



Meeting Minutes

Planning and Zoning Commission

Wednesday, October 21, 2020

7:00 PM

Held on Zoom due to COVID-19

CITY OF NAPERVILLE PUBLIC MEETINGS UPDATE:

On Friday, June 12, 2020, an amendment to the Open Meetings Act was signed into law. This new law replaces the gubernatorial executive order concerning the Open Meetings Act and allows public bodies to temporarily conduct meetings remotely during a state of emergency, subject to certain requirements, including a determination by the head of the public body that an in-person meeting is not practical or prudent.

On Tuesday, June 16, 2020, Mayor Chirico issued an executive order determining that in-person meetings of the City Council and the City's boards and commissions are not currently practical or prudent due to the Covid-19 pandemic. Accordingly, the Planning and Zoning Commission meeting scheduled for October 21, 2020 will be conducted remotely. The means by which the public may watch, listen, and/or participate in the meeting are described below.

IMPORTANT NOTE: You do not need to create a Zoom account or download software to participate or listen to a Zoom meeting. Registered speakers and participants will receive instructions on how to access the meeting and may use the "join from your browser" link to access the meeting.

TO WATCH OR LISTEN TO THE PZC MEETING LIVE:

1. Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T);
2. Watch online at <https://naperville.legistar.com/calendar.aspx>; or
3. Listen by telephone (audio only) – register to receive a dial-in phone number by calling the City Clerk's Office, (630) 305-5300, by 5 p.m. on Wednesday, October 21st.

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

1. Register by 5 p.m. on Wednesday, October 21 at: www.naperville.il.us/pzcspeaker. After the sign-up time has ended, you will receive an email with information about how to join the Zoom meeting. Questions regarding online sign-up may be directed to the City Clerk's Office by calling (630) 305-5300; or
2. Participate by telephone. Register with the City Clerk's office by 5 p.m. on Wednesday, October 21 to receive a dial-in phone number by calling (630)-305-5300.

TO SUBMIT WRITTEN COMMENTS OR MATERIALS:

1. Use the speaker sign-up form at www.naperville.il.us/pzcspeaker to submit a written comment by 5 p.m. on Wednesday, October 21 to be read into the public record during the Planning and Zoning Commission meeting by a member of staff; or

2. Use the speaker sign-up form at www.naperville.il.us/pzcspeaker to submit a one-word statement of "SUPPORT" or "OPPOSITON" regarding a specific agenda item by 5 p.m. on Wednesday, October 21 to be read into the public record during the Planning and Zoning Commission meeting by a member of staff.
3. Submit written materials to planning@naperville.il.us by 10 p.m. Friday, October 16th which are relevant to a public comment or public hearing before the Planning and Zoning Commission (e.g. a PowerPoint, photographs, reports). Submitted materials will be posted online for public access on Monday, October 19th.

NOTE: All submissions should be sent by the dates and times indicated above to: planning@naperville.il.us.

PUBLIC ACCOMMODATION:

Any individual who may require an accommodation to submit comments or materials, or to view materials for the Planning and Zoning Commission meeting, should contact the City Clerk at (630) 305-5300 or napervilleclerks@naperville.il.us as soon as possible, but not later than by 5 p.m. on Wednesday, October 21.

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,** staff 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 and then 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 6 – Manas Athanikar, Bruce Hanson, Anthony Losurdo, Bill Habel, Whitney Robbins, Carl Richelia

Absent 3 – Brett Fessler, Krishna Bansal, Oriana Van Someren

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

1. Conduct the public hearing to consider a variance to reduce the fencing requirement along the subject property's west property line (Costco Fence) - PZC 20-1-087

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

Steve Cross, presented on behalf of the petitioner.

Public Testimony: None

A motion was made by Commissioner Athanikar, seconded by Commissioner Robbins to close the public hearing.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

A motion was made by Commissioner Losurdo, seconded by Commissioner Richelia to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-087, a variance to Section 5-10-3:5.2.4.1 to reduce the fencing requirement along the west property line in order to preserve an existing tree line for the property located at the northwest corner of Ogden Avenue and Naperville-Wheaton Road (Costco).

