11, 7:15 clean [1] - 63:7 clear [1] - 82:23 clearly [1] - 6:1 close [6] - 7:18, 17:12, 26:22, 58:5, 59:18, 85:23 closed [4] - 5:20, 21:1, 39:17, 86:16 closely [1] - 15:17 closest [1] - 16:19 Coast [1] - 56:17 code [8] - 14:10, 17:10, 20:11, 24:15, 28:20, 35:18, 59:3, 71:10 codified [1] - 37:3 collective [1] - 82:16 collectively [1] - 81:1 colluding [1] - 55:5 combined [2] - 19:3, 20:3 combining [1] - 28:16 ComEd [16] - 15:12, 15:18, 16:5, 25:12, 30:13, 49:3, 50:10,	54:14, 54:16, 54:22, 54:24, 55:1, 55:5, 79:5, 79:15 comEd [1] - 84:18 ComEd's [1] - 83:5 ComEd-owned [1] - 79:15 coming [5] - 51:10, 52:8, 52:9, 56:8, 77:22 commencing [1] - 5:3 comment [4] - 7:18, 78:14, 82:11, 83:9 comments [5] - 6:20, 7:15, 7:17, 44:17, 81:24 commercial [3] - 18:11, 20:12, 68:2 COMMISSION [1] - 1:10 commission [1] - 7:10 Commission [10] - 5:7, 5:13, 5:20, 7:19, 9:3, 38:20, 46:20, 65:11, 73:20, 77:11 COMMISSIONER [14] - 8:6, 8:7, 8:11, 8:13, 8:15, 8:17, 38:7, 38:8, 86:1, 86:2, 86:6, 86:8, 86:10, 86:12 Commissioner [4] - 2:3, 2:4, 2:5, 2:6 Commissioners [1] - 38:6 commitment [3] - 27:12, 37:20, 40:23 commitments [1] - 36:20 committed [2] - 11:7, 13:22 Committee [1] - 63:9 committing [1] - 26:24 Commonwealth [4] - 44:15, 44:18, 45:2, 45:6 communication [1] - 39:16 communities [2] - 17:4, 41:7 community [16] - 16:15, 18:8, 20:11, 32:13, 34:8, 34:9, 35:2, 35:19, 37:13, 37:24, 39:14, 39:16, 41:2, 52:9, 59:22, 72:14 Community [2] - 2:10, 2:16 commuter [1] - 15:7	company [2] - 63:12, 84:12 Company [1] - 3:10 comparable [2] - 18:19, 34:13 compared [3] - 17:2, 20:4, 30:2 compatible [2] - 30:10, 35:12 compete [2] - 41:10, 43:17 competition [3] - 41:1, 41:4, 41:12 competitors [1] - 53:9 complain [1] - 52:16 complete [1] - 50:6 completed [3] - 10:11, 14:12, 80:23 completely [3] - 26:20, 50:1, 56:21 compliance [4] - 25:19, 28:20, 29:20, 36:22 comprehensive [2] - 73:4, 73:8 Comprehensive [6] - 35:10, 45:24, 48:24, 59:21, 63:17, 63:20 comprehensively [1] - 37:19 comprises [1] - 73:20 compromise [1] - 36:17 computer [1] - 87:10 computer-aided [1] - 87:10 computers [2] - 60:8 concealed [1] - 18:17 concern [7] - 41:16, 45:12, 46:3, 67:24, 70:24, 72:2, 72:8 concerned [1] - 56:12 concerns [15] - 39:7, 39:10, 40:4, 41:17, 43:21, 44:10, 45:14, 45:16, 45:20, 46:4, 46:9, 65:23, 67:4, 71:24, 74:24 conclude [2] - 81:11, 85:20 concluding [1] - 86:18 concrete [9] - 20:19, 28:3, 48:6, 58:10, 58:13, 58:15, 61:1, 61:2, 70:24 condition [3] - 12:1, 25:22, 37:21 conditions [4] - 28:1, 30:8, 36:21, 44:11 conducted [1] - 36:23	confidence [1] - 43:14 confidential [1] - 80:24 confirmed [4] - 13:19, 16:4, 27:22, 33:8 confirms [1] - 24:14 confused [2] - 59:12, 59:23 congestion [1] - 32:1 conifers [1] - 21:11 connectivity [1] - 19:24 cons [1] - 74:13 conservative [1] - 28:6 consider [1] - 57:5 consideration [3] - 28:19, 38:3, 45:12 considerations [1] - 74:16 considered [1] - 5:13 consistent [1] - 26:13 consistently [1] - 27:22 constitutes [1] - 87:11 constructed [1] - 11:7 construction [9] - 13:20, 14:1, 14:3, 14:9, 14:10, 15:13, 18:9, 34:2, 40:1 Consultant [1] - 2:15 contain [1] - 84:5 contaminants [1] - 29:18 continue [1] - 67:3 continued [1] - 5:8 continuous [2] - 27:3, 30:6 contract [3] - 12:2, 53:15, 53:21 contractor [3] - 9:21, 48:5, 53:18 contractors [2] - 53:17, 56:20 contractually [1] - 15:22 control [4] - 23:6, 37:7, 61:8, 88:2 controlling [1] - 45:18 controls [1] - 29:18 cooling [3] - 28:24, 29:4, 29:6 cooperation [3] - 7:7, 7:20, 10:13 coordinated [4] - 14:23, 15:13, 19:22, 32:9 coordination [3] - 9:21, 10:22, 36:23 Coordinator [1] - 2:17
--	--	---	--	---

PZC - Public Hearing - July 9, 2025

copies [2] - 87:23, 88:2 core [3] - 14:14, 16:6, 36:10 corner [3] - 10:18, 16:21, 23:21 correct [1] - 75:21 correction [1] - 25:19 correctly [1] - 71:11 corridor [7] - 12:7, 35:9, 72:24, 74:10, 77:21, 78:17, 78:23 cost [9] - 11:11, 32:5, 32:11, 32:18, 33:18, 35:23, 50:22, 51:3, 52:22 costs [2] - 33:23, 35:4 Council [1] - 5:22 counsel [2] - 87:17, 87:18 County [10] - 26:4, 47:4, 48:11, 49:7, 51:14, 53:3, 73:3, 76:6, 76:8 COUNTY [1] - 87:2 county [1] - 29:17 couple [2] - 48:17, 69:13 course [7] - 40:7, 53:21, 66:8, 72:6, 75:20, 75:24 court [1] - 7:6 cover [2] - 32:11, 65:20 cranes [6] - 58:21, 58:22, 58:24, 59:9, 61:12 crashed [1] - 53:8 crazy [1] - 56:11 create [4] - 12:10, 17:22, 21:19, 33:11 created [1] - 51:20 creates [1] - 36:5 creating [2] - 45:3, 49:16 credit [1] - 30:11 critical [1] - 9:15 CROSS [1] - 3:7 cross [1] - 7:13 cross-examination [1] - 7:13 Crouch [2] - 2:5, 8:12 CROUCH [4] - 8:13, 38:7, 86:1, 86:8 crouch [1] - 86:7 culvert [1] - 50:23 curious [3] - 56:21, 61:7, 62:22 current [1] - 66:13 curtailed [2] - 84:21,	84:22 curtailment [1] - 84:16 custom [1] - 12:15 customers [3] - 31:19, 32:1, 84:17 cut [4] - 20:14, 20:21, 21:14, 22:18 cut-away [1] - 20:21 cut-off [1] - 22:18 cut-out [2] - 20:14, 21:14 cuts [1] - 29:9 D daily [1] - 15:3 dark [1] - 22:12 data [38] - 6:12, 9:16, 9:23, 10:9, 11:2, 12:5, 15:24, 17:10, 19:20, 20:5, 21:16, 21:20, 25:24, 26:2, 26:6, 26:12, 26:21, 27:20, 28:6, 29:1, 29:3, 31:10, 33:11, 34:13, 35:7, 49:2, 49:22, 52:17, 56:24, 57:4, 58:5, 62:5, 68:8, 68:14, 73:9, 74:10, 74:16, 80:21 Dave [1] - 9:9 DAVID [1] - 3:7 David [1] - 2:13 dBA [1] - 24:9 dead [3] - 58:18, 58:19, 79:16 Deborah [2] - 79:13, 85:15 DEBRA [2] - 4:7, 77:9 Debra [2] - 77:12, 81:23 decade [4] - 11:1, 12:24, 13:18, 26:8 decades [1] - 37:24 deceleration [1] - 50:23 decibel [3] - 27:3, 28:9, 40:5 decibels [4] - 24:10, 24:11, 28:5, 28:10 deciduous [1] - 21:11 decorative [1] - 22:23 dedicate [1] - 78:9 dedicated [1] - 45:22 dedication [2] - 77:22, 80:9 definitely [3] - 50:16, 51:1, 59:22 definition [1] - 59:23	deflect [1] - 24:23 degree [1] - 83:5 DeKalb [2] - 34:15, 41:4 Del [1] - 47:10 deliberate [2] - 5:21, 7:20 deliver [1] - 28:19 delivered [2] - 11:2, 34:15 delivering [2] - 9:24, 35:9 delivers [2] - 34:20, 36:4 delivery [2] - 9:17, 16:4 demand [4] - 11:6, 13:19, 29:8, 33:12 democracy [1] - 51:19 demolition [1] - 63:7 dense [1] - 19:3 densely [2] - 17:19, 24:22 dent [1] - 57:17 department [2] - 55:18, 55:19 departure [1] - 45:23 depended [1] - 45:24 depth [1] - 14:12 describe [1] - 52:7 design [3] - 9:13, 27:11, 27:22 designed [4] - 29:13, 31:22, 60:23, 68:22 designing [1] - 28:18 destroying [2] - 49:17, 49:18 details [1] - 80:19 detained [1] - 29:12 detention [2] - 42:2, 42:19 determined [2] - 80:15, 80:18 develop [2] - 42:5, 43:7 developed [4] - 13:16, 29:16, 39:21, 45:11 developer [13] - 16:2, 35:22, 39:9, 40:8, 40:14, 40:21, 41:24, 44:14, 46:8, 46:10, 53:4, 54:1, 79:11 developers [2] - 55:21, 76:1 developing [1] - 31:2 development [46] - 9:19, 9:22, 20:12, 29:9, 29:14, 29:15, 31:7, 33:11, 34:10, 34:11, 36:6, 39:2,	39:5, 40:15, 40:19, 41:14, 41:19, 41:22, 42:2, 42:6, 42:13, 42:16, 42:24, 43:1, 43:4, 43:18, 44:12, 44:23, 45:5, 53:14, 53:23, 54:6, 54:11, 72:16, 73:9, 73:12, 73:17, 75:13, 75:15, 75:20, 76:4, 76:7, 76:12, 79:8, 80:10, 85:16 Development [12] - 2:11, 3:10, 5:8, 8:5, 9:6, 52:1, 52:20, 54:2, 59:13, 77:23, 80:22, 84:11 developments [10] - 6:12, 10:1, 15:2, 17:3, 18:20, 41:9, 43:17, 53:2, 74:9, 75:23 deviation [1] - 36:11 deviations [1] - 12:13 dialed [1] - 9:8 died [1] - 56:23 difference [1] - 51:19 different [8] - 21:12, 45:8, 54:5, 54:10, 54:13, 69:4, 82:18, 83:13 differentiator [1] - 29:2 digit [1] - 26:17 diligence [1] - 10:11 dime [1] - 52:23 DiNOLFO [1] - 3:2 direct [5] - 7:12, 9:20, 10:13, 10:22, 17:21 directed [2] - 22:14, 46:3 direction [2] - 87:11, 88:2 directions [1] - 70:7 directly [9] - 12:7, 16:4, 22:1, 23:2, 35:5, 36:8, 39:3, 79:1, 87:19 Director [1] - 2:11 dirt [1] - 16:18 dirty [1] - 48:3 disappears [1] - 19:5 discharge [1] - 31:20 discounted [1] - 26:11 discretion [1] - 83:5 discretionary [1] - 25:22 discussing [1] - 85:15 discussion [1] - 6:13 disingenuous [2] -	39:6, 41:17 disproportionate [1] - 72:8 disruption [1] - 32:10 disrupts [1] - 7:1 dissipation [1] - 24:20 distance [2] - 70:11, 82:24 distances [1] - 17:9 distribution [1] - 83:12 district [2] - 12:5, 74:11 districts [1] - 76:15 ditch [1] - 50:21 document [2] - 67:8, 67:10 documented [1] - 36:16 documents [4] - 66:11, 67:6, 69:15, 72:1 dollars [4] - 44:21, 44:24, 52:12 done [14] - 10:12, 40:2, 43:14, 57:10, 60:21, 61:16, 61:24, 62:1, 68:13, 69:13, 73:15, 74:22, 75:11, 76:10 down [8] - 47:13, 49:21, 53:14, 57:14, 57:15, 57:16, 64:23, 85:4 downward [1] - 22:14 dozens [3] - 61:13, 61:14 drainage [1] - 50:21 draw [1] - 31:13 draws [1] - 29:5 dream [2] - 59:18 drive [2] - 34:8, 49:21 Drive [2] - 1:17, 3:8 driven [1] - 11:6 drives [1] - 64:23 driveways [2] - 66:16, 66:20 drops [1] - 31:24 dry [1] - 53:20 drywall [1] - 61:2 Dubajic [1] - 2:14 due [4] - 10:10, 26:11, 28:13, 33:12 duly [5] - 9:2, 38:19, 46:19, 65:10, 77:10 DuPage [1] - 53:3 duplicate [1] - 46:23 during [7] - 6:4, 7:5, 14:9, 27:8, 27:9, 38:16, 83:23
--	--	--	--	---

