

August 20 2019 City Council QA

Monday, August 19, 2019 8:29 AM

F. AWARDS AND RECOGNITIONS:

1. **19-799** Presentation of the 2019 Naperville Senior of the Year

H. CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR THE CONSENT AGENDA:

I. CONSENT AGENDA:

1. **19-811** Approve the 07/01/2019 through 07/31/2019 cash disbursements for a total of \$25,542,779.49.

Q:	What is undefined under P6 budget report? Please provide a graph by Department and staff numbers expenses.	Gustin
A:	The undefined categorization included on the department expense report is referencing interfund transfer expenses. Attached are two charts, the first is the department expense graph through 6-months and the second is a breakdown of citywide personnel costs.	Mayer

2. **19-770** Approve the regular City Council meeting minutes of July 16, 2019
3. **19-740** Approve the City Council meeting schedule for September, October & November 2019
4. **19-725** Approve the award of Bid 19-129, 2019 Lateral Grouting of Sanitary Sewer Cress Creek Phase 5, to Michels Corporation for an amount to not exceed \$193,875, plus a 5% contingency
5. **19-746** Approve the award of Change Order #5 to Contract 19-007, 91st Street Road Improvement, to R.W. Dunteman to extend the contract for an additional 45 days
6. **19-752** Approve the award of Bid 19-213 Municipal Center - Front Plaza Renovations, to Berglund Construction Company for an amount not to exceed \$375,000, plus a 5% contingency
7. **19-753** Approve the award of Option Year One to Contract 18-017, Excavation and Underground Utility Repair, to Baish Excavating, Inc. for an amount not to exceed \$120,000
8. **19-756** Approve the award of Cooperative Procurement 19-239, Springbrook Water Reclamation Center - Biosolids Processing Building HVAC

Upgrade, to Trane Commercial Systems and Service for an amount not to exceed \$169,977, plus a 5% contingency

- 9. **19-758** Approve the award of Bid 19-216, South Waterworks Improvements to Dahme Mechanical Industries for an amount not to exceed \$524,000, plus a 3% contingency
- 10. **19-759** Approve the award of RFP 19-183, Public Works Service Center Fixed Axis Solar Photovoltaic System, to GRNE Solar Company for an amount not to exceed \$134,169, plus a 5% contingency (Item 1 of 2)

Q:	Only a single vendor put in a bid. What are the challenges associated with getting another qualified bidder?	Sullivan
A:	Due to the timing of the release of this project, many vendors were already booked up with other commitments. Because we have completed a bid process, we cannot simply re-bid the project and still be in compliance with purchasing rules. Rebidding would require some change in scope or additional time which may not allow the project to be completed by the grant term expiration of June 20, 2020. Not making this due date could jeopardize the City's use of the current offering of \$100,000 and future opportunities to qualify for grants. The award amount is in line with similar installations of size and scope. In addition the Electric Utility estimated the cost to be \$150,000.	Podlesny

- 11. **19-808** Approve the use of Renewable Energy Funds in the amount of \$34,169 (Item 2 of 2)
- 12. **19-748** Approve the award of Change Order #2 to Contract 16-259, Actuarial Services, to Foster & Foster Inc. for an amount not to exceed \$4,000 and a total award of \$110,682

Q:	Can you provide the pension payment graph developed by staff and accepted by council addressing the pension payment spikes? I believe it was a year or so ago. I believe the recommendation by staff was to weather the high peak and deep valley of the pension payment projections. How does the payment graph coordinate with the Foster & Foster annual reporting?	Gustinn
A:	Attached is the pension payment graph that was utilized during the 2018 budget development for projected pension payments. Staff has added a green line which indicates actual performance. There are twos significant items of note: <ol style="list-style-type: none"> 1. When the projected pension payment chart was developed, the City was basing it upon projected experience not actual experience. Each year the pension payments are actuarial determined based upon fund performance and the City's pension experience. As an example, in 2018 the City experienced poor performance related to investment returns. This would have driven up the pension contribution in all pension scenarios, however to what degree has not been calculated. 2. When the projected pension payment chart was developed, the City utilized different variables to model future payments. As part of the 2019 experience study, the City updated a variety of pension assumptions to better align actual experience with projected results. These were not factored in the previous estimates. <p>Based upon information from the City's actuaries, staff estimates that moving to the 15-year rolling average reduced the 2020 pension contribution value by approximately \$600k.</p>	Mayer

- 13. **19-755** Approve the award of Change Order #1 to Procurement 18-180, Water and Wastewater Hatch Replacement, to Keno & Sons Construction

Company for an amount not to exceed \$55,403.70 and a total award of \$368,403.70, and for an additional 198 days

- 14. **19-773** Accept the public improvements at Truth Lutheran Church, Court Place, R.R. Breitwieser Corner and Tramore Subdivision and authorize the City Clerk to reduce the corresponding public improvement surety.
- 15. **19-581B** Pass the ordinance approving a conditional use to permit an automobile service station in the B3 (General Commercial) District at the subject property located at 991 W. Ogden Av., Naperville - PZC 19-1-031

