Q/A for April 16, 2024

Agenda #	Title	Requestor Responder
1.5	Approve the award of RFQ 23-094, Road Improvement Plan, to Kimley-Horn and Associates Inc., for an amount not to exceed \$155,220 and for a two-year term	
Q.	 1.Will TAB be involved in the development of the Road Improvement Plan? 2. Are there particular locations TED thinks should be addressed? 3. How much emphasis will be given to providing guidance on other modes of transportation and what kind of experience does Kilmley-Horn have in that space? 	Longenbaugh
A.	 The Transportation Advisory Board will play a key role in the development of the Road Improvement Plan. The public involvement portion of the project scope includes an initial public input meeting, two meetings for TAB review, and two meetings for City Council review. Although staff is aware of various intersections that historically experience high delay during peak travel hours, the project is intended to fully re-evaluate locations based on existing and future traffic conditions. Specific improvements will be recommended based on the analysis, public comment and feasibility. Kimley-Horn is a national transportation consulting firm with expertise and experience in various modes and focus areas including pedestrian, bicycle, transit, and accessibility. Though this study is primarily focused on roadway capacity, the scope includes a mobility needs review for consideration and accommodation of other modes. Later in 2024, an update to the City's Bicycle and Pedestrian plan will be initiated. The applicable data and input gathered from the Road Improvement Plan will be used to inform the Bicycle and Pedestrian Plan update. 	Hynes
1.7	Approve the award of Bid 24-015, 2024 Pavement Patching, to Schroeder Asphalt Services, Inc., for an amount not to exceed \$531,785 plus a 3% contingency	
Q.	Between pavement crack filling, pothole filling, and microsurfacing we're spending about \$1.75M in one year. 1.What is the cost analysis of doing this every year versus increased road replacement? 2.I know staff says this prolongs the life of the road, but how do we know this actually saves us money in the long run?	Bruzan-Taylor
A.	 1.Preventative maintenenance treatments such a crackfilling, patching, and microsurfacing help improve the road condition and extend the pavement life cycle. As a road's condition deteriorates, the more expensive the treatment needed to restore it to good condition. A relatively inexpensive preventive maintenance treatment earlier in the pavement's life cycle may postpone or avoid the need for a much more expensive treatment later. Once a road's condition deteriorates significantly, preventative treatments are not effective. A comparison of the maintenance treatment costs based on Naperville projects is provided below: Crackfill (preventative) = \$0.29/SY Microsurface (preventative) = \$5.86/SY 2" Resurface (rehabilitation) = \$28.00/SY Full Depth (reconstruction) = \$80.00/SY 2. The pavement condition/deterioration curve and the value of pavement maintenance treatments in extending the roadway life cycle are well established principles in the road industry. The Federal Highway Administration has conducted several studies that support the use of preventative treatments. Staff has also seen the value of these treatments through our evaluation of pavement condition on Naperville streets. 	Hynes

1.9	Approve the award of Bid 24-060, Building Maintenance, Cleaning, and Artifact Care Support Services, to JP Superior Cleaning and Janitorial Services Inc. for an amount not to exceed \$474,295.53 and for an 18-month term	
Q.	1.Did combining the contract scope achieve the desired financial savings outcome? 2.How did the prior year separate contracts compare to what has been bid?	Wehrli
А.	 1.Yes, as it allows NS to pull any additional labor for events, cleaning, maintenance from one company, as well as keep only one vendor supervisor onsite for artifact care, building cleaning, maintenance, and event support services. 2.Previously, the contracts were separated and billed individually for hours worked on each contract. The maintenance contract was previously obtained by the RFP process and the Cleaning and Artifact Care was obtained by the BID process. Fortunately, both contracts were awarded to the same vendor making coordinating services seamless. This BID will continue to keep service coordination seamless, maintain our quality for services required and streamline the payment process as there will be only one invoice for all services and not two. 	Pistorio

1.20	Pass the ordinance approving the transfer of the 2024 Volume Cap in the amount of \$18,742,000, to the Town of Normal	
Q.	For my future reference, when is the annual cutoff date for releasing the unused volume cap?	Wehrli
Α.	If the City desires to transfer our Volume Cap allocation, it must be done by May 1 so that it can be allocated to another entity by the July 15 allocation deadline.	Munch

1.22	Pass the ordinance approving a major change to the Iroquois Center PUD, a final PUD plat, and a bypass lane deviation for 1163 E Ogden (to be known as 1159 E Ogden Avenue) (Chick- fil-a) - PZC 23-1-110	
Q.	Can we get the PZC minutes?	Bruzan-Taylor
Α.	PZC minutes have been attached.	Kopinski

1.23	Pass the ordinance approving a major change to the Iron Gate Motor Condos PUD and final PUD plat for Phase 2A and Phase 2B for the property located at 2212 Ferry Road and the vacant land located immediately west (Iron Gate Phase 2B) - PZC 23-1-116	
Q.	Can we get the PZC minutes?	Bruzan-Taylor
Α.	PZC minutes have been attached.	Kopinski