-PZC - Public Hearing - July 9, 2025-

dust [5] - 14:8, 61:5, 61:7, 61:8, 64:8	enable [2] - 13:8, 16:11 enables [1] - 74:1 enabling [1] - 34:16 enact [1] - 67:13 enclosures [1] - 25:6 encompassing [1] - 28:15 encouraged [2] - 45:7, 45:8 end [4] - 26:16, 46:15, 46:16, 79:18 ends [1] - 79:16 energy [3] - 30:9, 30:10, 71:23 enforceable [6] - 12:2, 27:11, 28:20, 36:20, 37:4, 37:20 enforced [1] - 13:5 enforcement [2] - 13:12, 37:8 Engagement [1] - 2:17 Engineer [1] - 2:18 engineer [3] - 9:12, 78:12, 80:1 engineered [7] - 16:8, 17:16, 22:11, 27:10, 29:12, 31:13, 35:16 engineering [4] - 13:1, 24:10, 50:6, 69:24 engineers [2] - 14:24, 82:8 enhanced [1] - 36:13 enhancing [1] - 12:16 enlightened [1] - 67:13 ensure [4] - 6:18, 20:5, 29:14, 32:9 ensures [1] - 17:11 ensuring [1] - 35:2 entered [2] - 81:21, 85:11 entire [6] - 11:23, 12:11, 17:15, 42:12, 72:13, 80:9 entitlement [5] - 10:10, 15:12, 15:22, 33:2, 34:4 entitlements [1] - 15:14 entrance [1] - 66:13 entry [2] - 23:3, 32:12 envisioned [1] - 35:10 envisioning [2] - 11:17, 19:8 EPA [1] - 29:23 EPC [1] - 9:21 equal [1] - 72:11 equates [1] - 44:2	Equinox [1] - 29:4 equipment [11] - 18:16, 19:1, 21:4, 27:13, 27:15, 27:20, 28:16, 30:2, 68:22, 68:24, 83:19 equitable [1] - 72:13 escrow [2] - 63:6, 63:7 especially [2] - 57:23, 82:24 essentially [1] - 19:4 Estates [1] - 65:16 et [2] - 53:19 evaporative [2] - 28:24, 29:6 evening [4] - 65:12, 67:9, 68:21, 70:15 event [4] - 40:18, 42:23, 43:4, 44:6 evidence [1] - 26:10 examination [1] - 7:13 example [2] - 28:7, 68:6 exceed [2] - 22:12, 29:14 exceeded [1] - 37:16 exceeding [1] - 27:1 exceeds [2] - 22:13, 36:9 except [2] - 22:24, 23:2 existing [5] - 17:13, 31:14, 32:10, 75:18, 79:4 exit [1] - 66:14 expand [2] - 14:15, 33:6 expanded [2] - 50:5, 54:21 expands [1] - 36:3 expect [1] - 68:8 expected [1] - 47:24 experience [1] - 72:20 expired [1] - 56:5 exposed [1] - 18:17 exposure [2] - 10:5, 32:18 expressed [2] - 40:17, 41:6 extended [1] - 31:1 extension [1] - 43:11 extensions [1] - 31:9 exterior [1] - 22:17 extraordinary [2] - 17:5, 35:15 extremely [2] - 30:4, 31:20	F FAA [1] - 23:1 facility [1] - 27:10 facing [1] - 22:22 fact [5] - 39:11, 41:8, 45:5, 67:18, 70:18 factor [1] - 15:15 facts [1] - 55:7 fails [1] - 43:4 fair [3] - 64:21, 64:22 faith [1] - 37:7 fall [1] - 58:6 family [1] - 77:13 fans [1] - 25:2 far [10] - 15:4, 29:8, 29:22, 42:4, 59:24, 82:3, 82:10, 82:19, 83:4, 84:15 farm [4] - 47:12, 52:17, 77:13, 79:1 farmer's [1] - 71:3 farmland [2] - 47:24, 49:17 Farms [8] - 47:5, 47:7, 52:3, 52:14, 64:2, 65:17, 85:1, 85:5 favor [2] - 8:1, 38:13 favorable [2] - 74:5, 74:23 features [1] - 18:8 fee [1] - 64:12 feedback [2] - 19:12, 82:6 fees [2] - 55:21, 55:22 feet [30] - 17:7, 17:8, 17:18, 18:12, 18:13, 20:17, 21:3, 21:6, 22:5, 22:6, 22:7, 22:13, 24:19, 26:5, 26:23, 28:11, 44:2, 50:24, 59:7, 71:8, 71:9, 71:12, 77:20, 78:18, 83:1, 83:15, 83:16, 83:17, 83:24 fellow [1] - 53:8 FERC [1] - 83:6 few [4] - 6:18, 19:6, 27:15, 51:13 fewer [1] - 15:4 field [5] - 52:17, 71:3, 71:18, 78:19, 84:2 FIELD [1] - 3:3 fifth [1] - 81:1 fight [2] - 63:12 figured [1] - 47:16 final [6] - 13:1, 13:2, 29:23, 33:1, 63:14, 76:5	finally [2] - 12:19, 75:1 finances [1] - 34:20 financial [2] - 32:13, 33:7 findings [1] - 36:15 fine [1] - 46:17 fines [1] - 25:23 fire [3] - 33:22, 55:18, 55:19 firm [1] - 9:22 first [12] - 9:2, 14:13, 16:17, 38:19, 42:7, 46:19, 65:10, 66:6, 69:14, 77:10, 77:18, 84:22 fiscal [4] - 32:5, 33:9, 33:12, 35:24 five [5] - 44:3, 48:17, 58:6, 62:5, 72:22 five-story [1] - 44:3 fixture [1] - 22:14 fixtures [2] - 22:18, 22:19 fleet [1] - 71:4 fleets [1] - 15:6 flood [1] - 22:19 flushing [1] - 51:5 flux [2] - 69:24, 70:13 focus [2] - 14:13, 16:19 focused [1] - 6:20 focusing [1] - 16:20 fold [1] - 48:19 fold-up [1] - 48:19 followed [1] - 7:24 following [1] - 5:1 follows [7] - 5:4, 7:23, 9:3, 38:20, 46:20, 65:11, 77:11 foolish [1] - 47:16 foot [3] - 24:22, 70:1, 70:12 football [2] - 78:19, 84:2 footprint [1] - 24:2 force [1] - 36:6 forefathers [1] - 51:20 foregoing [1] - 87:6 forever [1] - 81:16 forgive [2] - 72:3, 72:18 formal [2] - 11:21, 31:7 formalized [2] - 36:1, 37:20 formally [1] - 7:18 former [1] - 48:4 Forristall [3] - 2:3, 8:10, 86:5
--	--	---	---	---