Q:	What is the height of the fence being proposed at this point? Vequity has said they would add landscaping if requested. Has that been requested and/or could we request it later?	Kelly										
A:	<p>The petitioner had originally proposed a 6' fence. After discussions with the neighbors and staff, the petitioner has raised the fence to an 8' double sided (non-climbable fence). The fence will start at 6' on the northwest and southeast property lines and step up to an 8' fence as it moves to the rear of the property. The petitioner will update the landscaping plans to reflect this change; the updated plan will be approved by staff and attached to the ordinance prior to recording.</p> <p>Regarding additional landscaping, it is important to note that both the staff and the PZC recommended approval of the landscaping plan as presented at the PZC meeting. The proposed landscaping does meet all code requirements and is substantial (particularly at the rear property line adjacent to residential). While the petitioner has met with neighbors since the PZC meeting and is making revisions to their fencing plan based on neighbor feedback, staff has not received any requests for additional landscaping at this point. The City Council can direct the petitioner to add additional landscaping as a condition of approval; depending on the extent of the changes requested, it may be appropriate to continue the case to a future meeting date at which a revised landscaping plan can be reviewed by the City Council.</p>	Laff										
Q:	What other locations in Naperville are there 15' to 30' setbacks from R1 residential zoning for a B3 automobile station? In those 15' to 30' R1 zoning how many are open 24 hours?	Gustin										
A:	Please see table below.	Laff										
Q:	It appears overseas, there are 7-11 stores that are not open 24/7. Are there any in the U.S. that are not open 24/7?	Coyne										
	In recent years how many gas station or convenience store robberies have we had occur after 11 pm? Have after hour robberies been a problem in other communities.											
A:	<p>Charlene Brandt, Regional Manager for Government Affairs for 7-Eleven has indicated that 7-Eleven has a corporate model of 24-hour service. There are four 7-Elevens in Illinois (out of approximately 370 total) that are not 24-hour establishments; this is due to the fact that 7-Eleven took over the leases on those properties (which were mostly prior White Hens). Staff has requested information about the location of the non-24 hour 7-Eleven stores in the US. This information will be provided upon receipt.</p> <p>Staff reviewed the crime data for 7 gas stations nearest the subject property. Since 2017, 89 crimes have occurred at these 7 stations. Of those 89 crimes, 22 occurred between the hours of 10 p.m. and 6 a.m. Of those 22 crimes, 4 were classified as violent crimes (3 armed robberies; 1 aggravated assault).</p>	Laff										
Q:	A) How many other gas stations that operate 24 hours are within 2 miles of this site?	Sullivan										
A:	<table border="1"> <thead> <tr> <th>Gas Station/Address</th> <th>Hours of Operation*</th> <th>Zoning</th> <th>Adjacent to Residential?</th> <th>Distance from Residential</th> </tr> </thead> <tbody> <tr> <td>Mobil/1420 E. Ogden Avenue</td> <td>24 Hours</td> <td>B3</td> <td>Yes – unincorporated</td> <td>Building -</td> </tr> </tbody> </table>	Gas Station/Address	Hours of Operation*	Zoning	Adjacent to Residential?	Distance from Residential	Mobil/1420 E. Ogden Avenue	24 Hours	B3	Yes – unincorporated	Building -	Laff
Gas Station/Address	Hours of Operation*	Zoning	Adjacent to Residential?	Distance from Residential								
Mobil/1420 E. Ogden Avenue	24 Hours	B3	Yes – unincorporated	Building -								

			single-family	160' Parking - 100'
Shell/515 E. Ogden Avenue	6 am – 10 pm	B3	Yes – R2 (single-family)	Building - 57' Parking - 15'
BP/20 E. Ogden Avenue	24 Hours	B3	Yes – R2 (single-family)	Building - 32' Parking - 25'
BP/901 N. Washington Street	24 Hours	B3	Yes – R1B (single-family)	Building - 7' Parking - 15'
Mobil/1280 W. Ogden Avenue	24 Hours	B2 with CU	Yes – R3 (apartments)	Building - 70' Parking - 7'
Amoco/1503 North Aurora Rd.	24 Hours	B3 PUD	No	N/A
Thorntons/1532 North Aurora Rd.	24 Hours	B3	No	N/A
Delta Sonic/1780 North Aurora Rd.	Vary; 7 am – 9 pm	B3	No	N/A
BP/1983 Brookdale Road	24 Hours	B3	No	N/A
Speedway/1712 W. Ogden	24 Hours	B3	No	N/A
Bucky's/1598 W. Ogden	24 Hours	B3	No	N/A
Shell/659 S. Washington Street	6 am – 10 pm	B3	Yes – R2 (single-family)	Building - 1' Parking - 3.5'

**Hours of operation as chosen by each business (no hourly restrictions have been imposed by the City).*

b) What prompted the change from service stations going from permitted use in B3 Zones to conditional?

The Ogden Avenue plan (adopted in 2008) recommended the following implementation item related to B3 uses:

Implementation Item #38: Evaluate permitted uses in the B3 district such as “Warehouse and Storage Facilities”, “Nurseries” (as part of “Greenhouses & Nurseries”) and “Taxidermists” to promote retail uses within the study area. Give consideration to whether these should be conditional uses in the B3 District.

Per the plan, “the existing zoning classification of the majority of parcels in the Study Area distinguish the Corridor as the only B3 commercial corridor in the City. This zoning designation is the most permissive business district in the City allowing uses such as gas stations and car washes, where other business classifications do not... Additionally, even though the mix of uses in this service Corridor are recommended to continue, some uses listed as permitted or conditional in the B3 District should be discontinued or considered only under approval of a conditional use.” (page 29, Ogden Avenue Corridor Enhancement Initiative)

Upon a review of the B3 uses, staff concurred with the findings of the Ogden Avenue Corridor Enhancement Initiative that several existing permitted and conditional uses were either too intensive to be permitted by right, represent an outdated business type, or acted counter to the intended retail and service orientation of the Corridor. Accordingly, staff recommended that a conditional use be required for automobile service stations (i.e., gas stations), repair facilities and car washes; garages for storage, repair, and servicing of motor vehicles; and self-storage warehouses.