1.24	Pass the ordinance approving a major change to the Freedom Commons Planned Unit Development (PUD), a final PUD plat, and a loading deviation to allow a medical office at 1836 Freedom Drive (Freedom Commons Medical Office Building) - PZC 24-1-002	
Q.	Is this use exempt or reduce the property taxes paid? Please include PZC minutes on this	Bruzan-Taylor
А.	Per the petitioner, the property will still be subject to property taxes as the medical office buiding will not own the real estate/building and are just the tenant. PZC minutes have been attached.	Franco

1.25	Pass the ordinance approving a setback variance for a one-story garage addition at 1415 Heatherton Drive - PZC 24-1-021	
Q.	Can we get the documents for this agenda item instead of Freedom Commons?	Bruzan-Taylor
Α.	Correct documents are attached.	Kopinski

M.1	Approve the award of Cooperative Procurement 24-121, Digger Derrick Line Truck Vehicle Replacements, to Altec Industries, Inc., for an amount not to exceed \$1,373,024 and for a one-time purchase	
Q.	Have auction prices not been competitive vs trade-in?	Wehrli

Α.	Digger derrick units in similar condition & age averaged \$7,575 at auction this past year.	Dublinski
	Approve the award of Cooperative Procurement 24-131, Fire Suppression Vehicle	
M.2	Replacements, to MacQueen Emergency for an amount not to exceed \$4,257,150 and for a one-time purchase	
Q.	With the significant delivery backlog, are they holding the price or are there escalations that may affect final cost?	Wehrli
Α.	They are holding price and delivery years. Yes, the prices are guaranteed and not subject to normal Pierce price increases once the order is submitted. Please note however, because of such long lead times, Pierce has implemented PPI (Producer Price Index) language to protect them from unusual high inflation. Inflation would have to average more than 5% every year up until 14-months before delivery, for this to become effective, plus the customer has the right to cancel instead of paying any inflationary increase.	Dublinski
0.1	Receive the report on the Naperville Electric Utility's background and operations	
	The presentation slides for this agenda item are attached.	Groth



Meeting Minutes

Planning and Zoning Commission

Wednesday, March 20, 2024	7:00 PM	Council Chambers

TO WATCH OR LISTEN TO THE PZC MEETING LIVE:

• Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-Astound, Ch. 10 - Comcast, Ch. 99 - AT&T)

• Watch online at https://naperville.legistar.com

TO PROVIDE LIVE PUBLIC COMMENT, TESTIMONY, OR TO CROSS-EXAMINE WITNESSES DURING THE MEETING:

To address the Planning and Zoning Commission in-person during the meeting in City Council Chambers, members of the public must sign up in-person on the day of the meeting outside of City Council Chambers between 6:30 and 6:50 p.m.

TO SUBMIT WRITTEN COMMENTS OR MATERIALS:

1. You may submit written comments to planning@naperville.il.us in advance of the meeting. (Please note, because emailed written comments are available for advance review by the PZC, they will not be read into the record during the PZC hearing). Below are the deadlines for written comments provided in advance of the meeting:

• Written comments received by 5 p.m. the Wednesday before the meeting will be included in the meeting packet sent to the PZC. This meeting packet is also posted on the City's website.

• Written comments received after 5 p.m. the Wednesday before the meeting through 5 p.m. the day before the meeting will be emailed directly to the PZC, but will not be included in the PZC packet or posted online.

• Written comments received after 5 p.m. the day before the meeting will be added to the case file.

PUBLIC ACCOMMODATION:

Any individual who may require an accommodation to listen to or participate in the meeting should contact the Community Services Department at (630) 305-5300 as soon as possible, but no later than by 5 p.m. on the day of the meeting.

PARTICIPATION GUIDELINES:

The citizen participation guidelines are outlined in 1-5-6-6: - CITIZEN PARTICIPATION of the Naperville Municipal Code.

• ALL VIEWPOINTS AND OPINIONS WELCOME: All viewpoints are welcome, positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Commission members, staff, other speakers or members of the public. Comments made to intentionally disrupt the meeting may be managed as necessary to maintain appropriate decorum and allow for city business to be accomplished.

• IF YOU SIGNED UP TO SPEAK, the PZC will call your name at the appropriate time during the Planning and Zoning Commission meeting. Once your name is called you may identify yourself for the public record. Once you have been sworn in, then you may address remarks to the Planning and Zoning Commission as a whole. Speak clearly and try to limit remarks directly to the matter under discussion. Speakers are called in the order they sign up.