-PZC - Public Hearing - July 9, 2025-

FORRISTALL [2] - 8:11, 86:6 forth [1] - 82:7 forward [3] - 15:21, 32:14, 41:14 founding [1] - 51:20 four [5] - 11:21, 13:8, 41:9, 51:8, 54:22 four-lane [1] - 51:8 frequency [1] - 25:4 front [2] - 50:8, 58:14 fuels [1] - 62:9 full [17] - 10:10, 10:24, 12:20, 16:12, 20:8, 22:18, 23:16, 32:11, 32:22, 33:2, 34:3, 34:5, 37:7, 37:14, 69:20, 82:11 full-time [2] - 34:5, 37:14 fully [17] - 10:3, 11:8, 11:10, 13:13, 14:16, 15:13, 18:16, 19:20, 22:9, 22:14, 29:16, 30:10, 35:12, 36:12, 37:16, 72:17, 84:8 funded [7] - 10:4, 16:9, 30:21, 32:7, 33:17, 35:1, 35:23 funding [1] - 16:10 future [4] - 32:2, 32:5, 78:17, 78:18	generously [1] - 42:14 giraffe [1] - 69:1 given [13] - 19:10, 19:16, 25:11, 31:16, 44:14, 72:15, 74:8, 74:15, 74:17, 82:14, 82:24, 85:18, 87:12 glare [1] - 23:4 glazing [1] - 20:18 glow [1] - 23:15 goal [2] - 19:2, 29:19 gorilla [1] - 44:16 grade [1] - 25:6 grandioso [1] - 64:12 Grandma's [1] - 57:1 grasses [1] - 17:20 gratified [1] - 76:12 great [9] - 34:6, 47:13, 48:22, 54:12, 60:20, 64:24, 66:14, 67:2, 74:22 greatest [2] - 41:15, 55:2 GREEN [4] - 8:6, 8:15, 38:8, 86:10 Green [1] - 2:6 green [4] - 8:14, 17:23, 19:7, 86:9 greenbelt [1] - 19:5 greenbelts [2] - 18:5, 20:3 Gregory [1] - 2:16 grid [4] - 30:4, 30:13, 84:17, 84:19 ground [1] - 60:24 group [1] - 13:21 Grove [1] - 10:18 Grove's [1] - 48:9 growth [6] - 10:23, 11:11, 16:3, 16:12, 34:21, 35:11 guarantee [1] - 45:10 guaranteed [1] - 53:17 guess [1] - 32:20 guessing [1] - 50:12 guest [1] - 37:13 guidelines [1] - 73:13 guys [2] - 63:15, 82:1	HASENBALG [1] - 3:2 hazardous [1] - 30:7 health [1] - 36:17 hear [5] - 20:9, 27:7, 27:8, 27:9, 61:18 heard [6] - 5:18, 7:18, 40:24, 60:5, 62:5, 66:23 HEARING [1] - 1:11 hearing [17] - 5:3, 5:6, 5:23, 6:5, 6:10, 6:14, 6:19, 7:2, 7:5, 8:4, 38:16, 85:21, 85:24, 86:15, 86:18, 87:6, 87:14 hearings [4] - 5:10, 5:19, 7:9, 75:8 heat [1] - 56:22 height [2] - 22:5, 44:1 heights [1] - 83:14 hello [1] - 77:7 help [2] - 75:20, 78:7 hereby [1] - 87:5 hereto [2] - 87:19, 87:22 hereunto [1] - 88:3 hertz [1] - 68:6 Hi [1] - 79:13 hi [2] - 9:4, 77:12 hidden [3] - 31:24, 32:5, 35:4 high [10] - 11:14, 17:18, 20:10, 22:19, 34:2, 34:6, 35:7, 59:1, 59:7, 81:22 high-level [1] - 11:14 high-paying [1] - 34:6 higher [1] - 20:10 highway [1] - 51:8 historic [1] - 27:1 hit [2] - 47:14, 49:8 hitting [1] - 22:7 hold [1] - 81:16 holidays [1] - 25:15 home [8] - 17:12, 26:2, 26:11, 57:1, 57:19, 57:23, 58:6, 58:9 homeowner's [2] - 39:1, 65:19 homes [5] - 26:5, 47:24, 48:1, 58:2, 60:10 hope [1] - 75:15 hopefully [1] - 82:22 hoping [1] - 16:11 horizon [1] - 44:19 hours [1] - 14:10 house [4] - 47:19, 47:20, 47:21, 59:18	houses [3] - 46:2, 48:23, 64:14 huge [6] - 29:1, 45:5, 49:11, 49:22, 57:8, 78:20 hum [1] - 25:4 humming [1] - 40:9 hundred [9] - 24:22, 26:22, 44:20, 44:24, 58:24, 66:4, 77:20, 83:1, 83:24 hundred-foot [1] - 24:22 hundreds [5] - 52:11, 53:1, 53:2, 53:24, 56:23 hung [1] - 53:20 hydrogen [1] - 62:13 hydroscales [1] - 30:16 hypothetical [1] - 69:6	I I-88 [1] - 49:21 idea [2] - 43:6, 75:5 ideal [1] - 10:20 ideally [1] - 69:19 idiosyncratic [1] - 68:3 IDOT [5] - 50:24, 51:1, 54:19, 54:20, 54:23 ILLINOIS [2] - 1:7, 87:1 Illinois [19] - 1:18, 3:4, 3:8, 11:16, 34:14, 38:23, 50:4, 51:7, 51:10, 51:23, 53:11, 55:2, 57:23, 84:11, 84:12, 84:14, 87:4, 88:4, 88:9 Illinois' [1] - 30:15 Illinois-based [2] - 84:12, 84:14 illumiance [1] - 23:21 illuminated [1] - 82:22 illumination [1] - 23:8 image [1] - 21:22 imagination [1] - 49:13 imagine [2] - 36:21, 61:6 immediate [1] - 25:19 immediately [3] - 42:6, 65:14, 65:15 impact [10] - 23:15, 32:5, 55:21, 55:22, 57:7, 67:15, 71:22, 72:8, 74:24, 75:13 impacted [3] - 42:7, 43:8, 43:9 impacts [2] - 35:14, 37:17 implemented [1] - 14:9 implements [1] - 35:5 implications [1] - 72:11 important [1] - 44:3 imposing [1] - 34:17 impossible [1] - 84:18 impression [1] - 70:23 improved [1] - 32:17 improvement [4] - 30:19, 35:21, 53:6, 76:14 improvements [4] - 14:21, 31:5, 52:24, 73:2 IN [1] - 88:3 in-depth [1] - 14:12 incentives [1] - 41:5 inception [1] - 76:19 include [2] - 12:13, 75:16 included [1] - 82:5 includes [2] - 24:21, 30:24 including [2] - 24:12, 66:16 income [1] - 35:6 inconsistencies [1] - 67:7 increase [3] - 33:14, 33:22, 57:20 increased [1] - 61:19 increases [1] - 34:15 increasing [1] - 34:22 incurring [1] - 35:3 independent [3] - 26:15, 27:19, 33:8 indicated [1] - 41:3 indirectly [1] - 87:20 industrial [14] - 11:5, 15:2, 18:20, 25:6, 35:13, 43:11, 47:18, 48:7, 48:11, 64:20, 68:1, 68:3, 72:24, 73:5 Infantry [1] - 3:8 information [2] - 58:4, 80:7 infrastructure [18] - 9:16, 10:23, 14:14, 15:20, 16:7, 29:21, 32:12, 35:1, 35:8, 35:17, 37:23, 52:24, 53:5, 53:10, 54:1,
G				
gain [2] - 15:15, 48:9 gains [1] - 27:15 Galena [6] - 11:16, 14:19, 31:3, 43:10, 67:2, 73:5 gargantuan [1] - 76:15 Gary [1] - 9:8 gates [1] - 75:19 general [6] - 12:4, 26:11, 68:17, 74:11, 75:5, 75:23 generate [5] - 32:23, 61:5, 68:3, 68:15, 68:22 generated [4] - 40:6, 40:9, 45:2, 56:2 generation [1] - 35:7 generator [3] - 24:12, 25:7, 27:9 generators [8] - 24:24, 25:3, 25:5, 25:8, 29:22, 29:23, 30:3, 84:23				
H				
half [2] - 29:10, 55:4 halls [1] - 29:1 hand [4] - 6:7, 6:20, 87:24, 88:4 Hansen [1] - 2:13 hard [4] - 20:16, 79:19, 83:22, 84:3 harmonious [1] - 82:2				

PZC - Public Hearing - July 9, 2025

<div>56:18, 56:19, 84:20</div> <div>ingress [2] - 50:15, 51:9</div> <div>ingress/egress [1] - 50:19</div> <div>initial [3] - 14:11, 24:14, 27:17</div> <div>initiated [1] - 39:8</div> <div>inset [1] - 83:20</div> <div>installed [3] - 14:2, 18:8, 21:24</div> <div>installing [1] - 16:13</div> <div>intense [1] - 70:8</div> <div>intensity [2] - 23:2, 70:21</div> <div>intensive [1] - 41:20</div> <div>intentionally [1] - 18:22</div> <div>intents [1] - 70:17</div> <div>interconnection [2] - 9:19, 31:21</div> <div>interest [3] - 39:8, 41:6, 45:3</div> <div>interested [2] - 44:23, 87:19</div> <div>interests [1] - 74:5</div> <div>interior [3] - 19:9, 42:11, 42:13</div> <div>Intern [2] - 2:19, 2:20</div> <div>internal [3] - 12:14, 12:15, 15:8</div> <div>interrupts [1] - 7:2</div> <div>intersection [2] - 14:21, 31:4</div> <div>inventory [1] - 58:1</div> <div>invest [1] - 43:13</div> <div>investment [4] - 11:8, 34:8, 35:9, 36:9</div> <div>investor [1] - 9:23</div> <div>invisible [1] - 70:17</div> <div>invite [1] - 5:11</div> <div>involved [2] - 81:7, 81:9</div> <div>involving [1] - 78:16</div> <div>isolated [1] - 31:10</div> <div>issue [5] - 25:19, 39:13, 39:24, 75:4, 83:4</div> <div>issued [1] - 13:3</div> <div>issues [4] - 40:2, 40:10, 41:15, 45:17</div> <div>items [1] - 5:18</div> <div>iterate [1] - 45:14</div> <div>itself [12] - 10:3, 10:16, 13:16, 15:1, 21:7, 22:4, 23:5, 31:23, 34:1, 36:3, 36:24, 41:8</div>	<div>J</div> <div>job [3] - 7:8, 49:5, 49:6</div> <div>jobs [5] - 34:2, 34:5, 34:6, 34:21, 36:5</div> <div>John [3] - 2:19, 47:3, 81:23</div> <div>JOHN [2] - 4:5, 46:18</div> <div>joining [1] - 77:2</div> <div>Joliet [1] - 3:8</div> <div>July [3] - 1:21, 85:14, 88:4</div> <div>June [1] - 5:9</div> <div>jungle [1] - 58:11</div> <div>justified [2] - 12:12, 36:12</div> <div>K</div> <div>Kane [3] - 49:7, 51:14, 53:2</div> <div>Katelyn [1] - 2:16</div> <div>KATHLEEN [1] - 3:3</div> <div>keep [2] - 23:7, 80:17</div> <div>Keith [3] - 65:12, 81:23, 82:10</div> <div>KEITH [2] - 4:6, 65:9</div> <div>Kellogg [1] - 2:14</div> <div>Kendall [6] - 47:4, 48:10, 49:7, 53:3, 73:3, 76:6</div> <div>kid [1] - 49:5</div> <div>kind [10] - 20:16, 39:15, 47:1, 48:3, 55:12, 61:22, 68:14, 70:3, 71:17, 71:20</div> <div>known [1] - 49:4</div> <div>knows [2] - 62:8, 75:23</div> <div>Koons [1] - 9:9</div> <div>Kramer [1] - 38:23</div> <div>Krysti [1] - 2:10</div> <div>L</div> <div>land [8] - 18:6, 64:18, 73:11, 73:14, 76:21, 77:24, 78:10, 81:15</div> <div>landed [2] - 71:2, 71:17</div> <div>LANDOVITZ [4] - 4:6, 65:9, 65:12, 66:3</div> <div>Landovitz [1] - 65:13</div> <div>lands [2] - 62:16</div> <div>landscape [7] - 14:16, 19:4, 21:8, 22:9, 39:19, 42:10, 83:1</div> <div>landscaped [3] -</div>	<div>17:19, 22:2, 24:22</div> <div>Landscaping [1] - 9:14</div> <div>landscaping [8] - 14:13, 16:18, 17:21, 19:21, 41:23, 42:8, 42:17, 84:5</div> <div>lane [1] - 51:8</div> <div>lanes [3] - 14:22, 50:23, 54:22</div> <div>large [2] - 9:16, 63:7</div> <div>large-scale [1] - 9:16</div> <div>larger [1] - 81:5</div> <div>largest [3] - 10:1, 81:6, 81:8</div> <div>LASALLE [1] - 87:2</div> <div>last [13] - 16:22, 26:8, 27:15, 37:8, 39:12, 39:19, 48:18, 54:15, 55:1, 57:21, 64:17, 65:8, 66:12</div> <div>lasting [1] - 16:14</div> <div>late [1] - 64:24</div> <div>law [3] - 38:22, 75:9, 75:18</div> <div>Lawrence [1] - 85:14</div> <div>layer [2] - 18:3, 42:12</div> <div>layman's [1] - 70:3</div> <div>layout [2] - 12:21, 28:17</div> <div>lead [1] - 9:6</div> <div>leaders [1] - 9:15</div> <div>learned [1] - 68:13</div> <div>least [5] - 17:6, 41:20, 42:8, 43:7, 43:9</div> <div>leave [1] - 7:3</div> <div>leaves [1] - 29:19</div> <div>leaving [1] - 37:6</div> <div>LED [1] - 22:18</div> <div>left [2] - 53:20, 78:12</div> <div>Leg [1] - 66:17</div> <div>legacy [2] - 26:21, 30:2</div> <div>Legacy [10] - 47:5, 47:7, 52:3, 52:14, 57:11, 59:6, 64:2, 65:17, 85:1, 85:5</div> <div>Leland [1] - 88:4</div> <div>length [1] - 78:19</div> <div>less [3] - 18:15, 21:6, 28:11</div> <div>lessening [1] - 74:23</div> <div>lessons [1] - 68:12</div> <div>level [8] - 11:14, 20:23, 21:5, 27:24, 40:5, 81:22, 83:12, 83:13</div> <div>levels [3] - 24:15, 28:4, 69:9</div> <div>leverage [1] - 74:4</div>	<div>liability [1] - 32:6</div> <div>licensed [1] - 38:22</div> <div>life [6] - 38:1, 48:4, 62:4, 62:21, 75:15, 76:3</div> <div>lift [1] - 31:2</div> <div>light [15] - 22:13, 22:15, 22:20, 23:14, 24:1, 35:14, 69:11, 70:5, 70:6, 70:8, 70:12, 70:22, 82:12, 82:15, 82:16</div> <div>lighting [10] - 22:11, 22:17, 22:24, 23:3, 69:20, 70:19, 70:20, 70:21, 82:19</div> <div>lightings [1] - 22:23</div> <div>lights [6] - 22:19, 23:11, 23:22, 71:13, 71:15, 71:19</div> <div>likely [2] - 74:17, 80:15</div> <div>likewise [1] - 7:14</div> <div>limit [1] - 6:23</div> <div>limits [3] - 24:9, 27:4, 27:24</div> <div>line [9] - 14:4, 17:7, 21:20, 24:9, 24:16, 24:19, 27:6, 28:5, 64:17</div> <div>Line [14] - 11:16, 14:19, 48:14, 48:15, 48:16, 67:1, 77:14, 77:15, 77:19, 78:1, 79:16, 80:7, 80:13, 80:15</div> <div>lines [8] - 17:22, 18:12, 22:8, 26:23, 31:12, 31:15, 79:18, 79:21</div> <div>Linnane [3] - 2:4, 8:16, 86:11</div> <div>LINNANE [4] - 8:7, 8:17, 86:2, 86:12</div> <div>listen [1] - 43:15</div> <div>listened [1] - 46:5</div> <div>lithium [2] - 62:8, 62:10</div> <div>live [7] - 47:7, 64:9, 65:2, 65:13, 72:10, 75:22</div> <div>lives [1] - 72:6</div> <div>living [1] - 72:22</div> <div>LLC [5] - 3:7, 5:8, 8:5, 84:11, 84:12</div> <div>load [1] - 34:3</div> <div>loads [1] - 33:15</div> <div>loan [1] - 56:6</div> <div>lobotomy [1] - 47:23</div> <div>local [8] - 15:10,</div>	<div>32:24, 34:9, 34:16, 34:18, 36:6, 60:1, 75:18</div> <div>located [2] - 25:1, 46:2</div> <div>location [1] - 10:22</div> <div>locations [1] - 17:24</div> <div>lock [2] - 12:20, 76:2</div> <div>locked [1] - 13:11</div> <div>logistics [1] - 15:4</div> <div>long-term [5] - 11:9, 33:7, 36:8, 37:2, 41:11</div> <div>look [19] - 20:15, 20:22, 20:23, 21:15, 23:24, 41:11, 41:22, 42:4, 43:23, 44:3, 44:5, 44:21, 49:18, 55:24, 56:1, 58:16, 58:21, 59:10, 60:2</div> <div>looked [2] - 48:4, 48:5</div> <div>looking [5] - 12:9, 22:1, 58:10, 71:14, 73:2</div> <div>looks [5] - 21:22, 43:23, 44:22, 71:2, 71:17</div> <div>loop [1] - 28:24</div> <div>lose [1] - 64:14</div> <div>loss [3] - 26:11, 48:9, 57:4</div> <div>losses [1] - 85:17</div> <div>lost [1] - 53:9</div> <div>loud [2] - 61:4</div> <div>Loudoun [1] - 26:4</div> <div>love [3] - 47:22, 68:9, 71:11</div> <div>low [10] - 10:19, 15:1, 20:4, 23:1, 25:4, 28:2, 31:16, 40:8, 70:21, 70:22</div> <div>low-noise [1] - 28:2</div> <div>lower [4] - 18:18, 30:1, 67:11, 67:13</div> <div>LTD [1] - 3:2</div> <div>luck [1] - 53:12</div> <div>lumens [1] - 70:1</div> <div>luminaires [1] - 71:8</div> <div>luminous [2] - 69:24, 70:13</div> <div>Lynn [1] - 2:14</div> <div>M</div> <div>M-2 [4] - 12:4, 64:20, 71:9, 74:7</div> <div>machine [1] - 87:8</div> <div>Madigan [1] - 55:5</div> <div>MAHONEY [1] - 3:7</div>
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PZC - Public Hearing - July 9, 2025