Each of the uses noted above were previously permitted by right in the B3 district (i.e., permit review only). Staff found that while these uses do serve customers and in part require commercial visibility to be successful, they also have potential to adversely impact the intended retail nature of commercial corridors, as well as adjacent properties. Accordingly, staff recommended that a conditional use be required to provide an additional level of review by the Planning and Zoning Commission (PZC) and City Council in order to determine if the potential uses are appropriate for their proposed location based on the specifics of the case presented.

c) Approximately how much of the current greenery (# of mature bushes and trees, or square footage) that exist between the residences on the north property line and the current Marathon building will be removed in order to develop this new plan? Will any mature trees or bushes be left to separate the neighborhood from the 7-11?

The petitioner is currently proposing to preserve 3 existing trees adjacent to the Cress Creek subdivision sign, as well as 4 mature trees along the north property line. The neighbor to the north (812 Royal St. George) has requested that 2 of the mature trees on the north property line be removed due to concerns with the trees' viability which they believe have potential to damage their home (see attached tree preservation plan); if these trees are removed, the existing mature trees located along the north property line will be reduced to 2 total. The petitioner proposes to add approximately 25 shrubs and 3 spruce trees to the north property line (and will add 2 new larger diameter trees along the north property line if the two existing matures are removed at the neighbor's request). Additionally, a solid fence will run along the property line (see above for fence details).

d) Are there currently any other B3 zones in Naperville with service stations built as close to residential land as this proposed plan?

Please see chart above.

- 16. **19-587B** Pass the ordinance approving variances for a tollway sign located at 55 Shuman Boulevard (Rush Naperville Clinic) - PZC 19-1-024

Q:	Where exactly will the sign be located? On the building, a billboard or something else?	Kelly
A:	The petitioner is proposing to install a new 35' tall freestanding sign that will be located approximately 65' from the subject property's northern property line. The sign will be installed within a newly constructed berm on the property.	Laff

- 17. **19-733** Waive the first reading and pass the ordinance to establish an all-way stop at the intersection of Ellsworth Street and Jefferson Avenue (requires six positive votes)
- 18. **19-540B** Waive the first reading and pass the ordinance rescinding stop control and establishing a traffic-control signal intersection at Mill Street and Commons Road (requires six positive votes)
- 19. **19-712B** Waive the first reading and pass the ordinance amending 4:7, 6:1 and 6:7 pertaining to body art facilities as an accessory use operated in conjunction with a permitted salon or spa. - PZC 19-1-071 (requires six positive votes)
- 20. **19-333B** Waive the first reading and pass the ordinance rescinding stop control and establishing a traffic-control signal intersection at 95th Street and Knoch Knolls Road (requires six positive votes)

- 21. **19-374B** Pass the ordinance repealing and replacing Section 3-7 of the Naperville Municipal Code regarding peddlers and solicitors

- 22. **19-762** Conduct the first reading of an ordinance amending Section 1-9G-13 of the Naperville Municipal Code regarding the membership composition of the Emergency Telephone Systems Board.

- 23. **19-789** Pass the ordinance to establish temporary traffic controls and issue a Special Event permit for the North Central College Homecoming Parade on Saturday, September 28, 2019

- 24. **19-790** Pass the ordinance establishing temporary traffic controls and issue a Special Event permit for the 2019 Riverwalk Fine Art Fair on September 21-22, 2019

- 25. **19-798** Pass the ordinance to establish temporary traffic controls and issue a Special Event Permit and an Amplifier permit for the 2019 Last Fling, Labor Day Parade and the Fling Mile, scheduled for Friday, August 30 - Monday, September 2, 2019

	Attached is a revised ordinance and traffic control plan (TCP) for the 2019 Last Fling. Closing the street for an additional two hours was requested by the event organizer, Naperville Jaycees, in order to allow more time to install the fencing that is new this year. Please include the updated ordinance and TCP in the motion to approve the Consent Agenda.
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- 26. **19-797** Pass the ordinance approving a variance to Section 5-10-3:12 of the Naperville Municipal Code (Rooftop Structures and Equipment) for Mall of India located at 776 S. Route 59 - BRB Case #98

Q:	In viewing the interior site plan there are food/kitchens and general tenant spaces both separate uses under zoning code. Would staff recommend developing a new zoning code for large footprint buildings typically hosted by one user/use, now proposing multiple uses in one building? Example: Sams club use to India Mall use.
A:	Staff does not believe that a new zoning code is necessary for this type of scenario. Since the property is commercially zoned, these uses (even though separate) are each either permitted or conditional within the underlying zoning district and can therefore be accommodated within the proposed building layout.

- 27. **19-804** Conduct the first reading of an ordinance amending Sections 3-3-3, 3-3-5, 3-3-14 and 3-3-15 of the Naperville Municipal Code by adding a definition of kratom, banning the retail sale of kratom, and prohibiting anyone under the age of 21 from possessing tobacco or alternative nicotine products.