A. CALL TO ORDER:

B. ROLL CALL:

Present	8 -	Manas Athanikar, Meghna Bansal, Tom Castagnoli, Stasha King, Derek McDaniel,
		Carl Richelia, Oriana Van Someren, and Mark S. Wright
Excused	1 -	Whitney Robbins

C. PUBLIC FORUM:

Marilyn Schweitzer provided comments urging the Commission to work to achieve the goals and principles of the City's Land use master plan. Encouraged the PZC to direct staff to make changes to the Municipal Code to support all aspects of the land use plan. Ms. Schweitzer also encouraged the Commissioners to not approve any plans unless they address under served areas of the land use plan.

D. PUBLIC HEARINGS:

1. Conduct the public hearing for 1159 E Ogden Avenue (Chick-fil-a) - PZC 23-1-110

Commissioner Athanikar recused himself from this agenda item.

Brad Iwicki, City of Naperville Planning Services Team, provided an overview of the request.

Jason Hill, Petitioner, presented the case.

Public Testimony:

Marilyn Schweitzer stated that she appreciated the inclusion of a parking study and inclusion of pedestrian access in the petitioner's submittal. Ms. Schweitzer stated that the existing ground sign is sufficient and an additional monument sign is not necessary. Ms. Schweitzer stated that she feels that the proposed use does not fit as well as other potential users into the existing shopping center and that the proposal does not support superior design standards. Ms. Schweitzer also spoke against location of the proposed trash enclosure and feels that it does not create a welcoming design. Ms. Schweitzer requested that the PZC not approve the request.

Commissioner McDaniel asked the petitioner what the anticipated opening date is. Mr. Hill stated that it would be first quarter of 2025. Commissioner McDaniel asked the petitioner where the proposed monument sign is proposed. Mr. Hill confirmed where the monument sign is proposed to be. Commissioner McDaniel stated that he is excited about the potential use, and stated that he thinks the monument sign is not necessary.

Commissioner Wright asked about the orientation of the building on the plans compared to what is existing. The Petitioner confirmed that a portion of the existing building has not yet been demolished. Commissioner Wright asked about the potential traffic impacts. Mr. Hill discussed the projected traffic impacts and stated that most traffic would enter and exit the site off of Ogden Ave. Commissioner Wright stated that the location is somewhere that they want the proposed user to be while also wanting to be conscious of traffic along Iroquois Ave. Commissioner Wright requested that staff keep an eye on the Iroquois Ave and Ogden Ave intersection. Commissioner Wright stated that he thinks that the proposed monument sign is unnecessary, but is supportive of the project as a whole.

Commissioner Van Someren asked staff to confirm that orientation of the plans will be correct before the request goes to the City Council. Mr. Iwicki confirmed that staff will work with the petitioner to make sure all plans are correct.

Commissioner Bansal asked the petitioner why the bypass lane variance is required. Mr. Hill stated that the lot is not large enough to have a full bypass lane and that they accomplished the same task with the design they proposed. Commissioner Bansal confirmed that someone could exit part way through the drive thru, Mr. Hill confirmed that this is correct.

The PZC closed the public hearing.

Commissioner McDaniel made a motion, seconded by Commissioner Wright to adopt the findings of fact as presented by the petitioner and approve PZC

23-1-110, a major change to the Iroquois Center Planned Unit Development ("PUD") and Final PUD Plat, a deviation pursuant to Section 6-9-6:2.2 of the Code granting relief from the bypass lane requirement; and for reasons noted in the staff report, concur with staff to deny the requested deviation to Section 6-16-5:2.2.1 of the Code for two monument signs closer together than 200 feet for the property located at 1159 E. Ogden Avenue.

Aye: 7 - Bansal, Castagnoli, King, McDaniel, Richelia, Van Someren, and Wright

Excused: 1 - Robbins

Recused: 1 - Athanikar

 Conduct the public hearing to consider a variance to Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code for the property located at 384 River Bluff Circle - PZC 24-1-005

Brad Iwicki, City of Naperville Planning Services Team, provided an overview of the request.

Judith Wivell, Petitioner, presented the case.

Mary Agnes Dixon spoke on her concerns on the proposal regarding access to the yards by their HOA lawn care and the public utilities and spoke on concerns to losing access to back yard. Ms. Dixon also shared her concern that the loss of her side river view would impact her property value.

Ruth Hild spoke against the request stating that she finds that there are conflicts in what is proposed with their HOA bylaws. Ms. Hild stated concerns that the proposal does not match the character of the community and that it is not similar enough to the other homes in the neighborhood.

Commissioner Van Someren asked if a similar porch exists, Ms.Hild stated that there was one on the back of a home.

Commissioner Athanikar asked staff to confirm that the HOA requirements are separate from what the Commission reviews. Mr. Iwicki confirmed that HOAs are allowed to have their regulations that go further than the zoning code, but that HOA rules are to be enforced by the HOA and not the Commission.