main ^[1] - 15:15 mains ^[1] - 31:1 maintain ^[1] - 30:17 maintained ^[1] - 35:23 major ^[7] - 13:17, 25:2, 29:1, 30:15, 34:7, 35:14 man ^[1] - 55:3 manager ^[1] - 9:7 mandate ^[1] - 75:10 mandates ^[1] - 75:9 manufacturing ^[2] - 12:4, 74:12 maps ^[1] - 73:4 Marge ^[1] - 2:4 market ^[4] - 26:9, 26:10, 57:24, 69:5 Marketing ^[1] - 2:17 markets ^[1] - 53:8 Marlys ^[1] - 2:21 Martians ^[1] - 71:2 massing ^[1] - 19:3 massive ^[1] - 84:1 mast ^[1] - 22:19 master ^[1] - 12:10 matched ^[1] - 13:21 matching ^[1] - 26:9 material ^[1] - 66:21 materially ^[3] - 33:6, 33:21, 75:13 materials ^[2] - 18:23, 61:20 Matt ^[1] - 9:4 MATT ^[2] - 4:3, 9:1 matter ^[2] - 6:20, 13:10 matters ^[3] - 5:22, 15:23, 73:19 mature ^[4] - 19:6, 42:8, 59:8, 83:2 matured ^[2] - 18:9, 22:9 maturing ^[1] - 14:2 maturity ^[1] - 20:8 maximum ^[1] - 24:19 McCarron ^[13] - 4:3, 8:23, 9:1, 9:4, 9:5, 38:11, 46:11, 46:16, 79:13, 80:24, 81:4, 81:8, 81:22 McDonnell ^[3] - 9:8, 9:12, 27:19 mean ^[16] - 49:4, 54:12, 54:23, 56:11, 57:4, 57:10, 58:8, 58:21, 59:2, 62:7, 62:16, 62:17, 62:21, 64:15, 76:9 means ^[4] - 29:24, 53:15, 53:16, 87:8	measured ^[3] - 11:9, 16:11, 70:1 measures ^[1] - 14:8 mechanical ^[2] - 21:4, 83:19 mechanicals ^[2] - 18:14, 25:2 medicare ^[1] - 56:4 meet ^[3] - 27:22, 29:23, 79:13 meeting ^[8] - 5:7, 5:9, 51:14, 51:15, 54:15, 62:3, 82:4, 86:16 meetings ^[2] - 26:1, 51:13 meets ^[1] - 36:9 megawatt ^[1] - 81:4 member ^[3] - 6:6, 7:1, 37:14 members ^[3] - 5:11, 7:4, 7:10 memo ^[1] - 85:13 men ^[1] - 61:21 Menards ^[1] - 48:8 Mendez ^[1] - 2:12 mentioned ^[4] - 11:20, 28:23, 33:3, 34:14 mess ^[1] - 50:20 met ^[1] - 37:16 Meta ^[1] - 34:14 metal ^[1] - 20:18 MHA ^[1] - 9:13 Michael ^[2] - 2:5, 55:5 middle ^[3] - 50:17, 50:18, 79:18 might ^[2] - 51:3, 62:12 Miguel ^[1] - 77:15 miles ^[1] - 49:24 million ^[4] - 44:20, 44:24, 50:13, 57:9 millions ^[3] - 52:10, 52:11 mine ^[1] - 66:16 minimal ^[4] - 15:3, 31:20, 33:12, 34:17 minimum ^[2] - 23:8, 26:24 minimums ^[1] - 35:18 Minooka ^[1] - 29:5 minority ^[3] - 51:21, 52:2, 52:4 minute ^[1] - 18:2 Minute ^[1] - 2:21 misquoting ^[1] - 70:16 mission ^[1] - 9:15 mitigated ^[2] - 35:15, 37:19 mitigation ^[3] - 14:8, 36:19, 37:3	mitigations ^[1] - 13:5 mix ^[1] - 30:13 mode ^[1] - 23:11 modeling ^[2] - 24:14, 27:21 modern ^[1] - 22:17 money ^[4] - 53:9, 57:17, 64:5, 64:14 monitoring ^[2] - 25:17, 27:3 monotonous ^[1] - 20:19 mornings ^[1] - 25:14 most ^[14] - 10:12, 17:8, 18:19, 25:9, 27:23, 29:3, 30:15, 41:20, 43:2, 43:3, 43:20, 66:9, 66:13, 80:15 motion ^[5] - 8:3, 8:9, 23:6, 82:20, 85:23 move ^[2] - 47:22, 54:17 moved ^[4] - 8:6, 48:8, 72:23, 86:1 moving ^[1] - 62:15 MR ^[24] - 3:7, 8:23, 9:4, 38:11, 38:21, 46:11, 46:14, 46:16, 46:21, 55:9, 55:11, 55:14, 55:16, 63:14, 65:12, 66:3, 79:13, 80:3, 80:14, 80:24, 81:4, 81:8, 81:22, 85:10 MS ^[28] - 3:3, 8:10, 8:12, 8:14, 8:16, 8:18, 77:7, 77:12, 78:3, 78:5, 78:8, 78:15, 79:4, 79:9, 79:11, 79:22, 80:1, 80:6, 80:20, 81:2, 81:6, 81:10, 81:13, 86:5, 86:7, 86:9, 86:11, 86:13 mufflers ^[1] - 25:7 multiple ^[2] - 12:13, 21:17 multiples ^[1] - 17:9 Musk ^[1] - 62:16 must ^[1] - 7:6	national ^[2] - 9:15, 9:21 nationally ^[2] - 9:22, 9:23 native ^[1] - 17:20 natural ^[2] - 17:22, 22:2 naturalized ^[1] - 29:13 nature ^[1] - 76:11 near ^[2] - 17:4, 22:7 nearby ^[1] - 26:2 nearest ^[2] - 17:7, 24:16 nears ^[1] - 18:9 necessarily ^[1] - 82:13 necessary ^[1] - 15:19 need ^[12] - 12:20, 36:13, 41:11, 41:13, 43:15, 43:22, 44:21, 45:20, 46:4, 56:5, 56:10, 76:1 needed ^[5] - 14:20, 15:19, 18:4, 31:3, 79:7 needs ^[5] - 12:17, 31:13, 46:3, 56:3, 73:23 negotiating ^[2] - 13:7, 31:8 neighborhood ^[3] - 14:20, 34:5, 36:18 neighboring ^[2] - 22:21, 71:3 neighbors ^[6] - 14:4, 19:6, 20:8, 27:6, 29:20, 64:22 net ^[1] - 34:20 network ^[1] - 66:18 neutral ^[1] - 18:22 never ^[11] - 14:19, 18:17, 22:15, 25:1, 25:10, 25:14, 30:5, 47:22, 49:13, 83:21, 84:18 new ^[8] - 19:13, 19:18, 31:1, 31:11, 32:23, 33:23, 34:17, 34:21 New ^[3] - 56:15, 56:17, 63:23 newer ^[1] - 66:11 Next ^[1] - 22:10 next ^[24] - 10:14, 10:15, 10:24, 11:12, 11:18, 13:14, 16:15, 17:1, 19:6, 20:12, 20:20, 21:7, 21:13, 21:21, 23:18, 24:2, 27:16, 28:22, 30:18, 32:20, 35:4, 35:7, 52:15, 52:17	nice ^[3] - 47:12, 48:20, 79:13 night ^[2] - 24:9, 82:22 nights ^[1] - 25:14 nighttime ^[2] - 23:18, 24:17 Noble ^[1] - 2:10 NOBLE ^[6] - 78:3, 78:5, 78:8, 79:4, 79:11, 80:1 nobody ^[2] - 44:17, 75:23 noise ^[19] - 14:8, 18:15, 24:7, 25:17, 26:19, 27:3, 28:2, 28:21, 35:14, 37:18, 40:9, 60:18, 60:19, 64:8, 68:15, 68:22, 71:21, 82:4, 82:9 non ^[2] - 18:23, 30:6 non-continuous ^[1] - 30:6 non-reflective ^[1] - 18:23 none ^[2] - 71:6, 77:6 nonetheless ^[1] - 26:18 normal ^[1] - 30:8 North ^[2] - 3:3, 10:1 north ^[6] - 16:22, 73:5, 79:2, 79:17, 79:21, 80:12 north/south ^[1] - 78:21 northwest ^[1] - 10:17 nothing ^[4] - 20:9, 30:22, 40:22, 54:13 noting ^[1] - 82:12 nowhere ^[1] - 22:7 NOx ^[1] - 30:1 nuisance ^[2] - 67:15, 84:16 number ^[2] - 54:19, 60:13 numbers ^[1] - 33:3 nursing ^[1] - 57:1
O				
O2 ^[1] - 9:14 objection ^[1] - 74:3 objections ^[1] - 73:9 objective ^[2] - 23:9, 37:11 objectives ^[1] - 10:23 obligations ^[2] - 31:6, 36:1 obstructed ^[2] - 84:6, 84:7				