Q:	Do we know how many stores are currently selling Kraton in Naperville? Why did this come back up on this agenda after it was at the liquor commission over a year ago?	Kelly
A:	Staff is aware of one store that is currently selling kratom. The item was originally at the Liquor Commission because a petitioner was seeking to open a business selling kratom. The petitioner ultimately decided to open his business elsewhere. Staff was subsequently	Lutzke

	contacted by a Liquor Commissioner after a different business began advertising the sale of kratom. It was then decided to bring the item for City Council's consideration.	
Q:	Will Kratom use to outlawed in Naperville? Can Kratom be purchased online?	Gustin
A:	The proposed amendment bans the retail sale in Naperville, but it is available for purchase online. It would not penalize anyone for using kratom.	Lutzke
Q:	Is there anyone in the community voicing objection to Kratom, other than 360? I have not heard from anyone about this issue other than to ask that we allow it.	Coyne
A:	Aaron Weiner, Director of Behavioral Services at Linden Oaks, supports a kratom ban. Staff anticipates that he will be present at the City Council meeting to outline his concerns.	Lutzke
Q:	<p>a) Does staff have any data locally from Naperville or surrounding suburbs showing Kratom has caused any public health or public safety issues?</p> <p>b) Does data support that kratom has graver or more widespread health and safety issues than cannabis, alcohol, opioids or nicotine/tobacco on public health?</p> <p>c) What are examples of "alternative nicotine products"?</p> <p>d) How do we define possession? For instance, if a 20 year old driver is found to have cigarettes in her car, but not on her person, would she be in violation of this ordinance?</p> <p>e) The two proposed changes to the ordinance are unrelated to one another. Would it be best for Council to consider and vote on them separately?</p>	Sullivan
A:	<p>a) The fire department tracks overdoses from opiates and prescriptions drugs. If neither is applicable it is listed as "other." Occurrences of "other" overdoses are rare and minimal. The police department does not have any reports that specifically reference kratom, but since it is currently legal, there would not be a legal reason to document it in a report.</p> <p>b) Staff anticipates that Aaron Weiner, Director of Behavioral Services at Linden Oaks, will be present at the City Council meeting. Dr. Weiner may be best qualified to address this question.</p> <p>c) Section 3-3-3 of the Naperville Municipal Code adopts the state definition of an alternative nicotine product. Alternative nicotine products are defined as: "a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or otherwise", but excludes cigarettes, smokeless tobacco, or other tobacco products and any product approved by the U.S. FDA as a non-tobacco product for sale as a tobacco cessation or dependence product or for other medical purposes and is marketed and sold solely for that approved purpose. Examples of alternative nicotine include smoking tobacco, vaporizers, electronic cigarettes and other electronic nicotine devices.</p> <p>d) Possession means that a person is aware of its presence and has physical control of it or has the power and intention to control it. When cigarettes, alcohol or drugs are located in a vehicle, the driver and occupants can be considered in possession of such items if they are in a location accessible by all. If the items are not accessible by all, the person with access and knowledge of its presence would be considered in possession.</p> <p>e) Since this the first reading of these changes, City Council can direct staff to divide them into two separate agenda items.</p>	Lutzke

- 28. 19-805** Pass the ordinance approving a right-of-way encroachment for a blade sign to overhang the public right-of-way in front of 216 S. Main Street (J. McLaughlin)

Q:	Are DAC and DNA ok with this request?	Coyn e
A:	The request for a blade sign to overhang the public right-of-way is not required to be reviewed by the DAC and DNA. The proposed blade sign meets the Sign Code requirements specific to blade signs located in the Downtown Central Business District. The Sign Code requirements reflect the guidelines as stated in the Downtown2030 Plan and the Downtown Design Standards for signs; both plans were approved by the Downtown Advisory Commission and City Council in 2011.	Matt ingly

- 29. 19-771** Adopt a resolution authorizing the execution of an intergovernmental police service assistance agreement to join the DuPage Metropolitan Emergency Response and Investigation Team (MERIT).

Q:	Do we anticipate any cost savings as a result of this consolidation?	Coyn e
A:	We do not anticipate any cost savings with this, however we anticipate the resources available to us to increase. Our department has been a member of the DuPage County Major Crimes Task Force (DCMCTF) since its inception and have paid the dues that come with that. As part of that we have a number of personnel on the team. This new venture is a combination of the Task Force we are currently on and another task force known as Felony Investigations Assistance Team (FIAT), that also operated in DuPage County. The two teams have merged into one team and these documents are what we need to operate as part of it.	Marsh all/Arr es

L. ORDINANCES AND RESOLUTIONS:

- 1. 19-714B**
1. Concur with the petitioner and the Planning and Zoning Commission and pass the ordinance approving a variance to permit an enclosed porch and an attached patio to encroach into the required rear setback at the subject property located at 1322 N. Eagle Street, subject to certain conditions; or
 2. Concur with staff and deny the request for a variance to permit an enclosed porch and an attached patio to encroach into the required rear setback at the subject property located at 1322 N. Eagle Street - PZC 19-1-066.

Q:	What was the Council vote on the variance to 1331 N Webster?	Sullivan
A:	5-4 granting the variance.	Williams

- 2. 19-718B** Receive the staff report for Tartan Highlands Subdivision located at 1001 S. Washington Street- PZC 19-1-049 (Item 1 of 4).

