City of Aurora

Planning and Zoning Commission
Meeting Minutes

Wednesday

March 04, 2026

7:00 PM

PLEASE SEE ATTACHED COURT REPORTER MINUTES.

CALL TO ORDER

Acting Chair Owusu-Safo called the meeting to order at 7:05 pm.

ROLL CALL

The following Commission members were present: Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, Mrs. Owusu-Safo, and Mr. Roberts

Chairman Pilmer, Mr. Chambers, and Mr. Pickens were excused.

OTHERS PRESENT

The following staff members were present: Mrs. Vacek, Mr. Curley, Ms. Burden, Ms. Lindburg, Ms. Wysocki

Shivram Naik/1588 Palomino Dr (RE: Data Centers)
Laura Evans/2702 Shetland Ln (RE: Data Centers)
Danielle Fischer/1628 Garfield Av (RE: Data Centers)
David & Christa Szala/2720 Molitor Rd (RE: Data Centers)
Shweta Baid/City of Aurora 10th Ward Alderman (RE: Data Centers)
Leo Wright/2680 Clara Av (RE: Data Centers)
Kathy Torres/950 Austin Av (RE: Data Centers)
Karen Lorence/1634 Garfield Av (RE: Data Centers)
Matt Harvey/Citizens Utility Board (RE: Data Centers)
Susan Gehrig-Cardona/2681 Shetland Ln (RE: Data Centers)
Ramon Cardona/2681 Shetland Ln (RE: Data Centers)
Laura Evans/2702 Shetland Ln (RE: Data Centers)
Jordan Kapitanoff/2285 Coach & Surrey Ln (RE: Data Centers)
Julie & Ron Bay/1741 Shetland Ct (RE: Data Centers)
Linda Cole/450 W Downer Pl #3F (RE: Data Centers)
Tyler Fischer/1628 Garfield Av (RE: Data Centers)
Brian Castro/2780 Molitor Rd (RE: Data Centers)
Georgette Van Daff/1396 S Glen Cr (RE: Data Centers)
Andreas Vrettos/948 Verona Ridge Dr (RE: Data Centers)

Mary Anne Cummings/169 S Lincoln Av (RE: Data Centers)
Ivonne Rychwa/Citizens Utility Board (RE: Data Centers)
Zoe Huspen/Citizens Utility Board (RE: Data Centers)
David Stringer/2244 Georgetown Cr (RE: Data Centers)
Ross Whitaker/Rosanova & Whitaker (RE: Data Centers)
Catherine Hill/854 Station Bl (RE: Data Centers)
Elyse Cintora/1013 S 4th St (RE: Data Centers)
Myoungwhon Jung/2741 Shetland Ln (RE: Data Centers)
Diane Cihangir/739 Orchard Av (RE: Data Centers)
Connie   /Sugar Grove, IL (RE: Data Centers)
Anonymous Aurora 9th Ward Resident (RE: Data Centers)

APPROVAL OF MINUTES

26-0141   Approval of Minutes from February 18, 2026, Planning & Zoning
Commission Meeting

MOTION OF APPROVAL WAS MADE BY: Mr. Gonzales
MOTION SECONDED BY: Mr. Kuehl
AYES: Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, and Mrs. Owusu-Safo
NAYS: 0
ABSTAIN: Mr. Roberts
Motion carried.

Acting Chair Owusu-Safo said motion carries.

**A motion was made by Mr. Gonzales, seconded by Mr. Kuehl, that the minutes
be approved and filed. The motion carried.**

PUBLIC COMMENT

*Acting Chair Owusu-Safo said before we begin this evening's agenda, in accordance
with the Illinois Open Meetings Act if anyone in the audience would like to speak to the
Commission about an item that is relevant to the Commission that is not a public
hearing on the agenda, they will have three minutes to do so. Okay. Seeing no one is
coming up. Now we can move on to today's business for the meeting.*

AGENDA

26-0112   An Ordinance Amending Chapter 49 of the Code of Ordinances, City of
Aurora, by modifying Section 49-103.3 Definitions and 49-104.3
Conditional Uses and Structures with regards to data center facilities

MOTION TO APPROVE WITH CONDITIONS WAS MADE BY: Mrs. Martinez
MOTION SECONDED BY: Mrs. Owusu-Safo
*AYES: Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, Mrs. Owusu-Safo, and Mr.
Roberts*
NAYS: 0
ABSTAIN: 0
Motion carried.

**A motion was made by Mrs. Martinez, seconded by Mrs. Owusu-Safo, that this
agenda item be Forwarded to the Building, Zoning, and Economic**

Development Committee, on the agenda for 3/11/2026. The motion carried.

26-0114   An Ordinance Amending Chapter 49 of the Code of Ordinances, City of
                Aurora, by modifying Section 49-103.3 Definitions and Section
                49-108.10 "ORI" Office, Research and Light Industry District regarding
                warehouses and Section 49-108.10 "ORI" Office, Research and Light
                Industry District, Section 49-109.2 "M-1" Manufacturing District, Limited
                and Section 49-109.3 "M-2" Manufacturing District, General regarding
                performance standards

MOTION OF APPROVAL WAS MADE BY: Mr. Kuehl
MOTION SECONDED BY: Mrs. Martinez
AYES: Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, Mrs. Owusu-Safo, and Mr.
Roberts
NAYS: 0
ABSTAIN: 0
Motion carried.

**A motion was made by Mr. Kuehl, seconded by Mrs. Martinez, that this agenda
item be Forwarded to the Building, Zoning, and Economic Development
Committee, on the agenda for 3/11/2026. The motion carried.**

ANNOUNCEMENTS

ADJOURNMENT

**A motion was made by Mr. Kuehl, seconded by Mrs. Martinez, that this meeting
be adjourned. The motion carried by voice vote.**

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1

      PLANNING AND ZONING COMMISSION MEETING

2   MARCH 4, 2026

3

4   Report of proceedings had at the City of

5 Aurora Planning and Zoning Commission Meeting held at 44

6 East Downer Place, Aurora, Illinois, on the 4th day of

7 March, 2026, commencing at the hour of 7:00 p.m.

8 COMMISSION MEMBERS PRESENT

9 Pedro Gonzales

10 Bruce Kuehl

11 Anderson Lee

12 Nancy Martinez

13 Yvonne Owusu-Safo

14 Brennen Roberts

15

   ALSO PRESENT:

16

   Mrs. Vacek

17

   Mr. Curley

18

   Ms. Burden

19

   Ms. Lindburg

20

   Ms. Wysocki

21

22

23

24

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1   CHAIRPERSON OWUSU-SAFO: I would like to call this

2   planning and zoning commission meeting for Wednesday,

3   March 4, to order. The time is 7:05 p.m. Please call

4   roll.

5   THE CLERK: Chairman Pilmer. Mr. Chambers.

6   Mr. Gonzalez.

7   COMMISSIONER GONZALES: Here.

8   THE CLERK: Mr. Kuehl.

9   COMMISSIONER KUEHL: Here.

10   THE CLERK: Mr. Lee.

11   COMMISSIONER LEE: Here.

12   THE CLERK: Mrs. Martinez.

13   COMMISSIONER MARTINEZ: Here.

14   THE CLERK: Mrs. Owusu-Safo.

15   CHAIRPERSON OWUSU-SAFO: Here.

16   THE CLERK: Mr. Pickens. Mr. Roberts.

17   COMMISSIONER ROBERTS: Here.

18   CHAIRPERSON OWUSU-SAFO: Thank you. I would ask

19   that those in the audience tonight please sign in, if

20   you haven't already done so, on a sign-in sheet over

21   there, your presence at this meeting so your presence

22   will be included in the meeting records. And thank you

23   for attending.

24   Before we begin this evening's agenda items,

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1 in accordance with the Illinois Open Meetings Act if

2 anyone in the audience would like to speak to the

3 Commission about an item that is relevant to the

4 Commission that is not a published hearing item on the

5 agenda, they will have three minutes to do so. So, if

6 anyone?

7   Seeing no one coming forward, we will begin

8 today's agenda. And in the meantime I'll just wait a

9 little bit for everybody to get signed in and have a

10 seat.

11   The first item on the agenda is approval of

12 the meeting minutes from our last meeting which was

13 February 21 -- no. February 18. Are there any

14 requested corrections to the meeting minutes as written?

15   Hearing none, may I have a motion to approve

16 the meeting minutes from the 18th of February.

17   COMMISSIONER LEE: So moved.

18   COMMISSIONER KUEHL: Second.

19   CHAIRPERSON OWUSU-SAFO: Motion has been moved and

20 seconded. Are there any commissioners (indiscernible)

21 for it to be moved? Hearing none, please call roll.

22   THE CLERK: Mr. Gonzales,

23   COMMISSIONER GONZALES: Yes.

24   THE CLERK: Mr. Kuehl.

1   COMMISSIONER KUEHL: Yes.

2   THE CLERK: Mr. Lee.

3   COMMISSIONER LEE: Yes.

4   THE CLERK: Mrs. Martinez.

5   COMMISSIONER MARTINEZ: Yes.

6   THE CLERK: Mrs. Owusu-Safo.

7   CHAIRPERSON OWUSU-SAFO: Yes.

8   THE CLERK: Mr. Roberts.

9   COMMISSIONER ROBERTS: Pass.

10   CHAIRPERSON OWUSU-SAFO: Motion carried. And we

11 will go on to today's agenda. Should I read both into

12 record at the same time like the last time?

13   All right. The first item on the agenda is

14 Item 26-0112 An ordinance amending Chapter 49 of the

15 Code of Ordinances City of Aurora by modifying Section

16 49-103.3, Definitions and 49-104.3, Conditional Uses and

17 Structures with regards to data center facilities. This

18 is a public hearing.

19   Second item is Item 26-0114 An ordinance

20 amending Chapter 49 of the Code of Ordinances. City of

21 Aurora by modifying Section 49-103.3, Definitions and

22 Section 49-108.10, ORI, Office Research and Light

23 Industrial District regarding warehouses and Section

24 49-108.10, ORI, Office, Research and Light Industrial

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 1 District, Section 49-109.2 M-1 Manufacturing District,

 2 Limited and Section 49-109.3, M-2, Manufacturing

 3 District, General regarding the performance standards.

 4 That is also a public hearing.

 5   I think now we would like to hear from staff.

 6   MR. CURLEY: Good evening, Commissioner.

 7   CHAIRPERSON OWUSU-SAFO: Oh, let me just say that

 8 this is also a continuance from our last Planning and

 9 Zoning Meeting from February the 18th. Thank you.

10   MR. CURLEY: Thank you, Commission. Good evening

11 John Curley, Chief Development Services Officer for the

12 City of Aurora. As you will recall we had plenty of

13 public comment at our last hearing, and I wanted to

14 touch on some of those comments, and we have proposed a

15 modest change to the presentation in front of you for

16 data centers that I will highlight, and the warehouse

17 proposal is unchanged from the last viewing you had at

18 the last hearing.

19   So if you permit me, I would like to read a

20 statement about a bunch of, kind of some of the

21 situation and comments that we received.

22   So we have many adversely affected neighbors

23 to some currently operating facilities. We are all

24 indebted to you all for having continue to press for

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1 resolutions to this issue for both currently --

2 residents currently living with these impacts and wish

3 to ensure that no other residents be impacted similarly

4 in the future.

5   Development staff is convinced that we need to

6 adopt the data centers to specific standards and we are

7 here proposing these changes in part due to your

8 advocacy and persistence.

9   As you know the Planning and Zoning Commission

10 tonight is hearing a staff recommendation for zoning

11 regulation changes that would ensure that future data

12 center developments have additional regulations to

13 comply with which would minimize impacts on those future

14 neighbors.

15   For those who have, unfortunately, not had the

16 benefit of a data center neighbor in compliance with the

17 Illinois Pollution Control Board Act yet, we hope that

18 you might consider that comparisons to any noncompliant

19 existing conditions that exist today may not provide an

20 accurate prediction for our proposed regulation

21 performance in the future.

22   As we indicated in earlier meetings of this

23 hearing, staff feels that the most important provisions

24 of the changes that are now contemplated and being

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1 suggested are for conditional use approvals in the

2 properties for M-1 and M-2 and ORI zoning where data

3 centers are currently permitted uses.

4   This is the same provision of regulations that

5 recently provided neighbors in Naperville and Chandler,

6 Arizona the ability to use the conditional use process

7 to deny petitions for proposed data centers.

8   At the advice of Aurora's counsel, legal

9 counsel, the following suggestions will likely be viewed

10 or would likely be viewed as a taking invested property

11 rights and would not likely stand up to any legal

12 challenge, and I wanted to highlight those because they

13 have been part of public comment so far.

14   Banning of data centers outright. Entirely

15 removing data centers from any of the currently

16 permitted zoning districts, that being M-1, M-2 and ORI

17 zoning. Separation distances that far exceed the

18 industry standard practices or are unlikely to be

19 achieved anywhere in the city of Aurora. Decibel levels

20 which are far lower than standard industry practices or

21 are incapable of being achieved by this use type. And

22 modifying written notice requirement distances from a

23 long-time state standard, and then those also only apply

24 to this use type.

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1   So those items which have come up in public

2   comment are, again, likely, our advice from legal

3   counsel is that they will likely not stand up to legal

4   challenges.