-PZC - Public Hearing - July 9, 2025-

obtain [1] - 80:16 obviously [3] - 28:12, 74:4, 75:3 occasions [1] - 40:17 occur [2] - 25:13, 40:1 OF [3] - 1:6, 87:1, 87:2 off-site [2] - 23:4, 23:14 offset [1] - 35:20 old [1] - 56:13 Olson [3] - 2:9, 6:11, 59:12 omnidirectional [1] - 70:8 on-site [3] - 20:24, 29:12, 30:24 once [13] - 5:19, 7:17, 13:20, 15:3, 22:8, 25:13, 41:16, 47:17, 50:11, 57:2, 75:11, 83:1, 84:8 one [47] - 5:5, 6:1, 10:15, 12:22, 13:14, 16:9, 20:14, 20:22, 21:14, 23:19, 26:1, 26:15, 27:17, 28:18, 30:5, 32:20, 32:21, 37:11, 39:16, 40:3, 40:4, 40:12, 41:5, 41:15, 43:20, 44:9, 44:11, 44:13, 44:17, 45:19, 47:9, 49:21, 50:3, 53:4, 54:19, 59:15, 61:10, 62:23, 62:24, 69:15, 75:14, 78:24, 79:6, 80:20, 84:10 ones [1] - 59:8 ongoing [1] - 34:1 open [4] - 6:10, 8:3, 28:24, 35:13 operated [1] - 23:10 operation [4] - 23:17, 27:8, 30:6, 30:14 operational [11] - 12:17, 13:9, 15:3, 24:5, 24:6, 27:11, 28:4, 33:18, 33:23, 36:13, 36:19 operations [1] - 19:20 operator [1] - 9:24 opportunity [1] - 68:11 opposed [1] - 68:1 opposition [2] - 8:2, 38:14 order [1] - 7:22 ordering [1] - 68:21 orderly [2] - 6:18, 13:24	ordinance [3] - 45:17, 68:17, 83:17 ordinances [2] - 75:10, 75:18 ordinary [1] - 50:1 original [1] - 87:22 ornamental [3] - 70:19, 70:20, 70:21 ORR [1] - 3:3 OTTOSEN [1] - 3:2 ought [1] - 45:11 out-perform [1] - 27:23 outages [1] - 30:5 outcome [1] - 87:20 output [3] - 25:4, 70:22, 71:23 outside [5] - 15:16, 22:15, 24:1, 25:10, 71:13 outward [1] - 14:15 overall [2] - 66:22, 70:22 overhead [1] - 23:3 overlay [2] - 12:10, 74:20 overview [2] - 6:12, 11:14 own [2] - 43:17, 68:3 owned [3] - 47:5, 72:21, 79:15 owners [3] - 47:12, 77:24, 80:12 owns [1] - 77:13	part [12] - 28:13, 48:10, 48:14, 65:16, 66:17, 66:23, 67:3, 73:16, 73:23, 73:24, 74:21 participated [1] - 53:1 participation [1] - 7:21 particular [1] - 68:4 particularly [6] - 44:5, 66:9, 67:24, 72:15, 74:8, 75:14 particulate [1] - 30:1 parties [1] - 87:19 partners [2] - 15:18, 84:13 passersby [1] - 19:7 Patrick [1] - 65:1 pavement [2] - 48:7, 48:19 paving [2] - 48:5, 49:6 pay [6] - 53:5, 54:3, 54:9, 54:22, 54:23, 55:22 paying [2] - 34:6, 84:19 payment [3] - 47:13, 53:17, 53:22 pays [2] - 30:21, 54:1 peace [1] - 81:16 peaks [1] - 15:7 pending [2] - 16:23, 33:1 people [14] - 9:11, 44:22, 45:13, 52:3, 52:14, 54:3, 56:13, 60:3, 60:5, 60:6, 60:24, 72:8, 75:22 per [6] - 12:14, 29:8, 29:10, 31:17, 60:6, 63:10 per-acre [3] - 29:8, 29:10, 31:17 percent [8] - 26:7, 26:9, 30:1, 30:21, 35:22, 57:21, 58:7, 66:4 percentage [1] - 45:1 percentages [1] - 26:17 perform [1] - 27:23 performance [1] - 53:14 performed [1] - 27:19 perimeter [4] - 17:15, 19:19, 24:20, 25:17 period [1] - 7:19 periodic [2] - 30:4, 36:22 permanent [2] - 19:24,	31:3 permanently [2] - 18:6, 43:3 permit [1] - 51:1 permits [1] - 13:3 persistent [1] - 26:18 person [1] - 72:6 personal [2] - 6:21, 87:11 personally [1] - 52:7 persons [2] - 5:15, 5:24 petition [4] - 8:4, 36:16, 73:19, 85:22 petitioner [14] - 6:5, 7:12, 7:14, 8:20, 66:10, 66:24, 67:9, 68:20, 70:14, 77:17, 78:8, 80:21, 81:19, 81:20 petitioner's [1] - 7:24 petitioners [1] - 5:18 Phase [5] - 16:19, 16:20, 50:5, 73:24, 78:22 phase [4] - 11:5, 13:1, 13:18, 16:22 phased [4] - 12:24, 13:15, 45:8, 72:5 phases [2] - 11:3, 13:17 phasing [13] - 13:12, 15:13, 16:16, 35:19, 40:14, 41:18, 44:12, 73:22, 74:2, 74:4, 75:5, 83:4, 83:6 phone [1] - 56:1 photometric [5] - 69:11, 69:22, 70:10, 71:7, 82:11 physical [2] - 17:14, 28:17 picture [2] - 49:19, 61:10 pictures [1] - 58:12 pin [1] - 47:14 Pioneer [15] - 5:7, 8:4, 9:5, 51:24, 52:20, 54:2, 57:9, 57:14, 57:19, 59:13, 61:24, 77:23, 80:10, 80:22, 84:10 PJM [3] - 15:12, 30:14, 83:5 place [3] - 11:7, 40:20, 87:15 placement [1] - 41:1 places [1] - 68:13 placing [2] - 28:14, 33:12	Plan [6] - 35:10, 45:24, 48:24, 59:21, 63:17, 63:20 plan [22] - 6:4, 10:8, 11:10, 12:11, 12:19, 14:7, 21:8, 27:21, 39:19, 41:24, 42:10, 66:10, 66:13, 66:16, 69:20, 72:14, 76:18, 78:16, 79:3, 82:12, 83:6, 83:23 planes [1] - 52:16 planned [6] - 39:22, 72:4, 76:7, 76:12, 77:21, 80:19 Planner [2] - 2:12, 2:13 Planning [7] - 5:6, 9:3, 38:20, 46:20, 63:9, 65:11, 77:11 planning [4] - 41:9, 66:8, 66:22, 72:5 PLANNING [1] - 1:10 Plano [1] - 73:3 plans [5] - 21:10, 41:23, 41:24, 73:4, 73:8 planted [2] - 17:19, 39:24 planting [3] - 19:9, 19:12, 39:24 plantings [2] - 14:2, 19:5 plea [1] - 73:21 plead [1] - 74:19 pleasant [1] - 58:15 pleased [1] - 85:2 pledge [2] - 51:16, 51:17 podium [2] - 6:3, 7:6 point [3] - 25:24, 76:5, 84:10 Pointe [1] - 1:17 points [2] - 6:22, 65:24 pole [1] - 22:13 poles [3] - 50:9, 50:10, 83:10 police [1] - 33:22 pollution [7] - 18:15, 22:20, 24:1, 70:5, 82:13, 82:15, 82:16 pond [1] - 42:19 pool [1] - 48:3 poorly [1] - 76:7 portion [3] - 39:16, 42:5, 86:15 portions [1] - 39:14 positioned [1] - 10:19 positive [1] - 34:20
P				
p.m [3] - 1:22, 5:4, 86:19 pads [1] - 12:21 PAGE [1] - 4:2 Pages [1] - 87:7 paid [1] - 14:22 pandemic [1] - 57:22 paradigmatic [1] - 68:6 parameters [1] - 76:2 parapets [1] - 18:17 parcel [2] - 12:3, 47:10 parcels [2] - 10:7, 11:22 pardon [1] - 70:15 park [2] - 11:5, 19:23 Park [4] - 63:22, 63:23, 63:24, 64:1 parking [5] - 15:7, 20:23, 21:5, 21:15, 82:21				