	Resident, Sue Oliver contacted our office today to advise that the following information was sent to Council concerning her traffic concerns. She asked for the attached letter to be part of the materials included in with this file.	Prune da
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Q:	When considering the factors for rezoning, should the focus be on B1 generally, or specifically	Kelly
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	on the proposed plan; and (2) does our legal department think that factor (d) regarding a "substantial period of time" has been met?	
A:	When considering the factors for rezoning, the focus should be on the appropriateness of the requested zoning district. (2) All criteria are not equally met each time a rezoning request is sought. The time a property has been vacant is one factor that is considered, typically in the context of whether the current zoning classification may be interfering with its development. However, property may remain vacant for reasons unrelated to the zoning district in which it is located, including lack of efforts on the part of the owner to market it. In this case, the Petitioner indicated that the former bank placed a deed restriction on the Subject Property before selling it which prohibited any future financial uses of the property. Such a prohibition may also be a limiting factor in redeveloping the property in the OCI District.	Lord
Q:	For TED: Please provide the current intersection ratings and projected ratings if this project is approved for Gartner and Washington and Sycamore and Washington.	Kelly
A:	Based on the traffic impact analysis prepared by the developer's traffic consultant, the overall intersection level of service (based on average delay per vehicle) for Gartner and Washington is currently C during the morning peak hour and E during the evening peak hour. The projected level of service is D during the morning peak hour and E during the evening peak hour. Gartner and Washington is a signalized intersection, and the level of service criteria for signalized intersections are measured in terms of letter grades from A (<10 seconds/vehicle) to F (> 80 seconds/vehicle). The intersection of Washington and Sycamore operates under one-way stop control, and the level of service criteria for stop-controlled intersections are measured in terms of letter grades from A (<10 seconds/vehicle) to F (>50 seconds/vehicle) for each stop-controlled movement. The eastbound movement currently has a level of service F during the morning peak hour and C during the evening peak hour. The projected level of service is F during the morning peak hour and F during the evening peak hour. Existing eastbound volumes range from 1 to 27 vehicles during the peak hours, and projected volumes range from 8 to 34 vehicles during the peak hours. Low-volume side-street movements along Washington Street, such as at this intersection, would be expected to have high delays during the peak hours.	Rhoa des
Q:	Can you give me the intersections ratings before and after the proposed development is developed? For instance, Gartner and Washington before and after. What would their safety or traffic flow or congestion rating be?	Hinter long
A:	See answer above.	Rhoa des
Q:	The proposed plans for 1001 S. Washington St. include a drive through coffee shop, which would likely see its highest volumes (both incoming and outgoing) in the morning rush hours. Given the challenges the City already faces with very slow or stopped northbound traffic on this critical north/south artery of Washington at that time, does staff have an opinion on how all northbound traffic on Washington will be affected, not only by cars trying to take a left hand turn OUT of the development onto northbound Washington, but also those that will be taking a left hand turn IN from northbound Washington? With the LOS F designations at Sycamore and Washington, no study on the driveway that goes out directly to Washington (but a prediction of LOS F) and the traffic from the driveways from both the north and south side shopping of Gartner trying to get into the short left hand turn line for northbound Washington (LOS D), how will the additional stress of this development on Washington traffic affect the thousands of cars and commuters using it to get to school and work every morning? What options does the city have to mitigate the traffic problems at this site? For instance, is a stop light at either the driveway to Washington or at Sycamore and Washington feasible? Can an extra left hand turn lane on Gartner to northbound Washington be added?	Sulliv an
A:	There is an existing left-turn lane for vehicles to use when entering the site, so impacts to northbound traffic are expected to be minimal. The site will generate additional traffic, but based on the traffic	Rhoa des

study prepared by the developer's traffic consultant, the left-turn lane typically should be able to accommodate these vehicles without obstructing northbound vehicles. Vehicles turning left out of the site onto Washington Street will experience significant delays, but the traffic signal at Gartner and Washington should provide some gaps for these vehicles to enter the roadway.

The study predicts delays at the Sycamore and Washington intersection and the Washington driveway for the stop-controlled and left-turning movements, so these do not indicate level of service for the northbound through movement. Since the left-turn lane should typically be able to accommodate the left-turn queue at the driveway and at Sycamore, impacts to northbound traffic in the morning should be minimal. Overall, however, the study estimates an average increase in delay of 6 to 11 seconds during the peak hours for all motorists at the intersection of Gartner and Washington due to the additional traffic.

The City has limited options in improving traffic flow in this area at this time. Due to its proximity to Gartner and Washington, a traffic signal at the driveway or at Sycamore is not feasible. Adding a second left-turn lane on eastbound Gartner is also not practical at this time. An additional lane would require land acquisition and would involve additional geometric and signal timing challenges.

3. 19-810 Pass the ordinance approving a Preliminary/Final Plat of Subdivision for Tartan Highlands Subdivision - PZC 19-1-049 (Item 2 of 4)

4. 19-719B Pass the ordinance approving a Rezoning from OCI (Office Commercial and Institutional District) to B-1 (Neighborhood Convenience Shopping Center District) for the property located at 1001 S. Washington (Tartan Highlands Subdivision) - PZC 19-1-049 (Item 3 of 4).