5   What you have in front of you today staff

6   believes that these proposed provisions would bring the

7   minimum constant noise threshold at the nearest

8   residential property lines which, again, to remind you

9   would be a thousand feet for ground-mounted chillers --

10   again, generators are all ground mounted in our

11   proposal -- or 1500 feet for roof-mounted chillers.

12   We believe that the decibel levels that would

13   be found at the nearest residential property line would

14   be 40 decibels during the day and even less at night.

15   Also, I wanted to highlight that we will

16   additionally be bringing another zoning proposal related

17   to this matter to the April 8 Planning Commission

18   Meeting which has to do with how we deal with

19   nonconformity in the zoning ordinance for existing data

20   centers.

21   So I will move on to just highlighting the

22   modest changes that we put in place here.

23   CHAIRPERSON OWUSU-SAFO: Does the Commission have

24   any questions for staff at this time? You can now

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1 explain the changes.

2   MR. CURLEY: It will be really quick. I can

3 highlight the one modification that you will find on

4 page -- this is item 112, you will find it at the bottom

5 of page 12 in your text, and just scrolling through the

6 section here where we have added to the presentation for

7 the public hearing.

8   So one of the provisions we talked about last

9 time was on-site renewable energy and resiliency

10 requirement for either having on-site clean energy or

11 on-site resilient storage. We have additionally, based

12 on comments we have gotten from the industry, added a

13 third means of alternative compliance. So this entire

14 slide has been added and these passages are added in

15 page 12 again of your text modification for an

16 alternative compliance means, where if demonstrated, it

17 cannot be met, that there is the ability to purchase

18 renewable energy threads for the facility.

19   That is the only change that we have modified

20 from the prior presentation.

21   CHAIRPERSON OWUSU-SAFO: Now we ask the questions

22 to the Commission, do we have any questions for staff?

23   I think the only question that came to my mind

24 is for the proposed next meeting in April for existing

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1   facilities, is there any highlights that you want to

2   give as to what you anticipate to see? Would it be

3   recommendations to adopt some of the changes into this

4   new ordinance changes?

5   MR. CURLEY: It would be related to this ordinance,

6   but as we have not published notification, we really

7   can't discuss it at this particular meeting. It is

8   related to this topic.

9   CHAIRPERSON OWUSU-SAFO: All right. Bearing there

10 is no other questions for staff, this is a public

11 hearing. Are there members of the public wishing to

12 give testimony to this matter, please raise your hand.

13 You will be sworn in en masse. Then please approach the

14 podium one at a time to give your testimony.

15   You will need to state your name and address

16 for the record, and please sign the sign-in sheet, if

17 you haven't already done so. Let us know. We can bring

18 that back to you to sign, if you haven't signed it.

19   So thank you. At this time can everybody who

20 needs to be sworn in, please stand so we can swear you

21 all in at the same time.

22   (All public participants

23   sworn.)

24   CHAIRPERSON OWUSU-SAFO: So we can start at this

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1 end. Please approach the podium, start from there.

2 Anybody in the first row or second row?

3   Please state your name and address.

4   MS. EVANS: My name is Laura Evans and I am at

5 2702 Shetland Lane in Aurora.

6   And I know this is pertaining to the new ones

7 that are coming in, this is not reflecting incoming that

8 is already existing. So I have a copy of the ordinance

9 that was being suggested, and there are a few things.

10 Basically what I think it makes sense that, I believe it

11 is line 25, it really should only be an M-2. ORI and

12 M-1 should not house a data center, going forward.

13 Understanding that there will be in the ones in

14 occurrence, but considering it is office, research and

15 light industrial, it really should be an industrial,

16 especially with all the heat and generators and

17 everything else in the buildings that should really be

18 an M-2 only. So I believe that's in line 25 on the

19 second page.

20   Also, when, there should be environmental, I

21 believe, there is line 4 that says energy consumption.

22 There really should be environmental concerns as well.

23 So I am very concerned for our health going forward, so

24 that should also be added.

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1   Going to Exhibit A, line 2, on page 6, where

2   it mentioned, and I know John mentioned, about 1500 feet

3   from chillers on the ground or -- the 1500 in line 2 and

4   the 1,000 in line 1, I am a thousand feet. It is not

5   far enough. This needs to go more. We hear it, we feel

6   it. It needs to go more.

7   I understand you don't want to go miles.

8   Let's compromise. How about 5,000 feet. That's a half

9   a mile. It helps. People are still hearing it at that

10   distance by us, but let's moving forward, let's make

11   more distance between residents and data centers. So on

12   page 6 those really should be extended. That 1500 and

13   thousand should go to five. I believe that's also on

14   page 7 where it says, also down here, that it should be

15   five, instead of 1500.

16   Also, on page 8 it says, there should be

17   something about the generators that had to run 24/7.

18   They should be held accountable for something like that,

19   and I know it is catastrophic and out of control since

20   there are going to be situations, but they should be

21   responsible for that as well. So when there is a

22   transformer is blowing or a power outage and they are

23   having to run the generators, I think there needs to be

24   some language that keeps them to what they can and can't

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1   do in there. Running three days straight was just

2   unbearable and very unlivable.

3   The daytime hours, if we can go down, even if

4   we go to like 40 and 50, that's great. The timing,

5   also, go to 8 to 8. 7 o'clock in the morning is just

6   too early. Some of those need to be a little bit

7   extended as well so that also needs to be considered on

8   page 8. If we can extend those times to be a little bit

9   more reasonable for families.

10   Also, it would be nice if all studies that

11 they are requiring should be open to residents. We

12 should be able to see -- there needs to be some

13 transparency in what is being built moving forward. So

14 I think with that transparency there should be studies

15 available upon requests by residents, and that would be

16 nice to have in this language as well.

17   So we appreciate you working on this, and yes,

18 I totally agree when you mention that the existing needs

19 to be looked at as well, but if now we can get some of

20 this taken care of, that would be very helpful.

21   CHAIRPERSON OWUSU-SAFO: Thank you. Anybody else

22 on this side?

23   ANONYMOUS RESIDENT: Hi, good evening. I am

24 Anonymous Aurora resident and, again, I am not giving my

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1 address, but I am in Ward 9.

2   I want to know how do we get proof of

3 compliance, and how are we going to hold their feet to

4 the fire for when they are not in compliance? Because

5 from what I understand already, many of the residents

6 that are here to explain their personal situation in

7 dealing with this nightmare in which they live, there

8 are a lot of things that have not happened yet.

9   And although they promised to be good

10 neighbors, well, they really haven't been, and they

11 likely won't continue to be good neighbors either

12 because there is too much money at stake, and they

13 really don't give a rip about the residents as long as

14 they can get what they want. And at some point there

15 has to be when is enough enough.

16   We already have a approximately eight data

17 centers in this area either that are already existing,

18 up and running, and/or are in the process and in the

19 pipeline to be on board, or they ran to submit their

20 application, like the day before the moratorium went

21 into place, I think that was four of them. This

22 community can only sustain so many.

23   Also, please do not sell out the residents for

24 revenue. The residents of this community deserve and

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1 pay their taxes and are allowed to have their health,

2 their sanity, their property value, and their right to

3 quiet enjoyment. The right to quiet enjoyment,

4 Mr. Whitaker, as the attorney for Cyrus One who is here,

5 he should know what that means. But since he lives in

6 Naperville, I bet he wouldn't want a data center going

7 up next to his home.

8   We are representing the people who couldn't

9 come tonight. I am sure there is plenty others who

10 wished to come or yesterday. I also know there are a

11 lot of people who are pretty upset why some of these

12 meetings are earlier in the day.

13   As I explain to people, this is a large city.

14 I want to be reasonably minded. This large city cannot

15 have all the city's business done on week nights in a

16 couple of nights in a couple of time slots. So

17 something has to give, and therefore, some has to be

18 during the day, and in the evening. And so the people

19 that are here are just representing many more people who

20 would if they could.

21   This is a very hot button topic because this

22 affects so many people and so many lives. Their

23 children's lives. They can't get any peace and quiet at

24 night. They can't sleep.

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1   They can't open their windows. They can't

2   even have a barbecue or enjoy life with their friends

3   and neighbors.

4   Me personally, last year in the fall, my Com

5   Ed bill went from a hundred and some dollars a month to

6   750 dollars a month from August to September. When I

7   called Com Ed -- that was the first time I came to sit

8   at this podium, sort of pounding on the podium, because

9   I was really upset.

10   It is because Com Ed told me on the phone that

11   day that I got that bill that I should pretty much get

12   used to it because I am living, just my husband and I,

13   we don't use that much electricity; we don't have an

14   electric vehicle plugged in. So why is my bill for two

15   people jumping by hundreds of dollars in a 30-day

16   period?

17   Com Ed said that pretty much I should get used

18   to 300 dollars a month because the pool of electricity

19   is so much, and we are competing as individual

20   homeowners with these giant companies with deep pockets,

21   and you can only split the pie so much. Anyone who

22   knows anything in about economics, you have supply and

23   demand. When the supply is being strained because they

24   are sucking up all the water and the electricity, then

1 | the demand goes up, and that means that our bills go up.

2 | You, who probably all are required to live in

3 | the city of Aurora to have this position, if not yet,

4 | you will be affected. It is coming to a home and a ward

5 | near you.

6 | Now, it is my understanding that most of the

7 | current data centers are in, I think, Ward 10, forgive

8 | me if I am mistaken on that. I don't live in Ward 10.

9 | I am here to help support the neighbors that I don't

10 | even know.

11 | Why? Because at some point it is probably

12 | going to affect me with someone wanting to build in my

13 | ward, and so I want to be preemptive because now is the

14 | time, folks, that we have to speak up. We have to show

15 | up, stand up and speak up because those who don't, have

16 | no right to complain later when they get these bills, or

17 | they are living with this nightmare of constant humming

18 | and the sound of the generators.

19 | Because it is not fair to have all of them

20 | concentrated one area, in one ward. Now I am not saying

21 | to spread the wealth because it is not fair to anyone to

22 | have to put up with them. They sold a pack of untruth,

23 | I will just say, that they were going to be good

24 | neighbors and monitor the noise and this and that, and

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1 that has not materialized.

2   So I am begging of you to please make it as

3 inhospitable to the companies that are wanting to come.

4 I understand we already are doing, mitigating the damage

5 from those you inherited, and let me just say this is

6 the prior administration giving sweetheart deals to

7 these companies so that we are now having to clean up

8 the mess and we are now suffering the result of that.

9   Now, you guys, we are asking you to please be

10 responsible stewards of this city and to put those

11 measures in place to keep them honest, to keep them

12 respecting this community because right now they are

13 pretty much not respecting anyone. No one is making

14 them pay their fair share. They need to pay what they

15 are using, and it is unfair for this community to have

16 its community members compensate so that they can have a

17 bigger profit margin.

18   First of all, I would also like to know, and I

19 don't know if anybody knows this, do they pay the same

20 rate that we as residents pay, or do they get a buy in

21 bulk discount? Does anybody know? That would be one

22 question.

23   CHAIRPERSON OWUSU-SAFO: We will add that to the

24 questions.

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1   ANONYMOUS RESIDENT: I would like to add this to

2   the questions because it is not fair for them to, A, get

3   a great deal and a huge discount so we can be

4   compensating out of our tax system.

5   Second of all -- well, I am probably on the

6   15th by now. They don't bring that many jobs. And from

7   what I understand, they bring their own construction

8   crews from outside the area to build it, and then when

9   they leave you got a bunch of equipment running but it

10 doesn't take a whole lot of people to maintain that. So

11 this nonsense of them creating a whole lot of jobs is

12 complete nonsense.

13   I will continue on. We need to differentiate

14 between warehouses likes Loaves and Fishes and the

15 Aurora Innerfaith Food Pantry, and the places that are

16 doing good in our community from the places that are

17 just raping and pillaging our resources. Because the

18 data centers should not be lumped in with the same

19 category as these other warehouse businesses.

20   Hang on. There is more. How can we have

21 confidence and assurance that the water isn't being

22 contaminated, which they put back after they are using

23 it, for our children, for the adults, anyone using it,

24 drinking it, brushing their teeth.

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1   Are we looking at another Erin Brockovich? If

2   you are old enough to remember, in California they had

3   companies who were dumping toxins and stuff, and Erin

4   Brockovich, that became a great movie, basically exposed

5   all of this. And how do we know that the long-range

6   impact on our water, and on our health and safety? And,

7   you know, you also have the issue of sound affecting

8   people's brains and their development and their sanity

9   and their hearing.

10   There is long-term damage that is occurring.

11 Do we have any impact statements or any research because

12 these data centers are being built so fast that we can't

13 keep up with them, and we need to set the rules so that

14 we can prevent harm to our families and for their

15 health.

16   How do we get current, future, and ongoing in

17 real-time maps or addresses of the places that are on

18 the pipeline, on the books, that they are trying to

19 build at? Does that exist? Is that transparent? Is

20 that public information available to us?

21   Because somebody knows where they are building

22 and where they are planning to build and where they are

23 targeting. Where do they do the applications, and how

24 do we find out so that they, them, me, you, we can find

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1 out, oh, hey, well, in another year or two this sucker

2 is going to be popping up in our neighborhood.