Commissioner Van Someren confirmed that the PZC upholds the City's regulations and that it is up to their community's HOA board to enforce their rules and regulations. Ms.Hild asked what could be done if their HOA board had approved the request in error. Commissioner Van Someren recommended that they speak with an attorney about that and confirmed

that the Commission is unable to offer legal advice. Commissioner Athanikar stated that the Commission's focus is land use issues.

Commissioner Castagnoli asked if the HOA approved the request, Mr. lwicki confirmed that it was approved.

Terry Cieiank stated that he is on the community's HOA board and stated that the petitioner's request was approved by the HOA. Mr. Cieiank shared a concern about access to the properties by the Fire Department.

Commissioner Athanikar asked staff about access to neighboring properties and regulations on construction impacts on neighboring properties. Mr. Iwicki confirmed that the petitioner would need approval from any neighboring property owners to access their property and that the code adopted by the City requires that adjacent properties not be negatively impacted by construction activities.

Commissioner King asked staff for the dimensions of the existing deck, Mr. lwicki provided the dimensions.

Commissioner McDaniel stated that he visited the property and confirmed that the proposal reduces setbacks compared to the existing deck. Commissioner McDaniel also stated that he feels that a neighbor improving their home would improve the property values of neighboring properties rather than harm them. Commissioner McDaniel asked staff to confirm if a similar variance had been approved in the neighborhood previously, Mr. Iwicki confirmed that a similar variance had been approved for the property at 415 River Bluff Cr.

Commissioner Athanikar asked about potential flood plain impacts. Peter Zibble from staff confirmed that there were no expected impacts to the flood plain.

Commissioner Athanikar asked staff to confirm that Fire Department access to the neighboring properties will be maintained. Mr. Iwicki confirmed that the Fire Department will be consulted.

Ms. Wivell thanked the commission.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner McDaniel to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-005, a variance pursuant to Section 6-6A-7:1 to allow a 170 square-foot screened-in porch and 50 square-foot wood deck to encroach into the required rear and interior side yard setbacks for the property located at 384 River Bluff Circle.

Aye: 8 - Athanikar, Bansal, Castagnoli, King, McDaniel, Richelia, Van Someren, and Wright

Excused: 1 - Robbins

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the February 21, 2024 Planning and Zoning Commission meeting.

The PZC approved the minutes of the February 21,2024 meeting.

F. OLD BUSINESS:

- G. NEW BUSINESS:
- H. ADJOURNMENT:

Adjourned at 8:11PM

deliveries.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-002, a major change to the Freedom Commons PUD, a final PUD plat, and a deviation to Section 6-9-5 of the Naperville Municipal Code for a medical office building located at 1836 Freedom Drive

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

 Conduct the public hearing to consider a variance to Section 6-6A-7:1 (Yard Requirements) for a one-story garage addition to the existing single-family home at 1415 Heatherton Drive - PZC 24-1-021

Anna Franco, City of Naperville Planning Services Team, provided an overview of the request.

Cory Smith, Architect for Petitioner, presented the case.

Public Testimony: Commissioner King stated that she feels that the proposal is appropriate for the area.

Commissioner Athanikar stated that the yard is unique and that the request is reasonable.

Commissioner Bansal agreed that the lot is unique and supports the request.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-021, a variance pursuant to Section 6-6A-7:1 of the Naperville Municipal Code to allow a one-story garage addition to a single-family home to encroach approximately 12 feet 3 1/8 inches into the rear yard setback of the property located at 1415 Heatherton Drive with the condition noted in the staff report.

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

3. Conduct the public hearing to consider a major change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A and Phase 2B for the property having a common

street address of 2212 Ferry Road (known as Iron Gate Motor Plaza), and the vacant land located immediately west (Iron Gate Phase 2B) - PZC 23-1-116

Sara Kopinski, City of Naperville Planning Services Team, provided an overview of the request.

Tom Burgess, Petitioner, presented the case.

Public Testimony:

Commissioner Wright stated that the proposal is good for the area, suggested that bollards be put on the corners of building to prevent damage by vehicles. Mr. Burgess stated that they utilize swooshes at Iron Gate and will incorporate them into the design.

Arno Peterson, nearby neighbor, raised a concern to the petitioner and staff regarding the stormwater retention area adjacent to the site as it is a natural marsh and asked how the stormwater will be controlled. Peter Zibble from staff stated that final engineering plans have not been received by staff but will undergo a full review once they are submitted. Mr. Zibble noted that the existing stormwater facility was designed to accommodate the proposed use. Mr. Peterson asked what will be done if the plans do not meet requirements. Mr. Zibble responded that modifications would be required if the plans do not meet the standards.

Mr. Peterson asked about security at the site. Commissioner Athanikar stated that security is not under the purview of the Commission. Mr. Burgess responded that the development is a private gated community that is not open to the public.

Commissioner Athanikar asked the petitioner about HOA support of the proposal from the existing neighboring development. Mr. Burgess stated that he came up with the combination of uses with the owners of Iron Gate Motor condos and stated that it will be a synergistic use with the existing development.