<p>Q:</p>	<p>It's my understanding that a number if residents have now withdrawn their opposition as a result of a concession from the developer. Can you clarify what that concession was.</p> <p>Is it an option to close access to and from sycamore from this lot...ie is there a reason staff would object to this.</p>	<p>Coyne</p>
<p>A:</p>	<p>On August 13, 2019, the petitioner submitted a detailed letter outlining changes/conditions placed on the proposed development as a result of discussions with the neighboring property owners (see attached). Following issuance of this letter, the petitioner agreed to the following additional items requested by Joshua Ziliak (neighboring property owner) that were then included in the OAA issued in the August 14, 2019 CC meeting packet:</p> <ul style="list-style-type: none"> • Agreement to make drive-thru restriction applicable to Lots 2 and 3 (not just Buildings B and C). • Revised language regarding Lot 1's drive-through restrictions (neighbor requested that the language read: " Lot 1 cannot be utilized for a fast food establishment such as, but not limited to McDonalds, Arbys, Wendys, Taco Bell, Burger King, White Castle, or similar."; petitioner concurred) • Agreement to make delivery time restriction applicable to Lot 2 and 3 (not just Buildings B and C). • Agreement to direct delivery vehicles use the Washington & Gartner entrances when making deliveries to Lot 1. <p>The petitioner also agreed to work with the neighborhood in the future to request that additional action be undertaken by the City in the event that traffic becomes a problem.</p> <p>The petitioner forwarded to the City the following email response provided by Mr. Ziliak to the petitioner:</p> <p><i>"Thanks you very much for working with us on these concerns and we find your responses acceptable. Once we receive notification that you have notified the City, Ellen and I will end our opposition to the rezoning and will take the signs down in our yard. We do not speak for everyone in the neighborhood but have been the most active in organizing opposition to the project. We will let</i></p>	<p>Laff</p>

everyone know that you worked to address our major concerns and that we no longer oppose the rezoning. Please let me know if there is anything else that we can help with."

The City has no information as to whether other neighbors have since withdrawn their opposition.

Staff prefers to keep the access point on Sycamore. While the access points on Washington and Gartner provide the necessary two points of access for the site, this project and the neighborhood benefit from the access on Sycamore. The Sycamore access provides easy access to the site for the residents in the West Highlands. Additionally, anyone who turns onto Sycamore believing there would be an access point there, only to discover there is not one, would then have to travel further through the neighborhood to access the site. It is staff's belief that the Sycamore access provides convenient and safe access to everyone without negatively impacting the residents.

- 5. **19-720B** Pass the ordinance approving variances to: allow a FAR of 0.724 on Lot 3; eliminate the loading berth for Building C; eliminate the bypass lane for the coffee shop drive-through; reduce the front yard parking setback for Lot 4; permit off-premises monument signage on Lot 1 and 4; and, permit monument signage within 40' of an interior setback line on Lot 1 for the property located at 1001 S. Washington (Tartan Highlands Subdivision) - PZC 19-1-1049 (Item 4 of 4)

- 6. **19-800** Adopt the Resolution expressing the City of Naperville's intent to consider designation of a business district on property within the City, to impose business district sales taxes, and to induce development interest within such district

Q:	<p>If we raise our sales tax rate, do they still stay 1% more of the new rate?</p> <p>I also think we should charge an administrative fee for the services we will be providing for them in handling their tax for them. Much like the state does to us.</p>	Hinterlong
A:	<p>Yes, if we raise our sales tax rate, the 1% business district rate would remain in place; it basically goes on top of whatever the other rates add up to.</p> <p>Yes. KMA advises that at times, municipalities take a share (e.g. 5-10%) of annual future BD sales taxes to provide for both upfront and annual administrative fees (e.g. audit, legal fees, etc.). The precise amount and mechanism is typically set forth in the redevelopment agreement.</p>	
Q:	<p>I am sure we will all be asked why a district like this has not been considered for Ogden. Please provide a response.</p>	Coyn e
A:	<p>A business district is one of several methods a property owner can pursue to generate revenue for redevelopment of their property. In order to consider a business district, you need to have a property owner who is willing and motivated to redevelop their site. The concept of a business district along with many other ideas have been brought up with some Ogden Avenue property owners but none of them have been interested.</p>	Novac k
Q:	<p>A. Are there examples of IL municipalities who have used Business District Development and Redevelopment Law (BDDRL) in a similar situation? To what effect to the business, the municipality, and consumers?</p> <p>B. Does staff anticipate that if this were to pass, this additional sales tax would disproportionately affect the Indian/South Asian community?</p> <p>C. Who (owner, State, City, etc.) decides what work is necessary to improve the district and how much to spend on it? Who is responsible for auditing the district over the next 23 years to ensure proper accounting for the sales tax collected and when the tax ends?</p>	Sulliv an

- D. Can this business district decide to make improvements any time over 23 years, or must all improvements be detailed and approved up front with nothing added later?**
- E. Is there any data that supports that additional sales tax in a 'blighted' retail district will incent consumers to shop locally in the district?**
- F. If Council were to create this business district as proposed, would there be any legal ramifications if Council did not consistently vote to let other business owners take advantage of the BDDRL?**
- G. If the owners of the land in this business district sell it to another owner, does the Business District tax transfer to new owners?**
- H. If we do this and create several different sales tax rates throughout the city, would the City have a plan to make consumers aware of the differing sales tax rates from business district to business district?**
- I. Can the City can recoup some portion of the business district revenues to offset the City's work to establish and administer the Business District?**

A:

- A. Are there examples of IL municipalities who have used Business District Development and Redevelopment Law (BDDRL) in a similar situation? To what effect to the business, the municipality, and consumers?**
 Kane McKenna (KMA) has advised that a number of municipalities have designated Business Districts in Illinois, including but not limited to: Addison, Aurora, Elgin, Huntley, Lincolnwood, Lombard, New Lenox, Niles, River Forest, Riverside, Romeoville, Round Lake Beach and Yorkville. Due to the relatively recent addition of the 1% sales/hotel tax provision in state statute, KMA has indicated that the effects of business district designation under current statute are not well-studied.
- B. Does staff anticipate that if this were to pass, this additional sales tax would disproportionately affect the Indian/South Asian community?**
 There are no restrictions on who may shop at the proposed development.
- C. Who (owner, State, City, etc.) decides what work is necessary to improve the district and how much to spend on it? Who is responsible for auditing the district over the next 23 years to ensure proper accounting for the sales tax collected and when the tax ends?**
 These issues are ultimately governed by the BD Act as well as in the negotiated redevelopment agreement which will accompany the creation of the business district. It is anticipated that the potential property owners will propose what work is appropriate to be reimbursed through the business district. Staff will scrutinize the proposal and make a recommendation to City Council. Ultimately, City Council will determine what work is appropriate to be reimbursed through the business district. If the business district is approved, the additional sales tax will be collected by the Illinois Department of Revenue and remitted to the City. The City would then allocate the business district tax revenues in accordance with the redevelopment agreement and up to the amount eligible for reimbursement. After full reimbursement or 23 years, whichever comes first, the City will notify the IDOR to cease collecting the business district tax.
- D. Can this business district decide to make improvements any time over 23 years, or must all improvements be detailed and approved up front with nothing added later?**
 Typically, a list of acceptable improvements and a "will not exceed" budget is put in the redevelopment agreement and can only be changed in a material way by City Council approval.
- E. Is there any data that supports that additional sales tax in a 'blighted' retail district will incent consumers to shop locally in the district?**
 Staff has not yet researched the impact of business districts to such an extent. The potential property owners and their representatives will attend and present at the City Council meeting and will be available to answer Council questions.
 KMA is not aware of any specific study which investigates the impact of the business district sales tax on consumer behaviors within the district.
- F. If Council were to create this business district as proposed, would there be any legal ramifications if Council did not consistently vote to let other business owners take advantage**

Lord

	<p>of the BDDRL?</p> <p>Staff does not recognize any legal exposure re: inconsistent decisions to establish business districts. Council has broad discretion and immunity for legislative decisions of that nature.</p> <p>G. If the owners of the land in this business district sell it to another owner, does the Business District tax transfer to new owners?</p> <p>This issue will be addressed in the redevelopment agreement which will accompany the creation of the business district. Staff anticipates the property owners may want to be able to transfer or assign their business district tax reimbursements to successors.</p> <p>H. If we do this and create several different sales tax rates throughout the city, would the City have a plan to make consumers aware of the differing sales tax rates from business district to business district?</p> <p>The City currently posts its retail sales taxes on its website: https://www.naperville.il.us/government/city-finances/taxes-fees-and-financial-forms/retail-sales-tax/. If the business district is established staff anticipates including the business district details on this webpage. Several other third-party groups also track and publicly report on applicable municipal retail taxes.</p> <p>Additionally, the establishment of any business district requires formal Council action at a public meeting, codification in the City's Municipal Code, and attention by the news media is anticipated.</p> <p>I. Can the City can recoup some portion of the business district revenues to offset the City's work to establish and administer the Business District?</p> <p>Yes. KMA advises that at times, municipalities take a share (e.g. 5-10%) of annual future BD sales taxes to provide for both upfront and annual administrative fees (e.g. audit, legal fees, etc.). The precise amount and mechanism is typically set forth in the redevelopment agreement.</p>	
<p>Q:</p>	<p>Mall of India Business District - What is basis for the statement in the sixth <i>whereas</i> that the City believes "it will not be economically feasible for the Developer to complete the project without the formation of a Business District?"</p>	<p>Kelly</p>
<p>A:</p>	<p>The Business District Act requires a finding that the development would not be economically feasible without assistance. This finding will be made in both the Business District Plan and the redevelopment agreement, both of which are subject to Council approval. At this time, the developers' basis for this finding is their development pro forma, anticipated rents and available financing. Due to the severe restrictions on use of the property and the difficult nature of re-tenanting large big box spaces, the developers do not believe that they will be able to achieve market rate rents. As a result, the anticipated rate of return will be below market and, therefore, will prevent the developer from completing the project without some amount of annual assistance.</p>	<p>Lord</p>

- 7. 19-809** Conduct the first reading of an ordinance amending Title 3 of the Naperville Municipal Code by the addition of Chapter 17 prohibiting adult use cannabis business establishments other than medical cannabis cultivation centers and medical cannabis dispensing organizations

<p>Q:</p>	<p>There has been some in Springfield who mentioned the City's established .75 HRST plus 3% maximum tax would be double dipping and not allowed. Is that a concern? Also, the legislation noted .25 increments to maximum of 3% what was the intent of the .25 increment? Is there State language or City jurisdiction that provides for maximum tax rate on day one? In the Boulder report dumpster diving is noted as a problem how would the city handle? In the same report odor is a problem. Does the plant give off an odor?</p>	<p>Gustin</p>
<p>A:</p>	<p>There are several retail purchase items that have multiple applicable tax layers. Staff monitors the state tax formulas for changes on an on-going basis. While staff has heard speculation that home rule sales taxes may not apply to adult use cannabis purchases, we have not found a clear basis upon</p>	<p>Mayer</p>