3   Peoples' property taxes are going down because

4 you can't sell it because anybody who is going to come

5 to your house to look at it and do a walk through is

6 going to do an about face and leave. And if you can

7 sell your house, you are not going to get the same

8 amount that you probably paid for it. You are not going

9 to get a fair price, anyway.

10   People, we are actually really stuck now with

11 what with the residents have been tricked into welcoming

12 these data centers like Cyrus One. That is just one of

13 a number of them. Right now I am just targeting that

14 one.

15   It is now a matter of mitigating the damage

16 that they are causing and making them have stricter

17 rules and compliance and making them prove that they are

18 regularly being checked in their compliance and not

19 allowing them to open and postponing putting in the

20 noise barriers and all the things that they didn't do on

21 these earlier ones, making sure that before they get

22 whatever that, the certificate of occupancy, or

23 whatever. Before they get that, they have to hit the

24 whole punch list, all checked off that they have done

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1 everything they said they were going to do, and expected

2 and required to do, before they can ever hang their

3 shingle up.

4   I think I have hit the end. I thank you for

5 your time.

6   CHAIRPERSON OWUSU-SAFO: Okay. Be reminded we

7 can't clap for each speech, so please anybody on this

8 side, come on up.

9   MS. COLE: My name is Linda Cole. I live at 450

10 West Downer in Aurora. I have lived in Aurora for a

11 great many years, and I am also a member of the Sierra

12 Club for a number of years.

13   Data centers are here and more would like to

14 make Aurora their home. Aurora currently has this

15 moratorium on them while they work on ways to best

16 protect their residents' quality of life.

17   I have read a summary of the new zoning

18 proposal, and whoever put it together, planning and

19 whoever else worked on it, they did an awesome job.

20 They have a lot covered. Thank you for all who are

21 behind this. Thank you for all the hard work that was

22 done on that.

23   I am not going to be here to see 20 years from

24 now what is going to happen with data centers. However,

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1 I have children, grandchildren, and great grandchildren,

2 and so do you, and they will be here. And I sat on a

3 planning commission for a good many years, and soon

4 after I started one of the things I made up my mind, I

5 did not want one of my grandchildren visiting me in a

6 nursing home down the road saying, Grandma, why did you

7 ever allow that to happen? So I am hoping our city's

8 fathers and mothers will feel the same way.

9   Now, I have several questions. I see that in

10 the summary I have, nothing was mentioned about

11 lighting, and lighting pollution. Somewhere I read that

12 they are working on a new proposal for lighting

13 guidelines. Is that true, and if so, will this be part

14 of this new ordinance?

15   Energy, there is a part in energy that it says

16 required on-site solar to cover 25 percent or peak

17 demand or on-site battery storage to cover 50 percent of

18 peak capacity for 15 minutes to prioritize distribution

19 to local neighborhoods first is the event -- if the

20 event of high peak event. I do not understand that at

21 all. Somebody maybe could explain it to me.

22   And then under water, I would really like to

23 see them be more -- request more transparency. I would

24 like to know where the water is coming from. I would

1 like to know what the actual water usage is for, and I

2 would like to see how they are taking, using and

3 discharging that water.

4   Data centers can use up to five million

5 gallons of water per day. That's a lot of water. Our

6 shallow aquifers can be recharged within one month. Our

7 deep aquifers, where our water comes from, if we are in

8 a drought, which I understand Illinois is in right now,

9 come from their deep aquifers and it can take up to a

10 thousand years to recharge those aquifers. So the water

11 we take out today will not be replaced for a thousand

12 years.

13   And I also, the lady before kind of impressed

14 it in a way, and I think that municipalities can

15 regulate and make the rules for utilities that they

16 control, and I think Aurora does control its water. So

17 I wonder if they have looked into a different rate for

18 data centers. She alluded that perhaps they got a

19 sweetheart deal, I don't know about that, but you can

20 charge a use more for water than what you would for

21 residents. So I don't know.

22   And their manual compliance, were spreading

23 and fees required, who would do that reporting? We

24 suggest it be a third party, and that the data centers

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1 pay for that. Kind of like if you live in a building

2 where there is an elevator, you have to have that

3 elevator inspected once a year, and the inspector is not

4 from the City, and it is not from my building or your

5 building. It is from a third party. They come in and

6 do a professional inspection, and then the party that

7 gets the service pays for it, not the City. The City

8 issues the license.

9   And in several places in the summary it

10 referred to high fines for noncompliance. I don't know

11 what a high fine is to a huge company. A high fine to

12 me would be ten dollars, but I have a feeling they are

13 looking at more than that. Also, a high fine, even if

14 it were in the thousands of dollars, to most big

15 companies is just like give me a check, let me write out

16 the check, I'll pay my fine, and that's it.

17   I would like to see, and I don't know whether

18 it is legal or not, but perhaps if they don't come

19 within compliance of what the rules have been set up

20 with in a certain reasonable amount of time, then they

21 get closed down. That would be very -- I have a feeling

22 they would stay in compliance if that were the rule.

23 Making rules and regulations is kind of the easy part.

24 Enforcing them is what is hard.

1   And I, again, thank you for sitting up there

2   and listening, and I thank the staff for working very

3   hard on this issue. Thank you.

4   CHAIRPERSON OWUSU-SAFO: Anybody else on this side?

5   UNIDENTIFIED WITNESS: I am.

6   CHAIRPERSON OWUSU-SAFO: State your name and

7   address.

8   DENISE: My name is Denise. I live at 1013 South

9   Fourth Street in Aurora.

10   Good evening chairperson and commission

11   members. I am here tonight to speak on the proposed

12   data center ordinance from a unique and urgent

13   perspective. My perspective is a lot different than the

14   people in here. And so I am asking you to bear with me

15   as I regulate my breathing, which you will find out why

16   I have such a problem here in a moment.

17   So I come here with 18 years as professional

18   experience of pharmacy, and a background in I have spent

19   nearly two decades studying exactly how chemical

20   compounds and environmental factors interact with the

21   human biology and our eco system, but most importantly I

22   stand here as a single mother living with advanced

23   emphysema due to those data centers, things like that,

24   that we just kind of let seep into our community

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1　system -- communities throughout the years, right?

2　　　　　In a pharmacy we look at the burden of the

3　deed. When these data centers run or test their diesel

4　generators they release nitrogen oxide and sulfur

5　dioxide. As a professional I can tell you these aren't

6　just nuisances. They are triggers for inflammatory

7　cascades in the lungs.

8　　　　　For a person with emphysema, like myself,

9　these emissions are a direct threat to my respiratory

10　stability and my ability to be there for my children.

11　As an artlist I am equally concerned about the local eco

12　system. These facilities using millions of gallons of

13　water, as others in the community have mentioned, per

14　day and release thermal pollution that degrade our soil

15　and our native plants. The very natural researches we

16　should be protecting in this day and age. We are way

17　too old for this to be like, oh, this is hearsay or this

18　is not -- no. We are very well aware of panteal,

19　Westernized medicine, like we can't be like that naive

20　for money, right, because that's what these big

21　industries are bringing in, just money. It doesn't do

22　anything for our community.

23　　　　　And what is the return for how this health

24　risk? Data centers are not job generators, as they were

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1 marketed. I actually did a study this morning, 5 to 50

2 jobs, per center, after they are built. 5 to 50, right.

3 Local Walmart, Walgreens, I know we have way more than

4 one in our little community pharmacy.

5   Then they strain our power grids so heavily

6 that residents in other states have seen their utility

7 bills jump, and one local resident has seen, what 600

8 dollars she said? That's insane. I am a single mom.

9 That's one paycheck for me. I can't pay a 600 dollar

10 electric bill, right? They weigh heavily on the utility

11 bills.

12   We are affected -- we are being asked to

13 subsidize the energy cost of trillion dollar tech

14 companies, tech companies. Not your farmers. Not your

15 local, you know, person trying to get up and make

16 something of themselves. Tech companies, right? And we

17 are forced to pay the price.

18   The only people benefiting are out-of-state

19 developers and the tech giants who pocket and are

20 getting fat while our local health and resources are

21 depleted.

22   Our health. This is not something you get

23 back. I have a lot of knowledge and information. The

24 air we breathe, I am more susceptible because of my

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1 lungs, but guess what, our kids, I can tell you the

2 increase in kiddos that are getting breathing

3 treatments, right?

4   Pregnant women, guess what, when they got the

5 babies in them, what they are breathing in is affecting

6 those babies. I can tell you because I have two kids

7 (indiscernible). These things go much farther and much

8 more deeper than we are giving it credit. We are

9 complaining about property taxes and resale values.

10   You can't buy your health. You can pump

11 medicine. You can do more injections. You cannot buy

12 your health back. You can't.

13   I urge this Commission to pass ordinances that

14 put people over power consumption. If developers cannot

15 prove with independent third-party data that they won't

16 harm our air or drain our water, they have no place in

17 Aurora.

18   My 18 years in healthcare has taught me that

19 prevention is the only care. Once our air is polluted

20 and our water is gone, we can't fix it with a vote later

21 on. My life, my children's future and our community's

22 health is not for sale. Thank you for your time.

23   CHAIRPERSON OWUSU-SAFO: Anybody else on that side?

24   MS. TORRES: Hi, I am Kathy Torres. 950 Austin

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 1 Avenue in Aurora.

 2   I want to thank everybody for being here and

 3 the work being done and having an open meeting to the

 4 public. I have done some research, continued research

 5 on this, and I have some statements.

 6   So this is a trillion dollar industry that we

 7 are talking about. These are very multi-million dollar

 8 industries that is building these hyper scale centers in

 9 and among our residents, our schools, our parks, our

10 churches, our area, the established -- there is -- it is

11 an established residence. Why are they doing that? Why

12 is it in established areas? Okay.

13   So here is what I have learned. Their shorter

14 distance, that lowers their construction costs. Did I

15 mention that this was a business that it is multi

16 millionaires? I mean trillions of dollars. They are

17 earnings tens of hundreds of millions of dollars with

18 this.

19   There is higher building where they are in

20 established areas. There is higher reliability. There

21 is less transitional costs. Faster construction.

22 Timeline.

23   Okay. So how does that affect the community?

24 All right. the city gets, from what I heard, a million

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1 dollars a year, from what I understood, but how does

2 that affect the residents?

3   Our massive new power demand grid is strained.

4 Utility infrastructure upgrades are passed on to the

5 taxpayers. The higher peak load costs to the taxpayers.

6 There is long-term power contracts that are established.

7 The infrastrational (sic) strain on power, water and

8 roads. It is noisy. This adds to the stress and the

9 health.

10   There is a visual impact. The traffic during

11 construction. There is 24/7 cooling fan noise, and

12 there is electrical substation proximity which is all to

13 their benefit in the neighborhoods that I listed above.

14   All right. So there is five major facts about

15 the data centers. All right. They consume one to two

16 percent global electricity. The cooling usage. Their

17 cooling usage consumes massive amounts of resources,

18 water resources.

19   Most servers run under -- utilized by 10 to 30

20 percent. Wasted heat is rarely reused efficiently. I

21 do have listed the research on how they can reuse and

22 regenerate the usage of heat that they do use, but

23 typically do not. AY or A1 workloads are rapidly

24 reshaping their power demand.

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1   All right. So how much profit is obtained

2   from a large DC, data center? Tens of hundreds of

3   millions annually. Not in our pockets not in residents,

4   not near my community, but in the pocket of all these

5   people that already have trillions of dollars. They are

6   multi wealthy.

7   All right. The key points between the data

8   center, I wonder what is the difference between a data

9   center and an A1? I want to learn. So a data center is

10   general computer and storage. All right. It has a CPU

11   based workload. They are moderate power density and

12   standard cooling.

13   A1 is A1 training and inference, there is GPU

14   accelerated clusters. So it is not just one, but they

15   like to cluster them in the same area, which, of course,

16   as we know, they multiply and everything else is being

17   used with the water, everything that is being discussed.

18   All right. There is extreme high power. Now

19   you want the extreme high power versus a data center

20   with moderate power density. Then you have the advanced

21   liquid cooling. There is pretty a significant

22   difference between the two.

23   So then I wondered, well, how many United

24   States data centers will be the AI focused? Well, 75

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1 percent of the new buildings target A1 workloads. A1

2 shares a total of data center demand rising toward 30

3 percent by 2030. That's four years from now. So 70

4 percent of the future capacity of an AI ready by 2030.

5   So from my understanding, from what I have

6 researched, is the data centers that are being approved

7 and in sight are going to be either converted or used in

8 a very short amount of time as A1 centers. All right.

9 So this strongly points to most United States data

10 centers being designed for AI over the next several

11 years. That's a huge impact and a huge difference.

12   So why are residents electric bills so high?

13 I mean, we just heard again. I heard last time I was

14 here there was a woman who said she lived in a townhouse

15 and it was 400 dollars. This woman tonight is 600

16 dollars. That's insane. Why?

17   Because I had already asked at a former

18 meeting, I said are they paying for their usage. They

19 said yes. And I said well, at the last meeting I asked

20 are they paying for their delivery charges? Well, yes,

21 they are. So why is there such a big difference if they

22 are paying their costs, why is it impacting the

23 community? It doesn't make sense.