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

2. Conduct the public hearing to consider a variance to permit a 6' tall solid fence in the required corner side yard at the subject property located at 616 Caraway Court, Naperville - PZC 19-1-095

Gabrielle Mattingly, Planning Services Team, provided an overview of the request.

Rocco DiFranco, owner and petitioner, remained available for questions.

Chairman Hanson inquired if the request is to make the space more accessible. Mr. DiFranco confirmed yes.

Public Testimony: None

A motion was made by Commissioner Athanikar, seconded by Commissioner Richelia to close the public hearing.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

A motion was made by Commissioner Richelia, seconded by Commissioner Losurdo to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-095, a variance to Section 6-2-12:1 to permit a 6' tall privacy fence to be located 5' into the corner side yard setback for the property located at 616 Caraway Court.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

3. Conduct the public hearing to consider a variance to allow a sunroom to encroach into the rear yard setback at 2843 Fairhauser Ct. - PZC #20-1-091

Kathleen Russell, Planning Services Team, provided an overview of the request.

Adam Kingen, presented on behalf of the petitioner. Shabbir Ahmed, owner, provided additional comments.

Chairman Hanson requested clarification on the request, Ms. Russell clarified it's a variance to the rear yard setback requirements.

Public Testimony:

Staff read one written comment submitted by Raymond Wood into the record.

Commissioner Athanikar inquired if the sunroom will be smaller than the existing deck; Mr. Ahmed said yes. Commissioner Losurdo asked if they would be able to add an additional deck off the sunroom without an additional variance, staff replied yes, subject to the condition staff is requesting with approval of the variance. Chairman Hanson clarified that approval of a variance does not set precedent for future review of variances.

A motion was made by Commissioner Losurdo, seconded by Commissioner Athanikar to close the public hearing.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

A motion was made by Commissioner Athanikar, seconded by Commissioner Robbins to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-091, a rear yard setback variance to 6-6B-7:1 for the property located at 2843 Fairhauser Ct. with the following condition: the 66 square feet of the sunroom encroaching into the rear yard setback shall be included when calculating the percentage of the required yard that may be occupied by detached accessory structures, such that the total detached accessory structures plus the proposed sunroom shall not exceed 25% of the required rear yard per Section 6-2-10.5.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

4. Conduct the public hearing to consider a variance to Section 6-6A-6 for the subject property located at 610 N. Sleight Street (Waldron Resubdivision) - PZC 20-1-067

Gabrielle Mattingly, Planning Services Team, provided an overview of the request.

Caitlin Paloian, Rosanova & Whitaker, Ltd., presented on behalf of the petitioners.

Chairman Hanson inquired if the width of future lot is wide enough for construction of a new single-family home, Ms. Paloian confirmed yes.

Public testimony: None

A motion was made by Commissioner Losurdo, seconded by Commissioner Robbins to close the public hearing.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

A motion was made by Commissioner Robbins, seconded by Commissioner Richelia to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-067, a variance to reduce the minimum lot width requirements per Section 6-6A-6 to allow subdivision of the property located at 610 N. Sleight Street (Waldron Resubdivision).

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

5. Conduct the public hearing regarding amendments proposed to various chapters of Title 5 (Building Regulations), Title 6 (Zoning Regulations) and Title 7 (Subdivision Regulations) of the Naperville Municipal Code regarding developments including duplexes, single-family attached dwellings, multiple family dwellings or any combination thereof (PZC 20-1-089)

Allison Laff, Deputy Director of Transportation, Engineering and Development Department presented the proposed text amendment.

Public Testimony:

Marilyn Schweitzer spoke in support of the text amendment and made suggestions for future text amendments.

Tim Messer spoke in support of the proposed text amendment and raised a concern for future height allowances based on this amendment.