Mr. Burgess shared that the stormwater detention area has a berm and is an existing facility.

Commissioner McDaniel, stated that this proposed use makes sense.

Commissioner Bansal, stated that the proposal is interesting and makes sense at the site.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 23-1-116, a major change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A and Phase 2B for the property having a common street address of 2212 Ferry Road (known as Iron Gate Motor Plaza), and the vacant land located immediately west (Iron Gate Phase 2B).

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

4. Conduct the public hearing to consider a variance to allow a principal structure to encroach into the rear yard setback at 1520 N Loomis St - PZC 24-1-011

Brad Iwicki, City of Naperville Planning Services Team, provided an overview of the request.

Vince Rosanova, Attorney for Petitioner, presented the case.

Public Testimony:

Commissioner McDaniel stated that the proposal makes sense at the property.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-011, a variance from Section 6-6A-7:1 of the Naperville Municipal Code to allow the principal structure to encroach approximately 6.15 feet into the required rear yard setback for the property located at 1520 N Loomis Street.

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the March 20, 2024 Planning and Zoning Commission meeting

The PZC approved the minutes of the March 20, 2024 meeting.

F. OLD BUSINESS:

G. NEW BUSINESS:

H. ADJOURNMENT:

PARTICIPATION GUIDELINES:

The citizen participation guidelines are outlined in 1-5-6-6: - CITIZEN PARTICIPATION of the Naperville Municipal Code.

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• IF YOU SIGNED UP TO SPEAK, the PZC will call your name at the appropriate time during the Planning and Zoning Commission meeting. Once your name is called you may identify yourself for the public record. Once you have been sworn in, then you may address remarks to the Planning and Zoning Commission as a whole. Speak clearly and try to limit remarks directly to the matter under discussion. Speakers are called in the order they sign up.

A. CALL TO ORDER:

B. ROLL CALL:

Present 8 - Manas Athanikar, Meghna Bansal, Stasha King, Derek McDaniel, Carl Richelia, Whitney Robbins, Oriana Van Someren, and Mark S. Wright
 Absent 1 - Tom Castagnoli

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

 Conduct the public hearing to consider a major change to the Freedom Commons Planned Unit Development (PUD), a final PUD plat, and a loading deviation to allow a medical office on the subject property located at 1836 Freedom Drive (Freedom Commons Medical Office Building) - PZC 24-1-002

Anna Franco, City of Naperville Planning Services Team, provided an overview of the request.

Peter Friedman, Attorney for Petitioner, presented the case.

Dan Ahlering, Petitioner, provided additional information on the case.

Greg Gorski, Architect for Petitioner provided additional information on the case.

Public Testimony:

Commissioner Athanikar asked the Petitioner why they will not need to utilize the loading berth. Mr. Ahlering responded that it would not need to be utilized for deliveries as other existing entrances can accommodate deliveries.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-002, a major change to the Freedom Commons PUD, a final PUD plat, and a deviation to Section 6-9-5 of the Naperville Municipal Code for a medical office building located at 1836 Freedom Drive

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

2. Conduct the public hearing to consider a variance to Section 6-6A-7:1 (Yard Requirements) for a one-story garage addition to the existing single-family home at 1415 Heatherton Drive - PZC 24-1-021

Anna Franco, City of Naperville Planning Services Team, provided an overview of the request.

Cory Smith, Architect for Petitioner, presented the case.

Public Testimony: Commissioner King stated that she feels that the proposal is appropriate for the area.

Commissioner Athanikar stated that the yard is unique and that the request is reasonable.

Commissioner Bansal agreed that the lot is unique and supports the request.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-021, a variance pursuant to Section 6-6A-7:1 of the Naperville Municipal Code to allow a one-story garage addition to a single-family home to encroach approximately 12 feet 3 1/8 inches into the rear yard setback of the property located at 1415 Heatherton Drive with the condition noted in the staff report.

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

 Conduct the public hearing to consider a major change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A and Phase 2B for the property having a common deliveries.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-002, a major change to the Freedom Commons PUD, a final PUD plat, and a deviation to Section 6-9-5 of the Naperville Municipal Code for a medical office building located at 1836 Freedom Drive

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

 Conduct the public hearing to consider a variance to Section 6-6A-7:1 (Yard Requirements) for a one-story garage addition to the existing single-family home at 1415 Heatherton Drive - PZC 24-1-021

Anna Franco, City of Naperville Planning Services Team, provided an overview of the request.

Cory Smith, Architect for Petitioner, presented the case.

Public Testimony: Commissioner King stated that she feels that the proposal is appropriate for the area.

Commissioner Athanikar stated that the yard is unique and that the request is reasonable.

Commissioner Bansal agreed that the lot is unique and supports the request.

The PZC closed the public hearing.