24   However, the massive power demand is a grid

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1 strain. Utility infrastructure upgrades. They are

2 passed on to rate payers. There is higher peak loads.

3 They've mentioned that, higher peak loads. It gets

4 passed on to the resident. There is long-term power

5 contract costs recovery. There is transmission

6 expansion fees. There is general energy inflation.

7   So the main reasons for -- all right. We

8 talked about the noise, right, and people are very -- as

9 a right, the noise is a big impact. So the main reasons

10 for buffering the generator noises, you have the diesel

11 backup. This is going on 24/7 for cooling fan noise.

12   There is the visual impact. There is the

13 traffic during construction. There is the electrical

14 substation proximity. There is the electrical

15 substation proximity is how close to a power station.

16   All right. The steps for voltage that do

17 increase, as we all know. All right. It connects to

18 the high voltage transmission lines. The more centers,

19 and if they turn to clusters, which AI is going to

20 clearly, so that increases the voltage in the

21 transmission lines. The distribution of the electricity

22 to local areas.

23   All right. So why does this matter so much to

24 the profitable trillioners in the business? Well,

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1   that's their business. They are good at marketing with

2   what they do. They give the City a million dollars and

3   look what they have gotten in return so far.

4   Okay. So there is a shorter distance; lower

5   their connection cost. There is higher reliability.

6   There is less transmission cost. Faster construction

7   timelines.

8   So right now the U.S. is -- all right. Right

9   now we are in the lead of the global of the United

10 States in our data centers, and where there are

11 thousands of new AI capable buildings are way on their

12 way.

13   All right. Right now there is one operational

14 data center style satellite in space. Now this was

15 launched in November of 2025. It carries AI capable

16 computer hardware in orbit.

17   All right. The health concerns, that was

18 touched on. There is sleep disruption. There is

19 stress; anxiety; noise; light, and traffic.

20   There is headaches. There is migraines, due

21 to frequency or vibrational noise. Respiratory

22 irritation, we have heard.

23   From the diesel generators there is exhaust

24 backups. There is perceivable heat discomfort. The

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1 micro climate changes with the cooling system. That

2 heat has to go somewhere. People are paying for it with

3 their health.

4   The water usage for cooling can affect the

5 community. That is going to affect the community water.

6 The infrastructural strain on emergency services.

7   Again, this is such an important thing, and so

8 often we hear well, this was already done before you

9 moved in here. This had happened. This was -- you knew

10 this existed before you bought your home.

11   This is something that is in existence;

12 however, it is continuing to be, and we can look out,

13 all of us together, to look out for each other and our

14 children, our grandchildren, our community. We have so

15 many good things going on.

16   And I agree with what they said in the

17 February meeting that, really, what is the cost that we

18 are going to -- what we are paying. Is it worth what we

19 are receiving. The changes that is obviously going to

20 continue to take place in upgrading into their AI

21 systems. They get the property, don't build on it, and

22 then, you know, it goes into the AI, converting the data

23 centers into upgrading. It makes a difference.

24   I agree with everybody here. This is a time

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1 where we can make a difference. Thanks for listening.

2   CHAIRPERSON OWUSU-SAFO: Okay. Thank you. Anybody

3 else like to speak on this side.

4   Okay. State your name and address. And if

5 you haven't signed in, there is the sign-in sheet over

6 there.

7   MR. VRETTOS: My name is Andreas Vrettos and I live

8 at 948 Verona Ridge Drive. Sorry for the accent.

9   In any case I have been inside the data center

10 close to Chicago, and I was touring the presentation.

11 In the presentation they showed us how the company, that

12 company started the first centers 25 megawatt and then

13 about 50, then 125 megawatt. They newer ones will come

14 out at 650 megawatts. 650.

15   So the gentleman -- the Cyrus One plant here

16 in Aurora consumes 48 megawatts so at 650 megawatts is

17 what, 13 times larger. So the requirement 35 percent of

18 power they have to make themselves is nothing. It has

19 to be over 90 percent for the impact to remain the same.

20   And even Cyrus One, I am not sure about them,

21 but I think we have a lawyer there from the company.

22 Can the lawyer tell us how many megawatts that plant

23 consumed when it first started. 25 I think, and now it

24 is at 50. I am not sure this is right. It is

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 1 confusing.

 2   But from the back door they are allowed to

 3 increase capacity, increase the power? In my visit to

 4 the other plant, this is my impression. Yes, that plant

 5 was 125, but the plan was to increase it. So they come

 6 in, they say, oh 200 megawatts but then three years down

 7 the road they are consuming 400 megawatts.

 8   That's all.

 9   CHAIRPERSON OWUSU-SAFO: Thank you.

10   CONNIE: I am Connie. I actually live in Sugar

11 Grove. I came last time to the meeting because I

12 honestly wanted to hear firsthand what was being talked

13 about; what was being proposed. And I wanted to learn.

14 I wanted to be educated on what is happening, and

15 honestly, I was kind of shocked.

16   I had no idea. You know, I guess I didn't do

17 my research up until this point. I had no idea how many

18 data centers we already have in Aurora. Why do we need

19 more?

20   I don't care about what electricity is needed

21 for those data centers. We were fine without them.

22 Yes, there are some betterment in, I guess, in some

23 areas, but I don't know. Last week or two weeks ago, I

24 actually saw an article about data centers and I wanted

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1 to share some of the things that I saw.

2   This is Insider. They won a George Polk award

3 for investigative reporting, and I am happy to forward

4 the articles that I saw. It is "The True Cost of Data

5 Centers", is what it was called. Data center water use

6 is a closely guarded secret. Many agencies denied our

7 request for facility specific water use or release their

8 records, only in aggregates, in a water utility service

9 area.

10   In Denver and Colorado Springs utility

11 agencies sued Business Insider to prevent the release of

12 meter and water use records. Business Insider prevailed

13 in both lawsuits. Business Insider's data includes

14 permits for data centers that are not yet built and

15 fully on line, and therefore, estimates expected

16 electricity uses in the near future involve data centers

17 go on line. Their low end estimate is roughly

18 equivalent to the state of Ohio's electricity use in

19 2023 on the high end nearly as much power as the entire

20 state of Florida used that same year.

21   Data centers generators nationwide emit around

22 2500 tons of nitric oxide annually according to Business

23 Insider analysis which ran air center permits from every

24 state with a data center through an environmental

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1 protection agency tool that calculates public health

2 burden. That's equivalent to the air pollutants emitted

3 by other two million passenger cars making a round trip

4 drive between New York and California.

5   Business Insider found 56 civil penalties

6 across nine states levied against tech companies because

7 their centers were found to have violated air quality

8 regulations, with fines totally at lease 1.4 million.

9 The companies with the most penalties were Cyrus One

10 with seven, and Equinix, Essenix with six, followed by

11 QTS with four and Amazon with three.

12   Data centers dive up electricity costs for

13 other rate payers and utility operators and spent

14 billions of dollars in new grid infrastructure to

15 support escalating power demand. That has drawn

16 opposition from other companies including retail giant

17 Walmart, which has said that surging electricity bills

18 are imperiling its expansion in states such as Ohio and

19 Virginia.

20   37 states have tax incentive programs for data

21 center investments. Most exempt developers from sales

22 and use taxes on building materials, machinery and

23 equipment resulting in big hits to state commerce. In

24 Virginia 56 data center projects cost 928 million in

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1   abated state sales tax in the 2020 fiscal year alone.

2   Disclosures in Ohio estimate it forfeited

3   nearly 360 million dollars in data center related tax

4   revenue from the 2022 through 2024 fiscal years.

5   Mason M. Jensen, a professor at the University

6   of Texas at Austin who studies regional tax incentive

7   programs said cities are better off sitting these deals

8   out. Communities throw everything they can at tech

9   companies, yet when the cost of loss tax revenue and

10   escalating electricity prices are factored against what

11   the communities get back in jobs, revenue and prestige,

12   there is just no evidence that you are going to benefit

13   from that data center.

14   An Amazon data center in Hilliard had saved at

15   least 195 million dollars in state and local taxes as of

16   December of 2023 according to annual disclosures driving

17   the price of each job to over one million dollars in

18   abated taxes.

19   New Albany, Ohio garnered 98 jobs in a

20   metadata center but forfeited 189.6 million in state and

21   local taxes as of the end of '23, making each job worth

22   about 1.9 million in foregone tax revenue.

23   So these are -- there are more. There are

24   more that they talked about in terms of air quality,

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1 water. I didn't even bring all that because I figured

2 the dollars is what is going to be more impactful as

3 these are being considered.

4   I have to say when I was here last time, too,

5 I was a little annoyed that these people who were

6 talking about the lawsuits, they were dismissed and it

7 was dismissed. And I understand that what is happening

8 with these lawsuits doesn't have anything to do with

9 this group, necessarily, in terms of decisions that are

10 made, but you all hold the door to Aurora to letting

11 more of these data centers in, and I don't understand

12 why, honestly, we are even talking about this.

13   I am here to help the people that are here, I

14 hope. I am here to help, as some others have said, to

15 show my solidarity for generations to come, if at some

16 point one is being considered where I live. I don't see

17 why we need to continue to open the door to more and

18 more and more and more at the expense of the people that

19 live here.

20   I realize that you have to go through the due

21 process, and I honor and respect that, but I hope

22 inwardly you all are saying, "not on my watch".

23   Thank you.

24 CHAIRPERSON OWUSU-SAFO: Thank you. Anybody else

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1 on the right side?

2   MR. WHITAKER: Good evening. Russ Whitaker,

3 Rosanova and Whitaker, on behalf of Cyrus One.

4   Cyrus One is a global leader in the data

5 center industry with 25 years of experience delivering

6 state of the art digital infrastructure. Today Cyrus

7 One operates more than 60 locations representing 20

8 million square feet in nine different countries. Cyrus

9 One owns and operates a data center campus at 2905 Diehl

10 Road in Aurora. Cyrus One is also in the process of

11 completing construction on phase 1 of a new data center

12 campus at 2725 Bilter Road also in the city of Aurora.

13   Phase 2 of the Bilter Road campus is approved

14 by the City, but construction of improvements for phase

15 2 have yet to commence.

16   I have heard questions from residents on the

17 benefit of data centers. To be clear, if we look into

18 statements from both federal government and the state

19 government, it has been clear that those entities are

20 treating data centers as infrastructures. When Governor

21 Pritzker signing the incentive program for Illinois data

22 centers, he was quoted as saying that in today's world

23 data centers are as critical a part of our

24 infrastructure as our roads, trains and schools. It is

1 a pretty dramatic statement if you let it sink in for a

2 second.

3   The two Cyrus One data center campuses

4 represent billions of dollars investment in the local

5 economy, a significant local jobs base, and make Cyrus

6 One of the city's largest taxpayers. Our interest in

7 the ordinance before you this evening is limited. We

8 seek to protect property interest in Cyrus 's existing

9 data center campuses.

10   This city initiated the moratorium on data

11 centers and warehouse development last September. At

12 that time representations were made that the moratorium

13 would not affect the rights of any person or entity who

14 has submitted a completed application for zoning relief

15 or a permit for data center prior to the effective date

16 of the moratorium.

17   The proposed text amendment that is before the

18 Commission fails to address this issue. The text

19 amendment does not acknowledge existing facilities or

20 take into account the treatment of those facilities

21 under the city's zoning ordinance following the approval

22 of the text amendment. This is a significant gap in the

23 language, but also is one that is easily resolved.

24   Absent of this, the existing facilities would,

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1 by operation of law, become legal nonconforming uses

2 upon approval of the text amendment. Section 49-105.8

3 of the City Code governs nonconformities.

4   While there are a whole list of issues with

5 being categorized as legal nonconforming, the language

6 of the code would expressly prohibit the expansion of a

7 legal nonconforming facility. In other words, phase 2

8 of the Bilter Road campus cannot be constructed despite

9 express representations in the moratorium document to

10 the contrary.

11   While not before the Planning and Zoning

12 Commission this evening, staff's draft responsible data

13 center ordinance provides the obvious fix. The draft

14 responsible data center ordinance establishes a clear

15 guideline for application. In Section 50-3, the draft

16 ordinance provides that, and I quote, "All data center

17 facilities developed after April 1, 2026, must meet the

18 standards of this Section 49-104.3(c)25 of the Aurora

19 Zoning Ordinance.

20   The ordinance further defines development

21 between data center facilities which do not have zoning

22 entitlements pursuant to Chapter 49 of this Code as of

23 April 1, 2026. This exact language which is already

24 proposed by staff in the response data center ordinance

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1 should be, quote, should be included in the amendment to

2 the zoning ordinance before the Commission this evening.

3   It is a simple yet eloquent solution. It

4 addresses the issue to the primary objection of Cyrus

5 One, a concern that I believe is shared by other

6 interested parties in the city.

7   The solution will also provide symmetry

8 between several chapters of the municipal code that are

9 intended to regulate data centers. I appreciate the

10 Commission's time and consideration this evening.

11   I hate to be hypertechnical and quote sections

12 or be legalistic about the issues before the Commission,

13 but I think the text of the legislation before you this

14 evening is critically important. If you have questions,

15 I am happy to answer them. Thank you.

16   MS. BAY: Good evening. I am Julie Bay. I live in

17 Ward 10. I back up next to the data center, and I know

18 that with the current data you have bought an 8 to 13

19 second attention span tonight for details. I didn't

20 understand a thing he said, honestly. So I don't know

21 what that means for me, the lawyer, speak, and I have a

22 master's degree. And what I would like to tell you

23 this, simply, and I appreciate all of your eye contact.