PZC - Public Hearing - July 9, 2025

<p>possibility [1] - 72:16 possible [7] - 18:24, 20:7, 23:8, 30:17, 62:18, 84:8, 85:16 possibly [1] - 68:21 post [1] - 29:14 post-development [1] - 29:14 posted [1] - 48:13 potential [2] - 16:23, 85:4 potentially [3] - 20:15, 84:16, 85:4 power [12] - 14:14, 16:7, 25:11, 30:20, 33:16, 35:21, 45:4, 56:13, 56:19, 56:24, 57:3, 83:11 practice [2] - 15:24, 38:22 Prairie [1] - 1:17 prairie [1] - 22:2 prayer [1] - 73:20 pre [1] - 29:15 pre-development [1] - 29:15 precast [3] - 28:3, 61:2 predictable [1] - 14:1 predicted [1] - 40:20 prefer [2] - 74:8, 74:10 preferably [1] - 65:6 preliminary [4] - 10:8, 12:19, 16:16, 82:6 prepared [1] - 8:21 present [4] - 5:16, 8:20, 17:1, 38:13 PRESENT [2] - 2:1, 2:8 presentation [6] - 7:24, 8:21, 12:18, 40:11, 40:16, 82:23 presented [1] - 39:20 preserving [2] - 37:24, 73:13 pressure [2] - 31:18, 31:24 prevent [1] - 23:4 previous [1] - 79:24 price [1] - 58:2 Prices [1] - 26:12 primary [1] - 29:19 principal [1] - 43:21 principle [1] - 70:18 principles [2] - 73:12, 73:13 priorities [1] - 35:11 prison [1] - 55:4 private [3] - 11:8, 12:14, 13:23</p>	<p>privately [5] - 10:4, 16:8, 32:7, 33:17, 35:1 problem [2] - 48:12, 56:22 problems [1] - 48:1 procedural [2] - 75:17, 76:3 proceedings [3] - 5:2, 86:17, 87:13 process [8] - 10:11, 13:14, 25:23, 31:8, 37:17, 75:9, 75:11, 76:11 procurement [1] - 30:11 productive [1] - 6:19 profiles [1] - 69:4 program [1] - 60:17 programs [1] - 30:11 prohibition [1] - 68:9 project [35] - 9:7, 10:3, 10:5, 11:12, 13:9, 14:5, 14:23, 15:8, 15:16, 19:9, 24:4, 24:6, 28:23, 30:21, 32:17, 32:19, 33:20, 33:24, 35:19, 36:3, 36:24, 37:8, 37:10, 37:17, 39:8, 46:22, 50:13, 50:15, 51:4, 63:5, 63:16, 65:2, 80:10, 82:2, 84:13 Project [6] - 3:10, 9:6, 32:22, 34:19, 35:5, 37:22 projected [1] - 28:4 projects [2] - 34:14, 80:22 promises [1] - 40:7 proper [1] - 69:23 properties [1] - 22:21 property [28] - 14:4, 16:20, 17:7, 22:16, 24:9, 24:16, 24:19, 26:23, 28:5, 32:24, 34:16, 47:5, 47:6, 47:13, 47:20, 57:13, 57:15, 57:16, 65:14, 72:21, 77:13, 78:11, 79:16, 79:19, 79:21, 80:12, 85:16 proposed [4] - 5:12, 8:21, 27:21, 39:5 pros [1] - 74:13 protection [6] - 13:13, 16:13, 28:21, 29:20, 60:23, 72:11 protects [1] - 16:1 proved [1] - 69:6</p>	<p>provide [3] - 17:14, 33:7, 34:10 provides [1] - 42:20 proximity [2] - 26:12, 58:5 PUBLIC [1] - 1:11 public [37] - 5:3, 5:5, 5:11, 5:15, 5:19, 6:5, 6:6, 6:10, 6:14, 7:1, 7:2, 7:11, 7:14, 7:16, 7:17, 7:18, 8:4, 11:11, 11:12, 13:10, 13:12, 16:9, 19:18, 33:13, 33:23, 34:18, 36:5, 36:16, 81:21, 85:13, 85:21, 85:24, 86:15, 86:18, 87:6, 87:14 published [3] - 67:6, 67:8, 69:14 PUD [15] - 10:8, 12:10, 12:19, 13:6, 25:21, 36:2, 36:10, 36:21, 37:4, 37:21, 67:3, 75:2, 75:4, 75:11, 75:16 pulled [1] - 47:14 Pulte [1] - 47:11 punches [2] - 67:14, 71:22 pure [1] - 64:15 purpose [5] - 5:10, 35:2, 46:24, 62:24 purposeful [1] - 31:10 purposes [2] - 25:9, 70:17 put [8] - 47:20, 53:13, 54:11, 57:17, 60:10, 62:9, 68:24, 70:24 putting [2] - 58:23, 66:11 PZC [2] - 5:7, 8:4</p>	<p>64:24 R radical [1] - 45:23 rain [1] - 61:7 raise [3] - 6:6, 20:11, 65:24 raised [1] - 39:7 ranging [1] - 17:8 rare [1] - 30:4 rate [2] - 34:17, 41:13 rates [3] - 26:8, 26:13, 29:15 rather [1] - 74:11 rating [1] - 28:9 reach [1] - 79:6 read [1] - 70:23 ready [2] - 56:3, 56:4 real [7] - 25:17, 26:16, 27:20, 28:20, 46:13, 57:24, 67:24 realized [1] - 72:17 really [31] - 15:15, 16:1, 22:8, 23:9, 25:10, 32:16, 32:18, 34:7, 43:15, 43:20, 43:23, 44:2, 49:12, 51:11, 58:9, 60:3, 60:13, 61:22, 62:21, 63:9, 63:21, 69:15, 69:19, 71:12, 73:11, 83:2, 83:7, 84:3, 84:5 realtor [1] - 58:4 reaps [1] - 35:3 reason [1] - 23:23 reasons [3] - 23:12, 44:13, 47:9 reassert [1] - 83:15 rebuilt [1] - 48:18 receive [1] - 32:16 received [1] - 27:18 receiving [1] - 7:22 recent [1] - 66:9 recently [2] - 66:12, 67:5 recession [1] - 47:14 recessive [1] - 18:19 recognized [2] - 9:22, 9:23 recognizing [1] - 67:14 recommend [1] - 73:21 recommendations [1] - 5:21 reconstruction [1] - 31:4</p>	<p>record [11] - 7:7, 9:13, 9:24, 32:4, 36:16, 66:23, 81:21, 85:11, 85:13, 85:17, 87:12 recreation [1] - 19:24 recurring [2] - 34:15, 36:4 red [1] - 23:2 redefine [2] - 37:12, 63:19 redefined [1] - 45:16 redirect [1] - 6:24 redistribution [1] - 44:7 reduce [1] - 41:13 reduced [1] - 87:9 reduction [1] - 31:18 reductions [2] - 34:17, 64:12 redundancy [1] - 25:11 reference [1] - 67:5 referred [1] - 78:17 reflect [1] - 30:12 reflective [1] - 18:23 reforestation [1] - 39:13 refuge [1] - 76:6 refugees [1] - 76:7 regard [3] - 39:13, 42:13, 42:18 regarding [5] - 5:12, 5:18, 73:21, 74:20, 85:22 regardless [1] - 47:23 regards [1] - 80:5 region [1] - 34:12 regional [1] - 35:10 regulatory [1] - 83:13 reinforce [1] - 31:12 relation [1] - 77:18 relative [2] - 87:16, 87:17 relevant [1] - 7:12 reliability [1] - 31:18 reliable [1] - 30:17 relocated [2] - 50:11, 54:21 relocating [1] - 50:9 relocation [1] - 50:7 rely [1] - 29:3 remain [2] - 7:4, 59:21 remains [1] - 47:15 remarks [1] - 6:24 remediation [1] - 62:2 remember [3] - 55:20, 56:14, 71:10 remind [1] - 38:15 removal [1] - 30:16</p>
		<p>Q</p>		
		<p>quality [4] - 29:17, 36:5, 38:1, 76:16 questions [9] - 5:17, 7:11, 7:12, 7:15, 38:4, 38:6, 77:16, 81:12, 83:24 quickly [1] - 46:13 quiet [3] - 27:10, 60:20, 60:22 quieter [2] - 24:16, 27:14 quite [2] - 51:13, 80:19 quote [2] - 23:10,</p>		

PZC - Public Hearing - July 9, 2025

<p>remove [1] - 29:18 rendering [3] - 16:17, 22:6, 23:19 renewable [2] - 30:9, 30:10 repeat [2] - 6:7, 72:3 repeatedly [1] - 7:1 repeating [2] - 6:21, 72:19 repetitive [1] - 6:23 report [1] - 77:19 reported [2] - 6:15, 87:7 Reporter [1] - 87:4 reporter [1] - 7:6 reporting [2] - 25:18, 25:20 represent [2] - 6:2, 39:1 representation [2] - 64:4, 64:16 representing [1] - 9:5 represents [1] - 65:20 reproduced [1] - 88:1 republic [6] - 51:17, 51:18, 51:19, 51:20, 51:21, 52:6 reputation [1] - 55:3 request [4] - 5:17, 8:2, 8:22, 38:14 requested [1] - 36:11 requesting [1] - 10:6 requests [1] - 5:12 require [4] - 12:6, 51:1, 75:19, 78:10 required [4] - 23:1, 30:19, 33:15, 78:9 requirement [3] - 13:22, 36:10, 37:16 requirements [3] - 68:16, 75:16, 75:17 requires [1] - 54:16 research [1] - 60:2 researching [1] - 43:15 resident [1] - 47:4 residential [17] - 26:23, 29:9, 33:10, 43:9, 47:10, 47:15, 47:17, 47:18, 64:18, 64:19, 65:17, 66:15, 66:18, 66:20, 68:1, 71:10, 84:17 residents [12] - 30:23, 32:15, 33:19, 34:23, 35:24, 36:7, 40:4, 44:4, 45:24, 57:12, 64:2, 72:9 resilient [1] - 30:17 respect [2] - 65:19,</p>	<p>66:5 respond [2] - 7:14, 79:12 response [4] - 77:1, 77:4, 79:7, 81:17 responses [1] - 81:20 responsibility [1] - 88:1 rest [2] - 10:21, 26:13 result [2] - 23:13, 35:18 results [1] - 28:10 retain [1] - 37:7 return [1] - 13:2 revenue [5] - 32:24, 34:16, 34:21, 36:4, 85:4 revenues [2] - 44:20, 45:1 reverse [1] - 48:2 review [1] - 6:18 revised [2] - 71:24, 73:23 rezone [1] - 12:3 rezoned [1] - 47:10 rezoning [1] - 10:7 RFP [1] - 68:24 Rich [1] - 2:2 right-of-way [4] - 77:22, 80:9, 80:11, 80:16 right-of-ways [2] - 79:23, 80:5 rim [1] - 42:12 ringed [1] - 17:15 risk [11] - 11:8, 11:12, 13:23, 15:9, 16:10, 26:16, 31:23, 32:13, 32:18, 33:18, 35:24 road [11] - 14:20, 30:20, 33:16, 35:20, 50:17, 64:23, 66:18, 73:1, 77:14, 79:23, 80:5 Road [19] - 11:16, 31:4, 39:3, 42:7, 43:2, 43:10, 43:12, 48:6, 48:13, 48:14, 48:15, 48:16, 65:13, 66:14, 66:17, 77:19, 79:17, 80:13, 80:15 roads [7] - 12:14, 16:7, 32:17, 35:22, 51:6, 53:18, 77:19 Roads [2] - 77:15, 80:7 roadway [3] - 78:9, 80:17 Rob [1] - 50:20 rocket [1] - 62:17</p>	<p>roll [2] - 8:8, 86:3 rolling [4] - 56:14, 56:15, 56:16 roof [1] - 18:12 rooftop [3] - 18:16, 19:1, 22:24 rooftops [3] - 18:14, 28:2, 28:14 room [2] - 76:13, 78:13 roughly [3] - 11:17, 21:11, 26:8 Route [8] - 21:23, 43:8, 49:24, 50:4, 50:19, 51:7, 51:10, 83:10 row [1] - 71:15 Roy [1] - 50:20 rules [1] - 6:18 run [4] - 19:19, 29:14, 30:3, 60:8 run-off [1] - 29:14 runs [2] - 78:21, 79:15 rural [9] - 23:16, 48:22, 51:6, 59:19, 59:20, 59:21, 59:22, 59:24, 73:14 Ryan [1] - 2:3</p>	<p>screening [5] - 18:24, 20:3, 42:17, 42:20, 42:21 seated [1] - 6:9 second [3] - 8:7, 47:20, 86:2 section [1] - 39:4 sections [1] - 43:10 secure [2] - 15:19, 20:24 secured [1] - 31:7 security [3] - 23:7, 23:11, 23:23 sediment [1] - 29:18 see [43] - 11:15, 19:7, 20:8, 20:16, 21:2, 21:4, 21:9, 21:16, 21:24, 23:20, 23:24, 41:22, 41:23, 49:10, 49:21, 60:16, 61:7, 62:22, 63:6, 64:11, 64:13, 66:9, 67:2, 67:17, 67:18, 68:9, 70:22, 71:11, 72:12, 73:1, 73:2, 73:10, 74:8, 74:10, 76:3, 76:9, 76:13, 82:11, 83:3, 83:21, 83:22, 85:2, 85:6 Seeing [1] - 77:5 seeing [1] - 71:15 seeking [5] - 11:21, 13:15, 15:17, 77:23, 80:11 selected [2] - 10:22, 28:8 self [1] - 32:19 self-sustaining [1] - 32:19 Senate [1] - 51:22 senators [3] - 51:23, 51:24, 52:1 Senior [2] - 2:12, 2:13 sense [1] - 52:5 sensitive [2] - 17:24, 20:12 sensors [1] - 23:6 sent [1] - 85:14 separate [4] - 18:7, 40:17, 66:19 separated [1] - 19:20 separation [1] - 17:11 sequencing [1] - 14:11 serve [2] - 31:15, 84:20 service [3] - 30:18, 32:10, 34:22 services [6] - 33:13, 33:22, 33:24, 34:18,</p>	<p>36:5, 55:23 set [6] - 17:6, 20:10, 24:18, 56:19, 62:17, 88:3 setback [2] - 26:24, 28:13 setbacks [5] - 12:15, 17:5, 17:8, 20:2, 35:15 setting [1] - 76:15 seven [4] - 10:7, 11:22, 26:9, 55:4 sewer [4] - 30:20, 31:15, 33:16, 35:21 sewers [2] - 31:2, 53:18 shame [2] - 52:15, 52:16 shaped [1] - 69:1 share [1] - 72:7 shell [4] - 14:3, 14:15, 21:16, 21:20 shells [2] - 23:20, 84:7 shield [1] - 32:13 shielded [3] - 22:14, 23:4, 24:1 shields [1] - 22:18 short [1] - 11:5 short-term [1] - 11:5 Shorthand [1] - 87:4 shorthand [1] - 87:9 show [4] - 26:15, 42:3, 42:9, 66:13 showed [1] - 58:14 showing [1] - 69:15 shown [1] - 79:3 shows [6] - 42:1, 42:10, 58:4, 69:23, 70:11, 78:16 sick [1] - 54:2 side [7] - 16:20, 43:1, 45:7, 78:9, 80:12, 80:13, 81:5 sides [3] - 58:14, 77:24, 80:16 sight [2] - 17:21, 21:20 sign [1] - 6:3 signals [1] - 14:22 signed [2] - 75:12, 87:23 significant [4] - 19:15, 29:5, 33:11, 39:14 significantly [2] - 27:23, 28:12 silent [1] - 7:5 SILVERMAN [4] - 3:7, 3:7, 46:14, 85:10 Silverman [1] - 9:9 similar [2] - 72:20,</p>
--	--	---	--	--