Commissioner Van Someren made a motion, seconded by Commissioner Robbins to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 24-1-021, a variance pursuant to Section 6-6A-7:1 of the Naperville Municipal Code to allow a one-story garage addition to a single-family home to encroach approximately 12 feet 3 1/8 inches into the rear yard setback of the property located at 1415 Heatherton Drive with the condition noted in the staff report.

Aye: 8 - Athanikar, Bansal, King, McDaniel, Richelia, Robbins, Van Someren, and Wright

Absent: 1 - Castagnoli

 Conduct the public hearing to consider a major change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A and Phase 2B for the property having a common

LEGAL DESCRIPTION/PIN NUMBER:

Lot 59 in Cress Creek Commons unit One, a Subdivision of part of the east 1/2 of Section 11, Township 38 North, Range 9 East of the Third Principal Meridian, According to the Plat thereof Recorded October 8, 1976, as Document R76-73082, in DuPage County, Illinois. PIN # 07-11-207-001



PLAT OF SURVEY



SURVEYOR'S NOTES

REFER TO YOUR DEED, ABSTRACT, TITLE POLICY AND LOCAL BUILDING AND ZONING ORDINANCE FOR ITEMS NOT SHOWN HEREON.

THE BEARINGS SHOWN HEREON ARE BASED UPON RECORDED SUBDIVISION PLAT.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.

SURVEYED AREA: 14,683± SQ. FT.

SURVEYOR'S CERTIFICATE

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE IN BLUE INK

NO MEASUREMENTS ARE TO BE ASSUMED BY SCALING

STATE OF ILLINOIS)

P: \801

PATH

DR

REATED

H

5

COUNTY OF DUPAGE)

I, JEFFREY R. PANKOW, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

3483

STATE OF

ILLINOIS

FIELD WORK COMPLETED AND DATED THIS 20TH DAY OF MARCH, A.D., 2023 \bigcirc

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3483 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2024 PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002937, EXPIRATION DATE IS APRIL 30, 2023.



- BOUNDARY LIMITS
- ADJACENT PROPERTY OR R.O.W. LINE
- BUILDING LINE
 - (Long Dashed Lines) EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)
- CONCRETE SURFACE







CHECKED BY: SAR

Consulting Engineers, Land Surveyors & Planners 2280 White Oak Circle, Suite 100 Aurora, Illinois 60502–9675 PH: 630.862.2100 FAX: 630.862.2199 E-Mail: info@cemcon.com Website: www.cemcon.com FILE NAME: 8018026_Plat FLD. BK. / PG. NO.: E32/60 DRAWN BY: JLK COMPLETION DATE: 03/24/23 JOB NO.: 8018.026 PROJECT REFERENCE: **REVISIONS:**

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SURVEYOR'S NOTES

REFER TO YOUR DEED, ABSTRACT, TITLE POLICY AND LOCAL BUILDING AND ZONING ORDINANCE FOR ITEMS NOT SHOWN HEREON.

THE BEARINGS SHOWN HEREON ARE BASED UPON RECORDED SUBDIVISION PLAT.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.

SURVEYED AREA: 14,683± SQ. FT.

SURVEYOR'S CERTIFICATE

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE IN BLUE INK

NO MEASUREMENTS ARE TO BE ASSUMED BY SCALING

STATE OF ILLINOIS) SS

P: \8018026

PATH:

DRA

CREATED

필

LOT

COUNTY OF DUPAGE)

I, JEFFREY R. PANKOW, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

> 3483 state of illinois

FIELD WORK COMPLETED AND DATED THIS 2014 DAY OF MARCH, A.D., 2023

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3483 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2024 PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002937, EXPIRATION DATE IS APRIL 30, 2023.





- BOUNDARY LIMITS - ADJACENT PROPERTY OR R.O.W. LINE



 BUILDING LINE (Long Dashed Lines)
 EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)





prepared for: FAGAN







LOT COVERAGE CALCULATION			
LOT AREA	14,627 SF		
SIZE OF EXISTING HOUSE	2,577 SF		
SIZE OF ADDITION	266 SF		
LOT COVERAGE PERCENTAGE	19 %		
SIZE OF ALLOWABLE GARAGE IN BACK YARD SETBACK AREA	480 SF		
SIZE OF PROPOSED ADDITION IN BACK YARD AREA	219 SF		
AREA UNDER ZONING STILL ALLOWAB!	_E 261 SF		
25% RULE CALCULATION			
SIZE OF TOTAL BACK YARD AREA	3,050 SF		
ALLOWABLE OCCUPIED PERCENTAGE: 3,050 SF × 25% OR	832 SF		
PROPOSED: 219 SF VS ALLOWA	BLE: 832 SF		

Exhibit C

Cory Smith Architecture 1043 Royal Bombay Court Naperville, Illinois 60563 P:630.140.9505
PROJECT NAME: UEZER 1415 HEATHERTON DRIVE
DATE: 02/12/2024 REV 1: 03/07/2024 REV 2:





March 6, 2024

City of Naperville Variance Request

Matthias and Sonia Jezek 1415 Heatherton Drive Naperville, Illinois 60563

Re: EXHIBIT B Garage Addition - Variance

GARAGE ENCROACHMENT INTO BACK YARD SETBACK - REQUESTED VARIANCE

Exhibit B.