24   This impacts me. This impacts my family. I

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 1 have recordings of the middle of the night of me being

 2 awake due to these sounds of the data center. I

 3 built -- I was the first home in Palomino Springs. We

 4 have been paying taxes for a really long time, and we

 5 are big supporters of Aurora, Illinois.

 6   Thank you for taking all of this into account

 7 about us, as in the people that live here, because

 8 really this is what it is about.

 9   CHAIRPERSON OWUSU-SAFO: Thank you.

10   MS. FISCHER: Hi. Danielle Fischer, 1628 Garfield.

11   First, want to thank the City again for

12 hosting, the moratorium and city staff for all their

13 hard work. I really appreciate it. I don't want the

14 data centers here, but I do realize we are focusing on

15 the regulations right now and thank you for allowing.

16   I said some things before, but I don't know

17 where to check to see if they are added. I wanted to

18 require them to prepare an environmental impact study

19 when applying. Air pollution permits required yearly.

20   I was also wondering if a general clause could

21 be added in the development agreement that states that

22 they will rectify any other health or safety issues that

23 arise and would be resolved within a certain amount of

24 time, general catch-all. I think John, the staff said

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1 that you can't change where the zoning is allowed, but I

2 do agree with the other speaker that I feel like they

3 belong in just W-2 with an additional use. Aurora is a

4 home use so home rules so I think they could have more

5 power with that.

6   Also, I thought John had mentioned the

7 notification requirements can't be changed. The 250,

8 that's not even half a block. I know Yorkville has a

9 500 feet notification for their city. This it can be

10 done, it is their home rule.

11   In regards to the water contamination, even

12 with those cooling waters used from toxic, I was hoping

13 if it doesn't exist, again, I don't know where it needs

14 to be added, if staff could have an arising development

15 agreement handling, disposing and monitoring of the

16 contaminated water for a straight coolant substance, if

17 they don't use water, and by a third party the City

18 selects, not them.

19   Contaminated water can't just be discharged

20 into our water treatment plant. It isn't equipped to

21 filter the types of toxins they produce. Nitrate is one

22 of them, and I believe causing cancer in Oregon around

23 their data center.

24   The last time I mentioned the E. waste plan.

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1 I am not sure if that was added, but found out if they

2 produced many other hazardous waste so I am requesting

3 regulations in place for all the hazardous waste

4 produced by (indiscernible) agents, cleaning chemicals.

5 There needs to be a plan in place in writing handling

6 both in while they operate and if they shut down, and a

7 third party should handle this for the City and not

8 them.

9   Regarding sound, I don't know if landscaping

10 was added, but I feel comprehensive landscaping at least

11 a hundred feet bumpered by different species of trees

12 should be required, and I do feel distance is the best

13 defense. It was increased a thousand feet, but existing

14 residents around Cyrus One say they can hear three

15 miles. So even with these regulations in place, you

16 just don't know what it is going to sound like until

17 after it is done and then it is too late.

18   John said legally maybe can't change, but we

19 are home ruled so set regulations high for other

20 communities to follow.

21   I mentioned it before, and others have too,

22 the City really needs to have in writing the right to

23 terminate operations, not just fine them. They will

24 just pay the fines, continue violating the City

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1 regulations causing irreparable damage and the City will

2 only fine them.

3   And lastly, I know that this is still being

4 worked on, but I feel it is imperative that somehow

5 these requirements retroactive to the current ones that

6 have already been improved, and at least to people

7 around Cyrus One now and ensure the ones being built

8 don't cause the same problems. Thank you.

9   CHAIRPERSON OWUSU-SAFO: Thank you. Anyone else?

10   UNIDENTIFIED WITNESS: Good evening everybody.

11 Thanks for letting me speak. I guess I just wanted to

12 start by stating that this moratorium should stay

13 extended until more research is done on the health

14 hazards what of data centers cause the residents.

15   COMMISSIONER KUEHL: State your name and address,

16 please.

17   MR. WRIGHT: Oh, I'm sorry. My name is Leo Wright.

18 I live at 2680 Clara. I am a 30-year resident of

19 Aurora. I live in the same neighborhood, a block away

20 from the Bays, and I feel that noise every day, like I

21 said at the meeting the last time. This has been so

22 unbearable.

23   With that being said, this moratorium has got

24 to stay in place. I forwarded a study that was

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1 conducted about health hazards to Alderman Baid, she is

2 supposed to share with everybody tonight. I really urge

3 everybody to read it and take everything into

4 consideration before making any judgments about moving

5 forward with any more new data centers.

6   The health effects are detrimental to

7 everybody and what the previous speaker said, the

8 carcinogens from the diesel fumes, we don't know what

9 they are. I asked Cyrus One in our last community

10 meeting are they conducting air monitoring, and I was

11 promptly told they are not required to, but they want to

12 be good neighbors.

13   They got 90 generators sitting on that site

14 that could go off at any time. It is not like a truck

15 moving down the highway where it is moving and it's

16 dispersing. These things are stationary and they are

17 1200 feet from my property, closer to other neighbors.

18 What health effects is that going to have in the future?

19   You know, a few years ago there was a big

20 story about, I believe the company was called

21 Sterigenics of Willowbrook, right? A company that

22 sterilized medical equipment. During their operation

23 people in the community started getting cancer. They

24 started investigating it, and they found out that

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 1 carcinogens that were dispersed in the air from that

 2 plant's operation was causing this cancer.

 3   So it took them a long time, the Village got

 4 behind them and shut them down. There are a lot of

 5 things that are going on here that we don't know about

 6 that Cyrus One is not disclosing. They have had the

 7 same problems in Chandler, Arizona that they have here,

 8 and they are just ignoring them.

 9   They apologize. They ask us for -- they thank

10 us for our patience. But we are not patient anymore.

11 We want results. We want them shut down, and we don't

12 want any more data centers unless there is rock solid

13 evidence that they are healthy to the environment and

14 that they are a benefit to the community.

15   What benefits does Cyrus One give to the

16 community or future data centers? Are they paying

17 taxes? Well, 60 homes in each community probably pay

18 about the same amount of taxes.

19   You know, we talk about state law versus local

20 law. From what I understand the City of Aurora can make

21 ordinances, right? They have a very good ordinance on

22 the books right now, 29-28 noise restrictions. I also

23 sent this to the alderwoman to share with everybody.

24   If the City of Aurora would enforce these

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1 ordinances on Cyrus One, they would shut them down and

2 it states in here that the police department has the

3 authority to do it. So I urge everybody to get this

4 from the alderwoman and read it, read it thoroughly.

5 And let's enforce what is also already on the books.

6   One other thing about the new regulation,

7 there was one good thing I did hear tonight from

8 Mr. Curley that they are going to reduce the decibel

9 level down to 40 decibels. That needs to be instituted

10 to the existing data center immediately. And we don't

11 even know if that's low enough.

12   There was no base line sound study conducted

13 initially. They just started them up. So we don't know

14 what the sound level was unless we shut them down and do

15 a comprehensive sound study. And there should be,

16 again, constant sound monitoring where the residents, if

17 they hear it, it is too loud, they can go online and

18 look on the City website and see where it is currently

19 at and then file a compliant with the police department

20 to get them shut down.

21   What is happening there was no thought put

22 into it. Again, like they say, they treat it like a

23 warehouse, but anybody can see they are putting 90

24 generators on the site, 1400 fan units on the roof and

1 they didn't think it was going to make noise? It is

2 ludicrous.

3   I would like to thank everybody for their

4 comments tonight, they are all very good, but let's

5 enforce the regulations that are on the books now that

6 pertains to noise, and let's do our research on all the

7 health hazards that pertain to these data centers with

8 noise and air quality. Thank you.

9   CHAIRPERSON OWUSU-SAFO: Thank you.

10   MR. CASTRO: My name is Brian Castro. I live at

11 2780 Molitor Road.

12   There is no home closer to a data center than

13 our home. I can stand at the back of my property and

14 throw a baseball 200 feet and hit the wall of Cyrus One.

15   I am here tonight because I didn't get this

16 opportunity when Cyrus One came to town and basically

17 ravaged the property behind our house which used to be

18 nothing but farmland and a forest. I have watched -- in

19 fact, when I built my second home -- I have been living

20 in Aurora now almost 40 years. My first home I lived in

21 18 years and I am in my new home 20 years.

22   And for the last ten years all I have watched

23 in my backyard is construction by Cyrus One as they

24 built the second data center and then the third data

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1 center. And it has been contact construction. They

2 still don't have a permanent certificate of occupancy

3 which is ludicrous. Most other operations under those

4 conditions would have been shut down, but Cyrus One

5 continues to do what they do every day.

6   I have been monitoring the sound in our

7 backyard for the last two years with a decibel meter and

8 there is not a single time at any point in any day,

9 seven days a week, 365 days a year, seven days a week

10 that it gets below 60 decibels. Every swinging day it

11 is above 60 decibels 24 hours a day.

12   It is imperative that the moratorium be

13 extended until that building can get to a level that is

14 acceptable to the neighbors. There is a thousand homes

15 to the south of Cyrus One. They are all being impacted,

16 every one of them.

17   People living in Stonebridge in million dollar

18 homes are hearing the same sounds that people standing

19 on the sidewalk are hearing. There is a constant hum, a

20 constant whirl, and when those generators run, our house

21 shakes. I have drywall damage in my house because of

22 the generators running for three days straight last

23 summer. It is unbelievable.

24   There should not be a data center that close

1   to any house anywhere. It is incomprehensible. I did

2   not have this chance to do this when Cyrus One built

3   building 3, but I am here to tell you that they cannot

4   build any data centers any closer to homes than they are

5   doing right now.

6   There is talk, the mayor has already gone on

7   record on a radio program that they are decommissioning

8   the fire station on Molitor Road and turning that into a

9   data center, and there is a really scary thought the 21

10 acres to the east of that property on the southside of

11 Diehl Road is going to be another data center.

12   You people have got to understand, you are

13 just going to make the matter worse. There needs to be

14 a stop to this problem. You need to find better places

15 for these buildings. They just can't be put near homes.

16 And that's all I have to say.

17   MR. JUNG: Hi. My name is Myoungwhon Jung. I am

18 living at 2741 Shetland Lane. I am living here, Aurora

19 resident. Thank you for the opportunity.

20   Before the vote is had, I would like to

21 respectfully ask each of the counsel members how

22 confident are you that the proposed data center

23 regulations will fully protect all of our residents from

24 long-term environmental and health impact and what

1   independent studies and what evidence are you relying on

2   to support that confidence? Until you are fully

3   confident that these protections are sufficient and

4   grounded in solid independent study research, I urge you

5   not to move forward with approving new data center

6   development.

7   At the same time I respectfully ask you to

8   evaluate whether the current rules are strong enough to

9   address the long-term environmental health impact these

10 facilities may bring to us. The long-term health of our

11 community and environment should take priority over

12 rushing into decisions that could have lasting

13 consequences. As elected officers you serve as a

14 safeguard for the residents of Aurora.

15   I ask that you carefully consider whether

16 these regulations truly provide the protection our

17 community deserves before allowing any large scale data

18 center development in our city.

19   Thank you.

20   CHAIRPERSON OWUSU-SAFO: Okay. Any other?

21   ANONYMOUS RESIDENT: Can I get a second tour? I

22 have a couple of last things, just really quick.

23   Do I have to repeat --

24   CHAIRPERSON OWUSU-SAFO: Yes.

1   ANONYMOUS RESIDENT: Anonymous Aurora resident.

2   Not telling you my address. Ward 9.

3   Basically I just want to say the thousand

4   dollars a day that they want to fine them for being

5   noncompliant is a complete joke. And companies that

6   have that kind of money and deep pockets will just write

7   it off as a loss. So they need to give them some

8   significant dollar fines that are really going to hit

9   them in their wallet.

10   Basically make them go elsewhere. Let other

11 cities have to fight the good fight for this as well.

12 We are already doing that, and it is exhausting, but we

13 are going to do it until we see it till the end.

14   Continue the moratorium. And basically those

15 buildings are vehemence and an eyesore. They are just a

16 blight on our city. We have such great architecture and

17 things. And how much farmland has to be eaten up in

18 these huge buildings? Again, no more excuses. We want

19 results. I like that statement that he had.

20   My other thing is as far as Mr. Whitaker

21 yesterday, he was saying that, you know, before the

22 meeting tonight I actually approached him and asked him,

23 "How do you sleep at night?" And he basically said, "I

24 am not doing this", and he ran off and found a seat.

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1 So, you know, he is doing the coward and didn't want to

2 talk about that.

3   So the other thing is we need to be able to

4 stand together and support our community. The

5 biometrics, I don't think any of you guys were here

6 yesterday, but I was here for the RAP meeting. I was

7 flabbergasted to find out and sit right in the same spot

8 and hear, and I don't know if you are aware of this, but

9 the data centers and the companies that are behind them

10 are collecting everybody's information and they are

11 selling it.