S

safe [1] - 18:6
safeguard [2] - 12:2, 13:10
safeguards [1] - 76:3
safety [2] - 36:17, 60:23
sales [1] - 26:11
SANDERSON [2] - 80:3, 80:14
Sanderson [2] - 2:18, 80:2
Sandoval [1] - 2:20
Sara [1] - 2:12
satisfied [1] - 44:8
saw [4] - 49:8, 58:12, 74:22, 82:4
scale [7] - 9:16, 20:16, 23:21, 29:2, 33:5, 81:3, 84:4
schedule [1] - 11:18
scheduled [1] - 5:6
school [1] - 17:12
schools [2] - 33:21, 55:17
scope [2] - 49:20, 51:4
screen [1] - 18:14
screened [2] - 19:1, 41:21

-PZC - Public Hearing - July 9, 2025-

75:4 simple [1] - 64:15 simultaneously [1] - 87:9 single [5] - 26:17, 53:4, 53:5, 53:23, 82:15 single-digit [1] - 26:17 site [35] - 10:16, 11:15, 11:24, 12:20, 14:18, 15:1, 16:15, 20:1, 20:22, 20:24, 21:12, 23:4, 23:10, 23:14, 25:1, 27:21, 28:18, 29:12, 29:19, 30:8, 30:24, 34:15, 39:17, 41:2, 61:12, 61:13, 62:2, 66:9, 66:13, 67:1, 83:6, 83:23, 84:6, 84:20 sites [3] - 29:2, 30:2, 41:5 six [4] - 17:17, 60:6, 61:12, 72:22 size [1] - 75:14 sky [3] - 22:12, 22:23, 23:15 skyrocket [1] - 57:23 slash [1] - 48:10 slide [22] - 10:14, 10:15, 11:13, 11:18, 13:14, 16:15, 17:1, 20:12, 20:20, 21:7, 21:13, 21:21, 22:10, 23:18, 24:2, 27:16, 28:22, 30:18, 32:20, 35:4, 37:9, 42:1 slides [1] - 27:17 small [1] - 45:1 smart [1] - 23:5 snapshot [1] - 82:13 soft [1] - 49:12 solving [1] - 26:20 someone [2] - 21:23, 62:11 sometimes [1] - 34:16 somewhere [2] - 34:4, 56:10 sorry [6] - 10:15, 32:21, 54:23, 55:11, 80:3, 85:14 sought [1] - 79:1 sound [22] - 17:22, 18:1, 18:3, 24:20, 27:18, 27:24, 28:4, 28:15, 35:16, 67:6, 67:11, 67:14, 67:19, 67:21, 67:22, 67:24, 68:19, 69:4, 69:8, 69:9, 82:3, 82:6	sounds [2] - 24:23, 68:4 Soundscape [1] - 82:7 source [5] - 22:15, 24:5, 24:6, 28:6, 28:10 sourcing [1] - 30:12 southeast [2] - 16:21, 43:10 space [2] - 35:13, 42:20 spam [1] - 56:2 speakers [2] - 6:24, 7:16 speaking [4] - 6:19, 7:6, 58:20, 59:20 special [9] - 10:8, 12:9, 30:22, 44:10, 44:11, 68:10, 68:16, 74:14, 74:20 specialist [1] - 74:15 specific [7] - 40:23, 41:2, 65:24, 68:15, 71:24, 73:19, 74:14 specifically [7] - 31:22, 38:24, 40:13, 41:3, 66:1, 67:5, 74:1 specified [2] - 25:3, 87:15 speculative [4] - 11:4, 13:19, 16:2, 37:1 speed [1] - 62:16 spells [1] - 12:1 spending [1] - 34:9 spill [1] - 22:20 spill-over [1] - 22:20 spillover [1] - 15:9 sponsor [1] - 9:6 spot [1] - 59:18 Springfield [1] - 53:12 squashed [3] - 51:22, 52:2, 52:5 SS [1] - 87:1 stability [1] - 33:7 stable [1] - 16:12 staff [12] - 10:14, 13:2, 19:23, 25:18, 33:8, 36:23, 39:10, 40:6, 43:14, 45:15, 66:11 stage [3] - 10:5, 11:12, 16:10 stand [1] - 6:6 standard [5] - 15:24, 20:10, 37:3, 37:15 standards [7] - 17:10, 22:12, 27:1, 29:17, 29:24, 67:13, 81:21 standpoint [1] - 44:22 stands [2] - 51:18,	52:6 start [5] - 7:23, 16:17, 50:16, 54:16, 73:17 starts [1] - 13:18 STATE [1] - 87:1 state [7] - 6:1, 38:23, 51:23, 52:9, 55:2, 75:9, 75:18 State [1] - 87:4 statement [1] - 64:17 stations [1] - 31:2 stay [2] - 6:24, 48:22 stealth [1] - 23:10 stenographically [1] - 87:8 stick [1] - 55:6 still [9] - 29:3, 47:15, 59:8, 59:9, 59:19, 66:15, 76:13, 80:14, 80:18 stories [1] - 18:11 stormwater [3] - 12:22, 18:5, 29:11 story [4] - 11:2, 43:24, 44:1, 44:3 strategic [1] - 11:10 strategy [2] - 9:20, 35:6 streets [2] - 14:20, 15:10 strengthen [1] - 37:22 stress [3] - 55:17, 55:18, 55:23 strict [3] - 27:3, 27:24, 29:20 stricter [1] - 24:11 strictly [1] - 11:6 strongest [1] - 17:13 structure [2] - 17:12, 20:19 structures [1] - 18:18 students [1] - 33:21 studies [2] - 26:15, 58:3 study [13] - 18:1, 27:18, 67:6, 67:17, 68:19, 69:8, 69:12, 69:22, 70:10, 71:7, 82:3, 82:6 subdivision [4] - 42:22, 65:17, 65:18, 66:18 subdued [1] - 18:22 subject [2] - 5:23, 65:14 submitted [1] - 83:7 substantial [3] - 24:21, 32:23, 33:4 substantially [2] - 27:4, 83:20	substation [3] - 49:4, 49:14, 49:15 substations [5] - 12:6, 12:21, 16:7, 31:1, 31:11 substitute [1] - 76:20 suburban [1] - 24:17 succeed [1] - 66:3 sudden [1] - 14:7 Sugar [2] - 10:18, 48:9 suggest [2] - 39:7, 41:17 Suite [2] - 3:3, 3:8 summary [1] - 20:2 supplier [1] - 34:9 supply [2] - 14:10, 31:18 support [2] - 11:1, 30:16 supports [3] - 12:7, 34:1, 36:6 supposedly [1] - 60:12 suppressing [1] - 26:16 surges [1] - 14:6 surprised [1] - 51:12 surprises [1] - 51:11 surrounding [1] - 35:13 surroundings [1] - 21:18 sustained [1] - 34:10 sustaining [1] - 32:19 Swayze [1] - 65:1 sweat [1] - 47:21 switchyard [1] - 12:22 sworn [6] - 6:8, 9:2, 38:19, 46:19, 65:10, 77:10 system [1] - 18:6 systems [4] - 23:6, 23:7, 29:13, 31:14	33:6, 34:16, 34:17, 36:4, 37:23, 44:7, 64:5, 85:3, 85:4, 85:6 taxation [2] - 64:3, 64:15 taxed [1] - 64:5 taxes [3] - 57:14, 57:15, 57:16 taxing [1] - 33:1 taxpayer [1] - 10:5 tears [1] - 47:21 tech [2] - 35:8, 35:13 technical [3] - 10:10, 15:18, 34:2 technically [1] - 20:7 technology [2] - 62:15, 63:1 telephone [1] - 50:9 temporary [1] - 37:1 ten [11] - 11:18, 57:21, 59:14, 59:16, 60:6, 60:15, 60:21, 61:17, 62:11, 62:18, 64:8 ten-year [2] - 11:18, 59:14 tens [1] - 52:10 tentative [1] - 25:11 tentatively [1] - 28:8 term [7] - 11:5, 11:9, 33:7, 36:8, 37:2, 41:11, 69:24 terms [11] - 67:15, 69:11, 70:3, 71:1, 71:23, 73:18, 74:7, 74:23, 75:1, 76:14, 76:19 territory [1] - 74:17 terrorism [1] - 49:12 terrorist [1] - 49:15 testified [5] - 9:2, 38:19, 46:19, 65:10, 77:10 testify [1] - 5:24 testimony [10] - 5:11, 5:15, 7:7, 7:23, 67:9, 68:21, 81:19, 85:21, 85:23, 87:12 testing [6] - 24:13, 25:8, 25:10, 25:12, 27:9, 30:4 themselves [4] - 18:10, 25:5, 31:11, 40:14 theory [1] - 69:17 therefore [1] - 72:10 thereof [1] - 87:23 they've [3] - 50:21, 62:23 thick [1] - 17:22
T				
tackling [2] - 16:21, 29:4 tailored [1] - 36:12 Taker [1] - 2:21 tall [2] - 20:17, 58:23 tangentially [1] - 65:23 target [1] - 49:12 targeted [2] - 12:12, 35:8 targeting [1] - 16:24 targets [1] - 24:10 tax [13] - 32:6, 32:24,				