Chairman Hanson requested clarification on the height allowances. Ms. Laff responded that the amendment applies to duplexes in a larger development where multiple buildings are proposed; standalone duplexes would still be required to comply to the existing regulations.

Russ Whitaker spoke in support of the text amendment.

A motion was made by Commissioner Athanikar, seconded by Chairman Hanson to close the public hearing.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

A motion was made by Chairman Hanson, seconded by Commissioner Robbins to approve PZC 20-1-089, text amendments to various chapters of Title 5 (Building Regulations), Title 6 (Zoning Regulations) and Title 7 (Subdivision Regulations) of the Naperville Municipal Code regarding developments including duplexes,

single-family attached dwellings, multiple family dwellings or any combination thereof.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

6. Conduct the public hearing regarding the properties located at 252 4th Avenue, 262 4th Avenue, 329 N. Loomis Street, and 333 N. Loomis Street - PZC #20-1-075 (Item 1 of 2)

Kathleen Russell, Planning Services Team, provided an overview of the request. Vince Rosanova, Rosanova & Whitaker, Ltd., presented on behalf of the petitioners.

Public Testimony:

Staff read one written comment submitted by Dave Trollope into the record.

Marilyn Schweitzer spoke in support of the conditional use and height variance requests, but against the density and reduced setback variance requests.

Tim Messer spoke against the proposed density and setbacks and stated future proposals in the neighborhood should more closely comply with the code.

Commissioner Robbins asked for information regarding visitor parking, curb cuts, and garbage removal. Mr. Rosanova responded each unit will have a two-car garage and there are four additional guest parking spaces on the north/south access road, clarified the location of the two access points and the plan for trash removal.

Chairman Hanson inquired about snow removal. Mr. Rosanova stated the association will be responsible for snow removal since it is a private drive.

A motion was made by Commissioner Losurdo, seconded by Commissioner Richelia to close the public hearing.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

Chairman Hanson spoke in support finding the project to be unique and the location justifies the additional density proposed.

7. Consider a conditional use in the R2 district to permit townhomes and variances to (i) exceed the number of stories and height; (ii) reduce the R2 rear yard setback; (iii) reduce the R2 front yard setback; and (iv) reduce the area requirement for single-family attached dwellings in the R2 district for the properties located at 252 4th Avenue, 262 4th Avenue, 329 N. Loomis Street, and 333 N. Loomis Street - PZC #20-1-075 (Item 2 of 2)

A motion was made by Commissioner Habel, seconded by Commissioner Athanikar, to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-075, a conditional use to allow for single family attached dwellings, an area variance to Section 6-6C-5:2, a rear yard setback variance to Section 6-6C-7, a front yard setback variance to Section 6-6C-7 and a height and story variance to Section 6-6C-8:1 for the properties located at 252 4th Avenue,

262 4th Avenue, 329 N. Loomis Street, and 333 N. Loomis Street.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the October 7, 2020 Planning and Zoning Commission meeting

A motion was made by Commissioner Losurdo, seconded by Commissioner Robbins to approve the meeting minutes of the October 7, 2020 Planning and Zoning Commission meeting.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

F. OLD BUSINESS:

G. NEW BUSINESS:

1. Initiate a text amendment to Section 6-7E-3 to allow daycare centers, preschools, and primary schools as a conditional use in the B5 (Secondary Downtown) zoning district

Sara Kopinski, Planning Services Team, provided an overview of the text amendment initiation.

Chairman Hanson requested staff discuss the text amendment with Naperville Development Partnership.

Public Testimony: None

A motion was made by Commissioner, seconded by Commissioner to initiate a text amendment to Section 6-7E-3 to allow daycare centers, preschools, and primary schools as a conditional use in the B5 (Secondary Downtown) zoning district.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins

H. ADJOURNMENT:

9:03 PM

A motion was made by Commissioner Losurdo, seconded by Commissioner Robbins to adjourn the meeting.

Aye: Athanikar, Hanson, Losurdo, Habel, Richelia, Robbins