12   And you can't get it back. You don't have the

13 right to say what is going to be done with it. When are

14 they going to have to stop using it. They are

15 collecting your information on your facial recognition,

16 your irises, your eyes, all that kind of stuff, that

17 technology, if you use it on your phone or your

18 fingerprint, things like that.

19   Yeah, they are profiting from your biometrics.

20 I am not sure if you guys were aware of that. And that

21 is just insane to me.

22   The City is actually given the opportunity for

23 everybody to hear it from them, they are trying to put

24 things in place where they would be required to dispose

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1 of that information in a certain amount of time, and

2 then require them to have a certificate proving that

3 they have done it, because personally, I think, I don't

4 trust them farther than I can throw them. And so find a

5 way to limit how they can collect your biometric

6 information, and how they can keep your personal data.

7   So in case you weren't aware of that, that is

8 a huge thing as well. Thank you for your time.

9   CHAIRPERSON OWUSU-SAFO: Thank you.

10   UNIDENTIFIED WITNESS: One more comment. One thing

11 I wanted to impose upon you all --

12   CHAIRPERSON OWUSU-SAFO: Please state your name.

13   MR. CASTRO: Brian Castro, 2780 Molitor Road.

14   I would invite all of you, every one of you

15 who are unsure about what the impact of a data center is

16 to come spend a weekend at Casa De Cyrus One. I will

17 put you up for the weekend. I will let you experience

18 yourself what it is like to try and sleep and just do

19 everyday things on a weekend, preferably the summer

20 because that's when the coolers are running the most.

21   And I would also invite Mr. Whitaker to come

22 out of his nice little Naperville residence and spend a

23 night there also. You are all free to come.

24   CHAIRPERSON OWUSU-SAFO: Thank you.

1   MS. VAN DAFF: Hi everybody. My name is Georgette

2 Van Daff. I am at 1396 South Glen Circle.

3   I just want to say, she made a comment of how

4 does he sleep at night. Well, he sleeps well. He

5 sleeps in Naperville because they denied the one

6 proposed data center. That's how he sleeps.

7   So I also think that the moratorium should

8 continue until the studies are completely done. They

9 keep pushing these data centers in these specific areas

10 because they think they can get away with it. Sorry, I

11 can't breathe. So they think they can get away with it

12 because of the demographics here.

13   We need to continue to push back. And I have

14 a really hard time believing that HOAs have more power

15 than this City Council. HOAs can force people out of

16 that homes, force them to sell, but somehow we don't

17 have the power to tell these people they don't belong

18 here.

19   CHAIRPERSON OWUSU-SAFO: Can I interrupt you for a

20 second. Could you please state your name and address.

21   THE WITNESS: Sure. I did.

22   CHAIRPERSON OWUSU-SAFO: Okay. Thank you.

23   MS. VAN DAFF: But HOAs have the ability to force

24 people out of their homes that they purchase because

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1 they don't abide by rules, but somehow all we are

2 talking about these minimal fines. It doesn't even make

3 sense. How? These people operate on do first,

4 apologize later. They don't care what the rules are.

5 They know they are going to break it.

6   Like that gentlemen said over there. They

7 start with, oh, it's going to 40 decibels, and then it

8 is a hundred. So I really implore the counsel to

9 continue the moratorium and make sure that we do the

10 studies if we are going to have these people here.

11   Thank you for your time.

12   CHAIRPERSON OWUSU-SAFO: Thank you. We are going

13 to close the public hearing prior to today's meeting.

14   Maybe I should ask, there is no other comment?

15 Nobody else have a comment? Okay. Please come up.

16   MS. CIHANGIR: Hi, I am Diane Cihangir, 739 Orchard

17 Avenue in Aurora.

18   I agree with all the points that they were

19 making except for Cyrus One. And one interesting thing

20 that I just noticed, if you know about the war that is

21 going on right now, they are hitting data centers. And

22 even though that is not something that you think could

23 happen, there could be terrorist attacks on the data

24 centers here. Even if it is out, really out of, you

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1 know, very small slim chance, I just wanted to add that

2 because the destruction that it is already giving to the

3 whole community is bad enough, and the destruction that

4 is going to keep happening year after year.

5   Because I had just discussed with a friend of

6 mine in Beaver Dam, Wisconsin all of the horrible things

7 that are happening with the people there, their health,

8 their raising all the utility bills and everything, but

9 right now she said that the governor of Wisconsin is

10 trying to get together with governors in other states to

11 tell them, to warn them of basically the negative

12 effects of data centers.

13   So I also agree you should really do a lot

14 more research, so continue the moratorium, and pursuing

15 I hope you just don't agree to have any more data

16 centers here at all. And do whatever it is you need to

17 do to force whatever bad effects these data centers have

18 had on our community to pay for those, infrastructure,

19 also. I don't know if that was mentioned much. But I

20 know that, you know, the roads and all of the

21 stakeholders in our community, we are all stakeholders

22 for this, as if it affects us financially and our health

23 and our well-being in general. Thank you.

24   CHAIRPERSON OWUSU-SAFO: Thank you.

1   MR. CAVATEL: I'll keep it brief. Good evening.

2   My name is Jordan Cavatel. I live at 2285 Coach and

3   Surrey Lane. Thanks for hosting us tonight and

4   continuing the discussion. I appreciate that.

5   I am not an expert on everything data center

6   or all of the things that it can and can't do, or the

7   things that have different impacts for the community.

8   But what I can tell you is that in the work I do,

9   anytime that you move a decision and have to make a

10 correction to another stage, ten times factor of cost

11 and impact. So I say that if these things are approved

12 and they go ahead and later on we find out, oh, that was

13 a mistake, we shouldn't have done that, you have now

14 cost, you know, ten, hundred thousand X what you could

15 have resolved earlier on.

16   And so to say that, I encourage you to

17 continue the moratorium and continue this discussion and

18 debate to make sure that we are doing all the right

19 things for the community, making sure that we continue

20 to make it safe. And if it is safe and it meets our

21 health standards and it meets the things that make for a

22 good community, awesome. Then let's do it.

23   But we have the opportunity now to make those

24 decisions at a much less costly point than we do a year

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1 from now, five years from now, ten years from now. So I

2 appreciate the discussion and I hope that you guys take

3 those comments into consideration, and really hope that

4 we can do our due diligence up front to make sure that

5 we continue to have a great and safe community.

6   Thank you.

7 CHAIRPERSON OWUSU-SAFO: I think you had okay.

8 MR. VRETTOS: I am Andrea Vrettos, 948 Carriage

9 Meadow Drive.

10   I just made an observation, everybody, the

11 residents who spoke, every resident who spoke was

12 against data centers, except the lawyer who is not a

13 resident, and he is paid to speak for data centers. So

14 how does democracy work in Aurora exactly?

15   I am saying this because when I believe every

16 resident, homeowners association, and you, in the

17 neighborhood, was against the factory, against the

18 warehouses they put out there, but this didn't prevent

19 them from building the factory, building the warehouse.

20 And everybody says, like, something about the

21 demographics.

22   I don't know what this means exactly, sounds

23 derogatory, but it seems to me that because of the

24 demographics of Aurora a lot of things are happening in

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1 the city that can never happen in Geneva or Naperville.

2 This is very clear to me. I don't know. Maybe I

3 misunderstood something. But we have to clarify how the

4 democracy works in Aurora. Yeah, that's all.

5   CHAIRPERSON OWUSU-SAFO: Thank you. I think we can

6 basically close the public comments section of this

7 meeting today. Now I will call staff back up to address

8 some of these questions, comments that you had.

9   So where do we start? I know I took some

10 notes, but I think it is probably, unless any of you

11 have a better solution, but have too many to try to go

12 over each one at a time. So maybe you can tell us what

13 you know based on the comments and the questions others

14 had, and then you can summarize the questions and

15 address them as we go along.

16   MR. CURLEY: Well, thank the Chair again. John

17 Curley, chief development services officer.

18   If I might repeat what I started the meeting

19 with on what our advice of legal counsel would consider

20 not standing up to a legal challenge. I think some of

21 the comments that were made tonight still fall under

22 that category, so if I can start in that area.

23   MS. WYSOCKI: Yeah, I think some of the requests

24 such as continuing the moratorium forever, that's not

1 really possible and it is beyond the purview of this

2 Commission. This Commission is here to consider text

3 amendments into the zoning ordinance. The moratorium,

4 there is already an expiration date. Whether the City

5 Council extends it so that, you know, they can be more

6 encouraged on this issue. I think that was one of the

7 things that was brought up.

8   There was also a lot of comments about tax

9 dollars and how, you know, the tax benefits or not

10 benefits or how that is weighed, and that is also out of

11 the purview of this Commission. This Commission is an

12 advisory board or advisory commission for purpose of

13 considering the amendments to the zoning ordinance. The

14 City Council is the body that would consider any tax

15 incentives or tax consequences.

16   Do you want me to -- I am trying to remember

17 what else was brought up.

18   CHAIRPERSON OWUSU-SAFO: I think one general line

19 was is there a specific rate that the data centers get

20 compared to what the average residents get?

21   MS. WYSOCKI: Honestly, I don't know, but that

22 would be something that Com Ed would handle. That is

23 something not even in our power. Unlike Naperville, we

24 don't run our own power plant. So, you know, Naperville

1 was very concerned about that because they have their

2 own power, they run their own there.

3   But we do not. All of our power is by Com Ed

4 and so as a result, that's all the results of

5 negotiations between Com Ed and the developers. So that

6 is not something that the City has control over, and

7 definitely not something this Commission as the body

8 hearing applications for zoning relief and tax

9 amendments has control over.

10   COMMISSIONER MARTINEZ: I do have some questions.

11 You said that legally we could not, and I understand

12 this is not the body for it, that data centers, why

13 can't we legally, the City of Aurora, do that?

14   MS. WYSOCKI: Because generally you can't ban any

15 (indiscernible) municipality. It is not just like we

16 can't ban something like, you know, like dump towers or,

17 you know, we have to have a place to have, even if they

18 are not desirable by everyone, we can't outright ban

19 them. So, you know, we can limit them to certain zoning

20 districts. We can limit them to certain, you know,

21 certain areas within the city, but an outright ban is

22 not.

23   COMMISSIONER MARTINEZ: How is a -- excuse me --

24 this is as a resident as well. How is that if we can't

1 ban building, because it's a building versus, like, for

2 example, BYOB or smoking in public, that can be banned

3 because there is healthcare officials said there is a

4 danger to other people.

5   MS. WYSOCKI: So it's a little different of a

6 problem. So the issue of whether or not you can smoke

7 in public is a health issue that, you know, affects

8 people around you. The issue of a (indiscernible) you

9 know, sometimes developments attach, you know,

10 properties and that's why we have zoning, you know,

11 specific areas where people can build things, and also

12 we have zoning hearings, that's the whole purpose of the

13 zoning ordinance is to establish regulations surrounding

14 property rights. But we can't cut it off completely.

15   Just like, you know, you can smoke in your own

16 home and in your own backyard, and you can build on your

17 property. It doesn't mean (indiscernible) --

18   COMMISSIONER MARTINEZ: So that does remain a

19 question. So you said health experts said this does

20 have damage to people around you, correct? Was a health

21 expert consulting the City during this time as to what

22 the effects are healthwise toward humans. And then also

23 were they consulting the park district as to what the

24 noise, the light, any pollution would do to a forest

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1 preserve that are right next to these data centers.

2   MR. CURLEY: We did not consult a health expert,

3 per se. We have been studying what a lot of other

4 communities have done across the country and consulting

5 with a lot of regional groups, including the

6 Metropolitan Mayor's Caucus, and a myriad of experts

7 from water experts, power experts, emissions experts,

8 but we did not directly consult with a health

9 professional about emissions on a singular basis. I

10 think we had some discussions about emissions in a

11 larger group in the Metropolitan Mayors Caucus meeting.

12   CHAIRPERSON OWUSU-SAFO: Can I ask that if we have

13 not and we are a proven constant 49 decibels noise as an

14 allowable or permitable level, then we don't really have

15 evidence to say that is not have a long-term effect or

16 the 59 for night? I mean day and night. I am getting

17 the two confused.

18   MR. CURLEY: Yeah, if you will allow me, again, to

19 clarify. That measurement that you are citing is at the

20 property line. We are additionally beyond the property

21 line requiring a separation distance. That separation

22 distance is the reason why I am confident that we would

23 have less than -- 40 or less at the residential property

24 line, and less than that at night.

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1   But the measurement and the numbers that we

2   have in the ordinance are at the data center property

3   line because we are requiring them to provide

4   measurements and constant measuring of the sound at the

5   property line, and that's what they can control. We

6   couldn't insist that they constantly measure at other

7   people's property lines.

8   So the numbers that we arrived at were to

9   design a 40 or less at the residential property line and

10   that's what I am comfortable that we have achieved with

11   our proposal.

12   CHAIRPERSON OWUSU-SAFO: I guess I am just looking

13   at it from we do have a distance (indiscernbile). We

14   also have a distance, relative distance from the

15   property line to residents. I don't see why we can't

16   just take samples at these known facilities to get

17   concrete data, say, based on an existing one, like Cyrus

18   One, do you know what their output is? Why can't we

19   take some samples along these individual items, I am

20   assuming by a trade, and when we have highways coming

21   through, we do go and get permission to properties and

22   we take samples to see and get backyard permission to

23   enter personal properties and take noise level samples.