1. The variance is in harmony with the general purpose and intent of the Title and the adopted comprehensive master plan; and

We believe the variance requested is in harmony with the general purpose and intent of the title and master plan. The requested variance simply wants to add a third car garage on to the existing home, partially encroaching into the back yard setback. We believe that by attaching the garage to the house we are addressing items 3 and 4 of the Purpose and intent of the Title. An attached, smaller structure will prevent the visual impression of overcrowding of the land by leaving more green space between the applicant and their neighbor while addressing light, air and green space as well. All potentially affected by a Detached Structure. The variance is requesting authorization to build approximately 12'-3" into what is considered the back yard setback at the above referenced location.

Exhibit B.

2. Strict enforcement of the Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and

Corner lots are very restrictive when it comes to zoning setback requirements and the potential for any type of addition. 3 of the 4 yard setbacks are 30' in depth and can limit any possibility of expansion. You can see from the plat of survey that this lot configuration is not a typical corner lot and is very large in size. But for two points along the west property line, the yard between the back of the house and its neighbor is over 77' deep at one point and backs up to the forest preserve. Which gives the impression of an even deeper yard. When the current house was built, the front door was placed facing Farrington Drive yet was given a Heatherton mailing address. It had been assumed, by not just the owner but the surrounding neighbors of the property that the yard adjacent to the garage doors to the house was the side yard of the property. The homeowners are simply looking to add a 14'-0" wide x 19' deep single car garage to their home. The total structure area in the setback would be approximately 219 sf.

Exhibit B.

3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

By code a much larger garage (480 SF) could legally be erected in the back yard setback if it is a detached structure. It could also be located as close as 10' away from the neighbor's property line. However, for several reasons the petitioner does not want to pursue this option. 1.) Because it affects light, green space, etc. on this Forest Preserve lot. (items addressed in B.1 above). 2) It

1049 Royal Bombay Court, Naperville, Il 60563 P. 630.740.9505

Exhibit D



encroaches too close to the neighbor's property; and they wish to continue to be good neighbors by not putting a large structure so close to their house and 3.) most importantly, the attached addition is in keeping with the "essential character" of the neighborhood. There currently are NO stand-alone detached garages in all of Cress Creek that I am aware of. This variance will provide the applicant with the additional garage space that they need, will be in keeping with the essential character of the neighborhood, will be designed and finished to blend in with the architecture of the existing house and most importantly it will reduce the impact on the adjacent neighbor that a large, detached and "out of character" garage would impose.

> 1049 Royal Bombay Court, Naperville, Il 60563 P. 630.740.9505



PIN: 07-11-207-001

ADDRESS: 1415 HEATHERTON DRIVE NAPERVILLE, IL 60563

PREPARED BY: CITY OF NAPERVILLE LEGAL DEPARTMENT 400 SOUTH EAGLE STREET NAPERVILLE, IL 60540 630/420-4170

RETURN TO: CITY OF NAPERVILLE CITY CLERK'S OFFICE 400 SOUTH EAGLE STREET NAPERVILLE, IL 60540

PZC Case #24-1-021

ORDINANCE NO. 24 -

AN ORDINANCE GRANTING A VARIANCE FROM SECTION 6-6A-7:1 (YARD REQUIREMENTS) TITLE 6 (ZONING REGULATIONS) OF THE NAPERVILLE MUNICIPAL CODE TO PERMIT A ONE-STORY GARAGE ADDITION TO ENCROACH INTO THE REQUIRED REAR YARD AT 1415 HEATHERTON DRIVE

RECITALS

- WHEREAS, Matthias and Sonia Jezek, 1415 Heatherton Drive, Naperville, IL 60563 ("Owners" and "Petitioners"), are the owners of real property located at 1415 Heatherton Drive, Naperville, Illinois 60563, legally described on <u>Exhibit A</u> ("Legal") and depicted on <u>Exhibit B</u> ("Subject Property"), and have petitioned the City of Naperville for approval of a variance to Section 6-6A-7:1 of the Naperville Municipal Code; and
- 2. WHEREAS, the Subject Property is currently zoned R1-A (Low Density Single-Family Residence District) and is improved with a single-family home with an attached garage, and