-PZC - Public Hearing - July 9, 2025-

<p>thin [1] - 42:12 thinking [1] - 63:4 thinks [1] - 58:9 third [2] - 18:2, 84:1 thoughtful [1] - 28:17 thoughts [1] - 63:14 thousand [4] - 19:17, 50:24, 68:6, 76:10 three [3] - 13:17, 40:16, 52:21 thresholds [4] - 67:11, 67:19, 67:23, 69:10 thrive [1] - 60:11 throughout [1] - 37:17 tied [3] - 12:16, 16:3, 36:13 Tier [1] - 29:23 tight [1] - 58:1 tightening [1] - 69:7 timers [1] - 23:7 tired [2] - 54:2, 54:7 to-be-installed [1] - 21:24 toilet [1] - 51:5 toll [2] - 59:14, 75:19 tonal [14] - 25:3, 40:8, 67:11, 67:14, 67:21, 67:22, 67:23, 68:4, 68:14, 68:22, 69:10, 71:21, 82:4, 82:8 tones [1] - 18:22 Tonight [1] - 10:6 tonight [10] - 5:14, 7:22, 9:5, 15:17, 38:3, 40:22, 40:24, 57:10, 66:24, 77:3 tonight's [9] - 5:6, 5:20, 5:23, 6:5, 7:2, 7:5, 7:7, 38:16, 86:16 took [2] - 48:16 top [3] - 22:3, 22:5, 23:20 topic [1] - 6:24 topics [2] - 6:21, 65:6 total [1] - 77:21 totally [2] - 63:16, 83:13 towers [2] - 29:4, 29:7 track [1] - 9:24 trades [1] - 61:14 traffic [7] - 10:20, 15:2, 15:4, 35:14, 37:18, 61:15, 61:19 trail [3] - 19:18, 19:22, 21:24 transcript [2] - 87:7, 87:23 transcription [1] - 87:10</p>	<p>transcripts [1] - 7:9 transformation [1] - 19:15 transition [5] - 73:11, 73:14, 76:16, 76:17, 76:20 translates [1] - 70:4 transmission [2] - 31:12, 83:12 transportation [1] - 66:22 traveled [1] - 49:6 tree [2] - 22:8, 59:4 trees [16] - 17:20, 18:3, 19:9, 19:13, 19:16, 21:9, 21:11, 21:17, 22:3, 39:21, 42:10, 42:11, 42:14, 58:17, 59:6, 83:1 trespass [1] - 23:14 tried [2] - 53:11, 60:2 triggers [1] - 25:19 trips [1] - 15:4 truck [1] - 15:6 trucks [3] - 48:14, 61:1, 61:3 true [2] - 52:5, 87:12 trust [1] - 45:15 try [5] - 46:22, 55:22, 65:22, 65:24, 80:16 trying [4] - 37:11, 37:13, 68:12, 82:1 turn [2] - 14:21, 79:20 turnover [1] - 26:12 twice [1] - 25:13 two [15] - 10:7, 11:2, 12:21, 18:11, 30:24, 43:24, 44:1, 49:24, 51:23, 52:1, 52:21, 65:8, 66:15, 66:19 two-story [3] - 11:2, 43:24, 44:1 type [1] - 35:9 typewriting [1] - 87:10 typical [3] - 15:2, 24:17, 29:9 typically [3] - 25:7, 69:13, 69:23</p>	<p>87:11, 87:24, 88:2 undermined [1] - 74:6 undulating [1] - 17:17 unfinished [1] - 16:3 unfolding [1] - 76:11 unfortunately [1] - 53:11 unified [1] - 12:10 unincorporated [2] - 11:23, 72:10 uninterrupted [1] - 40:9 United [7] - 3:5, 48:15, 48:24, 49:2, 52:23, 57:18, 60:15 united [1] - 49:1 UNITED [1] - 1:6 unless [2] - 7:5, 73:22 unlike [1] - 33:10 unmitigated [1] - 26:18 unobtrusive [4] - 20:4, 20:7, 27:11, 35:19 unquote [1] - 23:10 unrelated [1] - 6:21 up [21] - 21:3, 26:1, 26:16, 43:12, 48:19, 49:22, 55:22, 56:19, 57:20, 58:2, 58:10, 60:22, 62:12, 63:7, 68:7, 69:7, 71:8, 71:14, 76:15, 83:17, 83:23 updated [4] - 21:8, 67:17, 73:8, 82:5 upfront [1] - 76:2 upgraded [2] - 27:13, 35:17 upgrades [7] - 30:20, 31:3, 31:9, 32:8, 32:12, 33:15, 84:20 upward [1] - 22:22 upwards [1] - 59:6 urban [1] - 63:2 usage [1] - 31:16 useful [2] - 62:4, 62:21 user [3] - 11:7, 13:18, 40:23 users [3] - 41:2, 42:24, 43:18 uses [8] - 22:17, 35:13, 43:11, 68:2, 68:3, 73:11, 73:14, 76:21 utilities [4] - 32:17, 50:11, 54:18, 54:21 utility [19] - 9:19, 12:22, 14:14, 15:12,</p>	<p>15:14, 15:22, 16:4, 31:9, 31:21, 32:8, 33:1, 33:15, 34:22, 35:20, 50:7, 78:17, 78:18, 78:22, 79:5</p> <p>V</p> <p>value [5] - 26:11, 34:2, 35:7, 57:23, 58:9 values [5] - 26:2, 26:16, 27:5, 57:20, 58:6 variance [4] - 18:13, 21:3, 36:11, 83:19 varieties [1] - 21:12 various [2] - 40:2, 49:7 vegetation [1] - 22:3 vegetative [1] - 18:24 vehicles [1] - 61:14 versus [2] - 67:20, 74:14 vertical [1] - 9:19 via [2] - 7:13, 87:10 vibration [1] - 25:4 view [4] - 58:17, 58:19, 74:5, 84:7 views [1] - 58:20 Vinyard [3] - 2:2, 8:18, 86:13 VINYARD [33] - 5:5, 6:9, 6:17, 8:8, 8:19, 8:24, 38:5, 38:9, 38:12, 46:7, 46:12, 46:17, 55:6, 55:10, 55:13, 55:15, 63:13, 65:5, 66:2, 76:23, 77:2, 77:5, 77:8, 78:2, 78:4, 78:6, 81:11, 81:14, 81:18, 85:9, 85:12, 86:3, 86:14 violation [1] - 59:3 Virginia [1] - 26:5 virtually [1] - 20:9 visible [3] - 22:15, 23:2, 71:13 vision [1] - 12:8 visual [3] - 19:15, 20:3, 37:18 visually [3] - 18:19, 20:6, 23:17 VITOSH [2] - 87:3, 88:9 Vitosh [1] - 88:8 vote [4] - 5:21, 7:20, 8:8, 86:3</p>	<p>W</p> <p>wait [2] - 46:14, 46:16 waiting [1] - 50:6 walking [1] - 21:23 walls [5] - 18:3, 28:15, 35:16, 58:13, 61:3 wants [1] - 60:18 warehouse [2] - 15:5, 33:10 warrants [1] - 69:7 warranty [1] - 56:5 waste [2] - 30:7, 31:19 water [15] - 16:7, 28:24, 29:6, 29:8, 29:17, 29:19, 30:20, 31:1, 31:15, 31:16, 31:20, 31:24, 33:16, 35:21, 37:18 wave [1] - 56:22 ways [2] - 79:23, 80:5 Webb [1] - 47:10 website [1] - 66:12 Wednesday [1] - 1:21 week [1] - 66:12 weekdays [1] - 25:14 weight [2] - 67:15, 71:22 WEILER [3] - 4:4, 38:18, 38:21 Weiler [4] - 38:21, 46:23, 65:19, 66:7 welfare [1] - 36:18 west [15] - 16:19, 42:4, 42:5, 42:19, 43:1, 44:15, 45:7, 54:16, 65:14, 72:5, 72:7, 73:17, 74:2, 80:13 western [5] - 39:3, 39:4, 41:21, 42:21, 43:1 WHEREOF [1] - 88:3 WHEREUPON [1] - 5:1 whole [5] - 34:12, 70:18, 71:4, 73:8, 76:11 Wickter [2] - 85:15 wide [7] - 17:18, 18:5, 22:5, 24:22, 78:18, 79:14, 83:24 widened [1] - 80:8 widening [1] - 14:22 wife [4] - 65:13, 65:21, 72:19, 76:5 wifi [1] - 62:23 wildest [1] - 49:13 wildflowers [1] - 17:20</p>
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PZC - Public Hearing - July 9, 2025

wildlife ^[1] - 23:15 willing ^[1] - 79:11 windfall ^[1] - 57:8 window ^[2] - 23:3, 63:21 wish ^[4] - 5:16, 8:1, 66:15 wishes ^[1] - 38:13 wishing ^[1] - 5:24 WITNESS ^[2] - 4:2, 88:3 witnesses ^[1] - 6:8 wondered ^[1] - 80:8 wondering ^[3] - 50:3, 77:21, 78:21 workforce ^[1] - 34:10 works ^[2] - 53:10, 70:19 world ^[5] - 28:20, 50:14, 51:5, 55:3, 59:4 worry ^[1] - 54:9 worst ^[1] - 28:1 wow ^[1] - 49:11 Wyoming ^[2] - 51:24, 84:12	63:19, 64:3, 64:10, 67:12, 67:23, 68:12, 72:9, 73:3, 73:12, 85:6 Yorkville's ^[9] - 11:10, 27:24, 33:6, 35:6, 36:4, 37:23, 48:9, 59:21, 63:16 Young ^[1] - 2:21 YOUNG ^[10] - 8:10, 8:12, 8:14, 8:16, 8:18, 86:5, 86:7, 86:9, 86:11, 86:13
Y	Z
y'all ^[1] - 46:22 year ^[6] - 10:14, 11:18, 25:13, 48:18, 59:14, 61:6 years ^[25] - 14:4, 19:6, 27:16, 47:4, 47:8, 48:17, 55:4, 57:21, 58:18, 59:16, 60:14, 60:15, 60:21, 61:17, 62:5, 62:11, 62:14, 62:19, 64:8, 72:21, 72:22, 75:7, 75:24 yesterday ^[2] - 51:14, 51:15 York ^[3] - 56:15, 56:17, 63:23 YORKVILLE ^[2] - 1:6, 1:7 Yorkville ^[44] - 1:18, 3:6, 10:18, 11:24, 17:3, 23:16, 24:8, 27:12, 28:21, 31:8, 31:19, 32:1, 34:11, 34:23, 37:2, 37:12, 38:24, 41:4, 41:8, 48:10, 48:15, 49:1, 49:2, 49:18, 50:2, 51:9, 51:15, 52:23, 57:8, 57:12, 57:18, 60:10, 60:16, 61:10,	zero ^[5] - 22:22, 23:14, 32:9, 35:23, 70:12 zone ^[2] - 23:7, 23:14 zoned ^[3] - 64:18, 74:18 zoning ^[12] - 9:9, 36:10, 45:23, 68:1, 68:17, 71:10, 73:3, 74:7, 74:11, 74:12, 74:14, 75:10 Zoning ^[6] - 5:7, 9:3, 38:20, 46:20, 65:11, 77:11 ZONING ^[1] - 1:10 Zoom ^[2] - 77:3, 81:15

Jori Behland

From: Lawrence Wickter [REDACTED]
Sent: Monday, July 7, 2025 1:36 PM
To: Jori Behland
Subject: WRITTEN COMMENT-Cardinal Development

To: City Council Meeting, July 8, 2025
Planning and Zoning Commission Meeting, July 9, 2025

From: Lawrence D. Wickter, Jr. and Deborah H. Wickter
[REDACTED]

Re: City Council Agenda: Planning and Zoning Commission Discussion Item #1
Planning and Zoning Committee Agenda: Public Hearings Item #1 and New Business Item #1

We would like to express our objections to the proposed development and the related entitlement changes.

The development will result in loss of property value of our residence.

Contrary to assertions to the contrary by the developer/petitioner, a large commercial development of this nature on farmland in the immediate vicinity of our subdivision, will significantly impair the marketability (and, consequently, value) of all the homes in the subdivision. What was formerly a rural environment with all the associated appeal, becomes a sprawling commercial development with significant negative impacts on aesthetics, traffic, and noise (construction and operation). The appeal as a residential location is unalterably diminished; this is axiomatic.

The development is contrary to the designs of the 2016 Comprehensive Plan.

The Comprehensive Plan called for the Eldamain Road Corridor to be concentrated in "Estate/Conservation Residential". Now the Plan is being modified on an ex post facto basis to provide for commercial development along the entire Corridor. The entire "feel" of the west side of Yorkville is being dramatically altered in what appears to be an expedient shift towards maximizing tax revenues. Does the City budget require such a shift? The City does not appear to be undergoing the significant population growth that would require large new revenue sources or, consequently, a modification to the previous vision for a peaceful, rural environment for residential living. While the Comprehensive Plan is not binding on the City, it acts to influence decisions citizens make on whether to become part of this community. We would like the rural nature of our neighborhood to be preserved.

The development is speculative.

Data center development is one of the most compelling markets in commercial real estate presently. The number of proposals being presented to the City is certainly a testament to that notion. The risk of an oversupply condition developing in this product is no different than in any other development product that is "hot". While "staging" would appear to be an effective mitigant to overbuilding in this project, how would that staging be controlled or monitored by the City? If an oversupply of product interferes with full development of Cardinal, numerous complications will arise in the unwinding of the

development and its redirection to other uses. Neighboring residents potentially will experience years of disruption until stability is restored to the living environment.

Thank you for your consideration.

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Lawrence D. Wickter, Jr.
Deborah H. Wickter

[REDACTED]

C: [REDACTED]

E-mail: [REDACTED]

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