24   So can we get some of those to kind of be

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1 comfortable with the levels that we think would be in

2 the residential areas?

3   MR. CURLEY: Chairman, you are pointing out the

4 exact puzzle that I feel stuck in. We have been

5 measuring the sound in these neighborhoods. They far

6 exceed what we are proposing. The issue is that we are

7 proposing something that is less than what is being

8 experienced, yet we are -- the comments that you are

9 receiving are I'm within the distance that is being

10 proposed and it is too loud.

11   Well, they are also generating more noise than

12 we would permit in the new ordinance, and therefore, the

13 comparison is not an apples-to-apples comparison. I

14 completely understand it is too loud. I think it is too

15 loud.

16   But that said, the fact that it is too loud

17 today is not comparable to when we drop the requirement

18 for the noise at the property line to a much lower

19 threshold than what is being experienced today. So

20 comparing the two distances, I don't find that

21 informative today the analysis that we have done is

22 showing me that we have achieved 40 at the residents'

23 property lines at either a thousand or 1500 linear feet

24 of distance separation. That's how we arrived at the

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1 numbers.

2   COMMISSIONER MARTINEZ: Then one other question. I

3 did do some research and I noted that in Europe a lot of

4 the data centers are now using what they call a

5 hydrotreated vegetable oil system, and that is what

6 Europe is rapidly moving to, 90 percent is what the

7 numbers said, and Cyrus One is actually one of them that

8 is proposing it.

9   So my question is, did we look into that? And

10 if they are doing that in Europe, why are they not doing

11 that here?

12   MS. LINDBURG: Thank you. Apologize for my voice.

13 Hi, everyone. I am Alison Lindburg, director of

14 sustainability for the City of Aurora. We actually did

15 look at that, they have an acronym, hydrotreated --

16   COMMISSIONER MARTINEZ: HVO.

17   MS. LINDBURG: HVO, I was going to say, I think it

18 is, oil. And what we were told is that here in the

19 United States it is actually really difficult to ensure

20 that there is a consistent supply for it. So while we

21 can't mandate it, necessarily, because it doesn't mean

22 they would be able to meet the requirements, it is

23 something that we want to encourage the data centers to

24 do.

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1   I agree that I would like to see that go

2   forward rather than them using it for diesel. My

3   understanding is that also not all generators can use

4   the HVO, although some of them can. So some of the

5   existing generators that may not be compatible to using

6   HVO.

7   COMMISSIONER MARTINEZ: I guess that leads to my

8   next question. That these are, as was mentioned, at

9   least Cyrus One for one campus generates a billion

10   dollars. So for them to change any of this equipment,

11   even if it is in the millions of dollars with existing

12   ones, and when the residents are saying that there is

13   issues, why couldn't we make them? They have the money.

14   MS. LINDBURG: So I appreciate that question. I

15   don't know that we can answer that question today

16   because it is not related to the zoning requirements. I

17   don't know. I would look at legal counsel for that. I

18   honestly don't have a good answer for you on that.

19   But as we are talking about the zoning

20   requirements today because that is existing. Zoning is

21   for planning. It is not for existing.

22   MS. WYSOCKI: Our intention is to, especially with

23   the -- you know, the data centers internally and trying

24   to figure out what to do with the existing, our proposal

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1 is that the data centers that will be -- once this

2 ordinance is passed -- will be conforming, that we will

3 tweak the nonconforming section of the zoning ordinance

4 and that that will address that problem. However, that

5 would have to come through a separate text amendment.

6   I know that Mr. Whitaker mentioned the change

7 now and I was trying to quickly follow -- I'm sorry, he

8 is behind Mr. Curley -- I was trying to quickly follow

9 on whether or not the proposal you were discussing now

10 would take care of that, and honestly I need time to

11 kind of digest that.

12   So, you know, to the extent that we will

13 address existing structures and existing data centers, I

14 think our intention was to have that meeting in early

15 April, so I don't want to spend too much time on that.

16   MR. CURLEY: And if I might just add to elaborate a

17 little further on the technology. This technology in

18 this sector is moving very quickly, faster than

19 regulations can keep up with it across the country.

20 That said, we have what -- the proposal you have in

21 front of you today is monitoring and mandating a very

22 energy efficient solution as well as a water

23 conservation solution.

24   So as technologies come forward that can

1 save -- so I think -- let me step back a second.

2   Noise at these centers can be mitigated much

3 more readily if they use evaporative chillers. It is a

4 much more efficient way to cool and you have many fewer

5 fans, and less fans to be in order to accomplish the

6 cooling that is required.

7   The industry is moving away from it and our

8 aquafors can't handle the amount of volume that would be

9 required for all of us to essentially flushing potable

10 water into the sanitary drain because that's what ends

11 up happening.

12   So what we have done is we have protected the

13 most precious, we are attempting to protect the most

14 precious commodities that we have in the water and

15 encouraging the most efficient use of power in the

16 regulations that we are proposing while not prohibiting

17 future technological advances that presumably would be

18 doing the same thing. They would be trying to save more

19 energy because it is in everyone's best interest, and we

20 would still be preserving our potable water.

21   CHAIRPERSON OWUSU-SAFO: I have one more question

22 and that is, there was a question that came up if there

23 is so much unknown already, why can't we have these

24 facilities restricted to two zoning areas as opposed to

1 all the other areas that we are proposing. Because we

2 can't outright ban them, but could we possibly have them

3 as far away from residential or light -- you know,

4 resident, light areas, that we could. Just a

5 suggestion.

6   MR. CURLEY: Understood and legal counsel might

7 want to chime in on this as well. Again, currently the

8 data centers not being defined separately from

9 warehouses are permitted in ORI and M-1 and M-2.

10   CHAIRPERSON OWUSU-SAFO: Why can't you change that?

11 Can't you in the industry --

12   MR. CURLEY: Understood, and the conditional use

13 which, again, last time we mentioned is the most

14 important part of the regulations that we are proposing

15 would allow a hearing to occur on a case-by-case basis

16 and it is exactly the mechanism that was used in our

17 neighbors to the east to discourage a recent request for

18 a data center. It is also the exact same mechanism that

19 was used in Chandler, Arizona where a data center spent

20 almost a year complying with new regulations that they

21 had adopted, yet they still were denied their petition

22 to develop a new data center.

23   So, again, the most important part, in my

24 opinion the most important part of the regulations being

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1 proposed is eliminating the permitted use which limits

2 the amount of public participation and oversight

3 happening and the approval on the front end of these

4 projects and allows the public to participate.

5   CHAIRPERSON OWUSU-SAFO: Anybody else on the

6 Commission have questions for staff?

7   Okay. Hearing none. Ask for staff

8 recommendations.

9   MS. VACEK: Staff would recommend approval of the

10 text amendment before you.

11   CHAIRPERSON OWUSU-SAFO: You heard staff's

12 recommendation. What is the wish of the Commission?

13   COMMISSIONER MARTINEZ: Can we clarify that this is

14 not the end be all. This is just for zoning we are

15 putting in place --

16   MS. VACEK: Correct. You guys are just a

17 recommending body to the RAP Committee and then to the

18 Commission -- I'm sorry, committee as a whole and then

19 full City Council. So you will have time to -- or they

20 will actually be able to amend it if they wanted to

21 amend it. You guys are just a recommending body to

22 them.

23   COMMISSIONER MARTINEZ: And just, sorry. So there

24 are no rules right now before this, correct?

1   MS. VACEK: Correct. There is no rules for data

2   centers. They are permitted as a warehouse would be

3   permitted.

4   COMMISSIONER MARTINEZ: So this would be a rough

5   draft to send to RAP and to a committee whole?

6   MS. VACEK: Correct.

7   COMMISSIONER MARTINEZ: And then at that point

8   citizens can -- residents can go and ask these other --

9   MS. VACEK: Correct.

10   MS. LINDBURG: Apologies for interrupting. Alison

11 Lindburg, director of sustainability. I know we are

12 only talking about these two pieces, these two text

13 amendments here today related to zoning for warehouses

14 and for new data centers. There are other pieces of

15 legislation that are going before council that address

16 other things.

17   So I just want to be clear about that. I am

18 not saying it goes as far as those other pieces as what

19 the residents here are talking about. I do want to

20 mention, though, there were a couple of things here

21 today that did get brought up that they wished were part

22 of the new zoning regulations, and they are part of it.

23   So, for example, all of the things that were

24 asked about water, will be part of new studies and will

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1 be requirements. There will be water plans. There will

2 be energy plans. There will be noise studies that are

3 required. So new data centers will have all of those

4 requirements.

5   So I just wanted to make it clear that yes, we

6 are only talking about those things today, and yes, you

7 are just a recommending body to move this forward.

8   COMMISSIONER MARTINEZ: Can we set in there also as

9 studies, can we add a health expert on like respiratory

10 as well as recommending, you know, a person or I don't

11 know if --

12   MS. LINDBURG: So, Tracey, correct me if I am

13 wrong, but didn't we also ask for an air quality study?

14   No? Are you sure? For new.

15   I mean we can certainly consider it. I don't

16 know that we have the language that we would propose

17 today, but this will go to RAP, that would be a

18 recommendation that we can put in there.

19   CHAIRPERSON OWUSU-SAFO: There was also some

20 questions about, and I know we had a portion where we

21 are supposed to be making whether we accept it or not,

22 but we also -- I didn't see transparency on findings in

23 this ordinance. I don't know if it belongs here or not

24 but --

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1   MS. WYSOCKI: I'm sorry. Finish your question. I

2   just have a clarifying.

3   CHAIRPERSON OWUSU-SAFO: I just have the question,

4   does this new ordinance language include how does the

5   public get to know what the findings of any violations,

6   or even if it is not a violation, peace of mind. What

7   are we finding with air, water, and any other monitoring

8   that is being done on site?

9   MS. LINDBURG: So what is before you today will

10 require those reports for studies for the new proposed

11 data centers and then they will all come before this

12 Commission as part of the materials that you all will be

13 able to look over when you are making recommendations on

14 whether those data centers go forward. So there will be

15 an opportunity for them to be public.

16   I don't think it is explicit that it is

17 public, but it is part of the development process. So I

18 am looking to Tracey to see what she thinks.

19   Okay. So everybody here is agreeing with me

20 on that.

21   For existing, or I shouldn't say existing

22 because it doesn't apply to existing data centers, but

23 when a data center is completed and operational, so a

24 new one that goes through the process and it becomes

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1 operational, there is a piece of legislation that just

2 went through RAP and went to the committee as a whole

3 yesterday that addresses operational transparency.

4   Air quality is not in there. Air quality is

5 kind of hard to test around a singular area. So we did

6 not put that in there, but we do have energy, water and

7 noise, and there will be annual requirements for them to

8 report and they will go on to a website.

9   Now, again, we are not talking about that

10 today, but I just want you to know that's what we were

11 trying to get with the transparency issue.

12   MS. WYSOCKI: I just want to clarify, the issue

13 that was mentioned a couple of times, the annual report

14 will apply to all data centers in the city, new and old,

15 the reporting requirements, the annual reporting

16 required.

17   MS. LINDBURG: I thought we had to take that piece

18 out.

19   MS. WYSOCKI: Did we take that piece out?

20   MS. LINDBURG: Yeah, I think we are still

21 considering whether we can do it for existing data

22 centers, but I think it needs to be rewritten.

23   MS. WYSOCKI. All right. I'm sorry.

24   MS. LINDBURG: No. It was in there initially for

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1 everyones' benefit.

2   CHAIRPERSON OWUSU-SAFO: Unfortunately, the public

3 comment section is closed so I have to keep things

4 moving.

5   I need to get back to the Commission. What is

6 the wish of the Commission? Move this forward? Not

7 move it forward? Any amended or suggested

8 recommendations?

9   COMMISSIONER KUEHL: Can you recall the question?

10   CHAIRPERSON OWUSU-SAFO: Is there a recommendation

11 to approve an ordinance amending Chapter 49 of the Code

12 of Ordinances City of Aurora by modifying Section

13 409-103, Definitions, and Section 49.104.3, Conditional

14 Uses and Structures with regards to data centers

15 facilities per the text draft that is provided to us at

16 this time.

17   Is there a motion not to proceed?

18   COMMISSIONER ROBERTS: I know we can't put a

19 moratorium on this indefinitely, but feels like there is

20 a lot of moving parts still, and I know we are only here

21 on a little sliver of this entire issue and a lot of it

22 is not in our purview or our area of discussion, that it

23 feels like there is a lot of ifs, then and things going

24 to happen after this that we are going to take under.

1   So is there a reason we couldn't extend the

2 moratorium, this is not ours, I think you said

3 Council's, for three months so we can kind of get all

4 the ducks lined up. I understand you guys have a

5 concept.