- 3. WHEREAS, the Subject Property is a uniquely shaped corner lot with a rear yard designated along the north property line, and
- WHEREAS, Section 6-6A-7:1 (Yard Requirements) of the Naperville Municipal Code requires, the Subject Property to maintain a required rear yard measuring approximately 30 feet in depth, and
- WHEREAS, the Petitioners propose an approximately 266 square foot, one-story garage addition to the single-family home that encroaches into the required rear yard as depicted on <u>Exhibit C</u> ("Site Plan"), and
- WHEREAS, the proposed garage addition is not parallel to the rear property line and the encroachment into the required rear yard varies depending on where it is measured from, and
- 7. WHEREAS, the Petitioners request approval of a variance from Section 6-6A-7:1 (Yard Requirements) to allow the proposed one-story garage addition to encroach the required rear yard by approximately 12 feet 3.5 inches when measured from the west side of the addition and approximately 10 feet 9.5 inches when measured from the east side of the addition, resulting in approximately 219 square feet of the proposed addition being located in the required rear yard as depicted on <u>Exhibit C</u> ("Site Plan"), and
- 8. WHEREAS, pursuant to Section 6-3-6:2 (Standards for Granting a Zoning Variance) of the Naperville Municipal Code, the requested variance meets the Standards for granting a Zoning Variance as provided in <u>Exhibit D</u> ("Standards for Variances") attached hereto, and

- WHEREAS, on April 3, 2024, the Planning and Zoning Commission conducted a public hearing to consider PZC 24-1-021 and recommended approval of the Petitioner's request, and
- 10. WHEREAS, the City Council of the City of Naperville has determined that the Petitioner's request should be granted as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance from Section 6-6A-7:1 (Yard Requirements) of the Naperville Municipal Code to allow the proposed one-story garage addition to encroach the required rear yard by approximately 12 feet 3.5 inches when measured from the west side of the addition and approximately 10 feet 9.5 inches when measured from the east side of the addition, and to occupy approximately 219 square feet of the required rear yard, as depicted on the Site Plan attached hereto as **Exhibit C**, is hereby approved subject to the following condition:

A. The 219 square feet of the one-story garage addition encroaching into the required rear yard setback as depicted on the site plan shall be included when calculating the percentage of the required yard that may be occupied by detached accessory structures, such that the total square footage of all detached accessory structures plus the new addition shall not exceed 25% of the required rear yard per Section 6-2-10.5 of the Naperville Municipal Code.

SECTION 3: The variance approved by this Ordinance shall expire within two (2) years from the effective date of this Ordinance if a building permit has not been obtained

and the construction or alteration of the structure as specified in this Ordinance has not been started within that two (2) year period.

SECTION 4: This variance shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

SECTION 5: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 6: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this	day of	, 2024.
AYES:		
NAYS:		
ABSENT:		
APPROVED this c	day of	, 2024.

Scott A. Wehrli Mayor

ATTEST:

Dawn C. Portner City Clerk

THEN & LOW

A Look at Naperville's Electric Utility



City Council | April 16, 2024

But first . . . Follow-up from the March presentation



OUR MISSION, OUR GOALS, AND OUR RESULTS

- Prior to 1965, the City owned and operated its own power plant.
- IMEA contract process
 - A consultant recommended the City use a Joint Action Agency.
 - Staff and outside counsel negotiated a contract, which was brought before the Council.
- Staff is reviewing responses to RFPs for a consultant to evaluate the future energy market and support services.

We're sharing background now to help you chart our path in the future. How the conversation WHAT IT MEANS TO OWN **OUR MISSION, OUR GOALS,** WHERE WE GO FROM HERE **AROUND ENERGY & OPERATE AN ELECTRIC AND OUR RESULTS HAS CHANGED** UTILITY April May March Summer

Tonight's Key Takeaway

Daily operations, administration, and planning are the three key functions of running a utility.

The Electric Utility is a business with unique requirements & regulations.



DAILY OPERATIONS

Seven sections in the utility handle all-day, everyday oversite, maintenance & management of all utility assets.



ADMINISTRATION

Day-to-day tasks are handled internally, but legally required reporting, regulatory defense & energy market support requires external resources to achieve.



PLANNING

Numerous logistical, financial, legislative, societal, and technological impacts influence long-term planning and decision-making.



What the utility does: handles daily monitoring, maintenance, security & repairs



Operates equipment & responds to outages, emergencies & issues



Manages customer accounts, programs, contracts & budgets

Engineers assets & develops plans to address unique customer needs



Proactively inspects equipment for repair or replacement



Maintains support systems & cybersecurity



Integrates systems (including Empower) & manages databases



What IMEA does: performs necessary administrative & advocacy work

The **City's power provider**, IMEA, has been handling required administrative responsibilities for the utility since 2007.

This includes large-scale **regulatory, legal & advocacy tasks** necessary to effectively manage and operate a municipally owned electric utility.

Some examples of what IMEA does are listed to the right.

Manages energy supply, including ensuring enough power for Naperville

ComEd/RTO billing, registration, reporting requirements and audits

Makes sure policies follow state and federal utility laws

Provides legal representation with indepth & specialized utility knowledge

Advocates at the federal level about utility issues





We're sharing background now to help you chart our path in the future.



QUESTIONS?