6   MS. WYSOCKI: No, no. That's fine. It would be up

7 to City Council. So I think part of the issue is that,

8 you know, you are a recommending body, and so part of

9 our -- and I don't mean to diminish your role in any

10 way -- this is very helpful and your recommendation is

11 certainly taken very seriously by City Council, but part

12 of it is that we are trying to get everything to the

13 City Council so it can be considered all as one package.

14 Because you guys only consider the zoning aspect, you

15 know, route, consider the ordinance. So right now it

16 has to be piecemeal because it's in early in the

17 process.

18   It is, you know, it is set out, and the City

19 Council is the one that sees the whole package. So I

20 don't -- you know, if you want to hold it and, you know,

21 we will have to talk about meeting dates and so forth

22 and see what we can do.

23   City Council does have the authority to extend

24 the moratorium, they can do that. We as staff can only

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 1 extend it one 30-day period which would take us to mid

 2 April. So that's, you know, we are just very aware of

 3 that deadline because we don't want this moratorium

 4 expires before a new text amendment is passed, then it

 5 reverts back to warehouse. So there will be a gap.

 6   COMMISSIONER ROBERTS: So if we, just to clarify,

 7 if we vote not to pass this today, you are saying that

 8 the moratorium will lapse?

 9   MS. WYSOCKI: If the text amendment does not get

10 passed by the City Council and there is no -- and the

11 moratorium lapses.

12   MR. CURLEY: If it doesn't pass City Council.

13   MS. WYSOCKI: Yeah. So if the moratorium lapses

14 the result is back to the old ordinance because the text

15 amendment has not passed. That's the legal effect.

16   COMMISSIONER MARTINEZ: Can I move with the

17 recommendation to extend the moratorium until we get

18 more information? No?

19   COMMISSIONER ROBERTS: I have a motion to decline

20 and then I would just add the note that I think there

21 should be an extension of the moratorium. Just feel

22 like there is too many moving parts for us to make a

23 decision.

24   MS. WYSOCKI: I just want some clarification on the

1 motion. Are you moving to recommend the denial of the

2 text amendment?

3   COMMISSIONER ROBERTS: Yes.

4   MS. WYSOCKI: Okay. So it would move forward to

5 City Council with the denial, with the recommendation of

6 the denial.

7   COMMISSIONER MARTINEZ: That means then that they

8 can come in and ask for zoning on any --

9   MS. WYSOCKI: It is permitted so that there is no

10 (indiscernible) --

11   COMMISSIONER MARTINEZ: I guess the other question,

12 can I recommend to move it with it being zoned in M-2

13 only?

14   MS. VACEK: So I believe you would need to make

15 that modification and then everybody would have to

16 approve the modification.

17   MS. WYSOCKI: So there is a motion on the floor. I

18 don't know if there is a second. I haven't heard a

19 second yet.

20   CHAIRPERSON OWUSU-SAFO: Do you have a motion --

21 have you motioned it officially? What is the motion?

22   MS. WYSOCKI: Wait, wait. So is there a second

23 for --

24   COMMISSIONER ROBERTS: Well, my first motion, let

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 1 me withdraw it.

 2   MS. WYSOCKI: So Commissioner, can you state your

 3 motion so we are all on the same page.

 4   COMMISSIONER MARTINEZ: I move to approve with the

 5 recommendation of only having it in M-2 zoning.

 6   MS. WYSOCKI: Okay. Can I help you -- you would

 7 like to move to recommend approval with the change that

 8 data centers only be allowed as a conditional use in the

 9 M-2.

10   COMMISSIONER MARTINEZ: Yes. So do I have to

11 repeat all that?

12   CHAIRPERSON OWUSU-SAFO: Second?

13   COMMISSIONER ROBERTS: Before we vote, I would love

14 to hear your point of view, like, on what changes. I

15 know we talked about it. Are there any other changes

16 that that would impact?

17   MS. VACEK: Changes to the text amendment?

18   COMMISSIONER ROBERTS: Well, not to the text

19 amendment. If it gets changed, like, what is the

20 holistic impact of that?

21   MR. CURLEY: The current ORI and M-1 zoning

22 districts would not be able to take a conditional use.

23 So that means that fewer locations would be eligible for

24 conditional use, and most of your answer I think would

 1 be legalistic rather than zoning.

 2   CHAIRPERSON OWUSU-SAFO: Okay. There is a motion.

 3 I know I second. So all in favor. Please call roll.

 4   THE CLERK: Mr. Gonzalez.

 5   COMMISSIONER GONZALES: Yes.

 6   THE CLERK: Mr. Kuehl.

 7   COMMISSIONER KUEHL: No.

 8   THE CLERK: Mr. Lee.

 9   COMMISSIONER LEE: Yes.

10   THE CLERK: Mrs. Martinez.

11   COMMISSIONER MARTINEZ: Yes.

12   THE CLERK: Mrs. Owusu-Safo.

13   CHAIRPERSON OWUSU-SAFO: Yes.

14   THE CLERK: Mr. Roberts.

15   COMMISSIONER ROBERTS: Yes.

16   CHAIRPERSON OWUSU-SAFO: Motion passed.

17   We have our second item on the agenda, the

18 warehouse.

19   MR. CURLEY: Again, Chairperson, thank you. John

20 Curley, chief development services officer. The

21 presentation that we presented two weeks ago has not

22 been amended. We have not modified the text before you

23 for warehouses. So I am open to any questions that you

24 might have, and any public testimony.

1   CHAIRPERSON OWUSU-SAFO: Anyone? Any Commission

2   have a question for staff?

3   Okay. This is also a public hearing. Any

4   members of the public wishing to give testimony in this

5   matter, please raise your hand. You will be sworn in en

6   masse. Then please approach the podium one at a time to

7   give your best testimony. You will need to state your

8   name and address for the record and sign up on the

9   sign-in sheet after you have spoken, if you haven't

10 already done so.

11   Do we have others that would like to speak so

12 we can swear you all in at the same time, for the

13 warehouse?

14   (All public participants

15   sworn.)

16   CHAIRPERSON OWUSU-SAFO: State your name.

17   MS. TORRES: Kathy Torres. I just have a question,

18 a clarification for the warehouse that is being approved

19 or up for tonight, is that clarification if the

20 warehouse is going to be identified -- one of the other

21 homeowners, residents had said, you know, she made a

22 point. There is a huge difference between a warehouse

23 for packaging for Post cereal versus a different sort of

24 warehouse. I guess I need clarification on how the

1 warehouse is going to be used and that under, like, a

2 disguised name?

3   So a warehouse, say, is going to be for a

4 certain use, but then it is used for maybe supply or for

5 a data center kind of industry or anything like that?

6   MS. WYSOCKI: The definitions of a warehouse.

7   MS. TORRES: Right. I just want clarification on

8 what the warehouses are going to be used for; not just

9 under one big umbrella of saying "warehouse" when there

10 could be along some --

11   MS. WYSOCKI: So the text amendment addresses the

12 definition of warehouse. I don't know if you --

13   MS. TORRES: No, I didn't see that.

14   MS. WYSOCKI: So there is a text amendment. So the

15 text amendment addresses the issue of the definition of

16 warehouse, and it strikes the language about a warehouse

17 being that it can be used to store computer systems and

18 association hubs. So the rest of the definition, we

19 already said it stands. I don't necessarily want to

20 read the whole thing, but it changes that definition.

21   It also provides some changes to the -- I'm

22 sorry -- it is hard for me to read it. I can either see

23 you or the text. So it also changes -- I don't know if

24 we went with the accessory use, but it changes to the

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1 percentage of the building that needs to be used for

2 other than storage to 50 percent I believe, but

3 Mr. Curley --

4   MR. CURLEY: Again, I can highlight the provisions

5 again. The primary change to the definition of

6 warehouse is to extract the data center from the

7 warehouse. So someone coming in as a warehouse that

8 becomes -- then becomes a data center would be in

9 violation of the use and would not be permitted to do

10 that without meeting all the regulations that would be

11 required.

12   Additionally, when we analyze vibration and

13 the warehouse modifications fall in the three categories

14 of zoning that we have touched on today, there is ORI,

15 M-1 and M-2. When staff analyzed the vibration

16 standards that we had between ORI and the M uses, they

17 were different and we realized we needed to consolidate

18 them so we studied what other communities did.

19   We found the most common regulation type. We

20 are promoting that as well as the most least amount of

21 vibration being emitted from the site. So we have a

22 bunch of regional and national examples from that as

23 well. So there are some vibration regulations that

24 affect M-1, M-2 and ORI.

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1   In addition to that, ORI, but only ORI is

2   being -- we are suggesting the proposal would limit the

3   warehouse portion of ORI to now be a limited use

4   permission. So 50 percent or less of the ORI use would

5   be permitted for warehouse, a warehouse in an ORI

6   district, and additionally, there is a limitation on the

7   number of docks that would be permitted at an ORI use as

8   well. But those two provisions only apply to the ORI.

9   Obviously the M uses are intended for

10 warehousing and distribution facility uses, and thus, it

11 would make sense to apply them in that category. That

12 last thing about ORI is something that is very similar

13 to what our neighbor did to the east, and we are

14 recommending a similar provision. It would encourage

15 more research and development kind of uses within the

16 ORI and fewer warehousing and distribution type uses in

17 the ORI district.

18   MS. TORRES: I am not sure what ORI means.

19   MR. CURLEY: I'm sorry, it is an acronym for

20 office, research and light industrial.

21   MS. TORRES: Okay. So as far as air conditioning

22 units and things like that that would go on top of a

23 warehouse to keep the warehouse down, all that has been

24 addressed as well?

1   You said about the vibration, but I was

2   wondering about because a lot of warehouses are huge and

3   they need a huge cooling system, et cetera, et cetera.

4   I just want, question transparency and that sort of

5   thing on what is being approved today as far as noise

6   level and air conditioning units going forward with

7   progress.

8   MR. CURLEY: We did not additionally add noise

9   constraints to the M-1, M-2 or ORI districts. We,

10 again, found that the use type of a data center was

11 different enough in particularly in those areas that it

12 needed a definition to be carved out of warehouses, and

13 staff did not feel we needed to promulgate new or

14 additional sound regulations, but we did need to clean

15 up the vibration regulations because of the discrepancy

16 that we found.

17   MS. TORRES: Thank you. I appreciate, and I do

18 understand today's meeting was with the zoning, but I

19 felt that the zoning also included everything that was

20 included in the response from the residents as far as

21 the zoning because it does affect the residents as far

22 as the water, as far as the electric, as far as the

23 health, as far as the air control.

24   All of that is all compiled to one. It is not

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1 just property. It is the whole package. And so I know

2 there is different entities and branches that are coming

3 in or approved to coming in or will be coming in.

4 However, it is part of a full package of zoning.

5   Thank you.

6   CHAIRPERSON OWUSU-SAFO: Okay. Anybody else wish

7 to speak?

8   All right. We will consider the public

9 comment portion of this meeting closed.

10   Does staff have any recommendations?

11   MR. CURLEY: Staff would request that Commission

12 approve the text amendment as presented.

13   CHAIRPERSON OWUSU-SAFO: Thank you. You heard

14 staff's recommendation. What is the Commission's wish?

15   COMMISSIONER ROBERTS: Move to approve.

16   COMMISSIONER MARTINEZ: Second.

17   CHAIRPERSON OWUSU-SAFO: Please call roll.

18   THE CLERK: Mr. Gonzalez.

19   COMMISSIONER GONZALES: Yes.

20   THE CLERK: Mr. Kuehl.

21   COMMISSIONER KUEHL: Yes.

22   THE CLERK: Mr. Lee.

23   COMMISSIONER LEE: Yes.

24   THE CLERK: Mrs. Martinez.

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1   COMMISSIONER MARTINEZ: Yes.

2   THE CLERK: Mrs. Owusu-Safo.

3   CHAIRPERSON OWUSU-SAFO: Yes.

4   THE CLERK: Mr. Roberts.

5   COMMISSIONER ROBERTS: Yes.

6   CHAIRPERSON OWUSU-SAFO: Motion carried. Please

7   tell us where this goes next for both items.

8   MS. VACEK: This will next go to RAP Committee or

9   Rules Administration and Procedure Committee on

10 March 18th at 3 p.m. here, in this room.

11   CHAIRPERSON OWUSU-SAFO: Thank you. Can we have

12 any announcements for coming up that we need to be aware

13 of? No announcements?

14   Okay. That concludes our scheduled meeting

15 for tonight. May I have a motion to adjourn the

16 meeting?

17   COMMISSIONER KUEHL: I so move.

18   COMMISSIONER MARTINEZ: Second.

19   CHAIRPERSON OWUSU-SAFO: All in favor.

20   (Chorus of ayes.)

21   CHAIRPERSON OWUSU-SAFO: Thank you.

22   (Hearing was adjourned at

23   9:22 p.m.)

24

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) SS
2 COUNTY OF C O O K)

3

            I, Sharon A. Jerndt, being first duly sworn,
4
on oath says that she is a Certified Shorthand Reporter
5
and Registered Professional Reporter doing business in
6
the City of Chicago, County of Cook and the State of
7
Illinois;
8
            That she reported in shorthand the proceedings
9
had at the foregoing Planning and Zoning Commission
10
Meeting;
11
            And that the foregoing is a true and correct
12
transcript of her shorthand notes so taken as aforesaid
13
and contains all of the proceedings had at the said
14
Planning and Zoning Commission Meeting.
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