	<p>which said speculation is founded. City staff as well as, other municipalities, have taken the position that, absent future legislative action, HRSTs should apply to adult use cannabis purchases. The 0.25% allowable taxing increments are consistent with other taxes, such as HRST, which can only be enacted in 0.25% increments. The maximum rate day one is 3%.</p> <p>If the retail sale of adult use cannabis is permitted, staff anticipates being able to incorporate best practices and lessons learned from other communities who already legalized adult use. Improper activity pertaining to waste containers can be minimized through the use of security fencing, secured containers, lighting, and surveillance cameras as well as police patrols and enforcement of applicable laws. The existing medicinal cannabis facility has not experienced this issue to the best of staff's knowledge.</p> <p>Other communities where adult use cannabis is legal have reported receiving odor complaints. Typically complaints have been focused on wafting smoke related to use/consumption and cultivation more than retail dispensary locations. In Naperville, the City's local prosecutors will be available to work with the Naperville police department and Naperville's code enforcement to address these types of issues should they arise. Notably, the City's zoning code contains "performance standards" that are intended to provide that properties be a good neighbor to adjoining properties by controlling the emission of noise, odor, exterior lighting, vibration, smoke, particulate matter, gases, and wastes. There are other potentially applicable local code provisions within the police general offenses (e.g. disorderly conduct), within the local and Illinois Smoke Free Act, and within the new state cannabis law (the Illinois Cannabis Regulation and Tax Act), which could be applied to address odor complaints.</p>	DiSan to
Q:	Can staff present a chart or spreadsheet showing how neighboring communities and other suburbs have voted on this issue.	Coyn e
A:	<p>Bolingbrook – August 13 - voted to ban adult-use sales (opt-out) Downers Grove – August 20 - first discussion scheduled Lombard – July 30 - voted to allow adult-use sales (opt-in) and send ordinance to Plan Commission</p>	Gallah ue

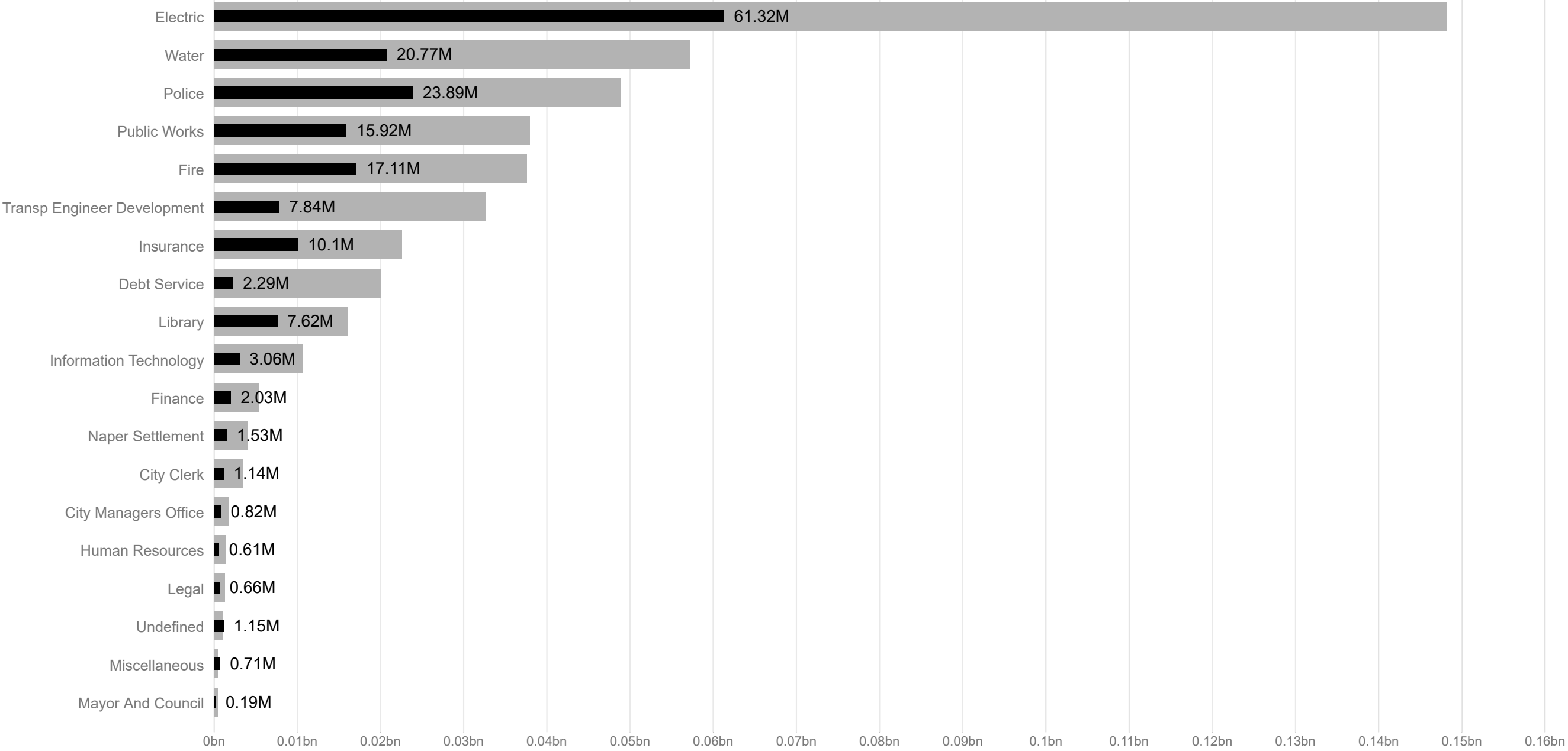
O. REPORTS AND RECOMMENDATIONS:

- 1. **19-813** Receive the 2019 2nd Quarter Financial Report

Attached is the 2019 2 nd Quarter Financial Report Presentation	Mayer
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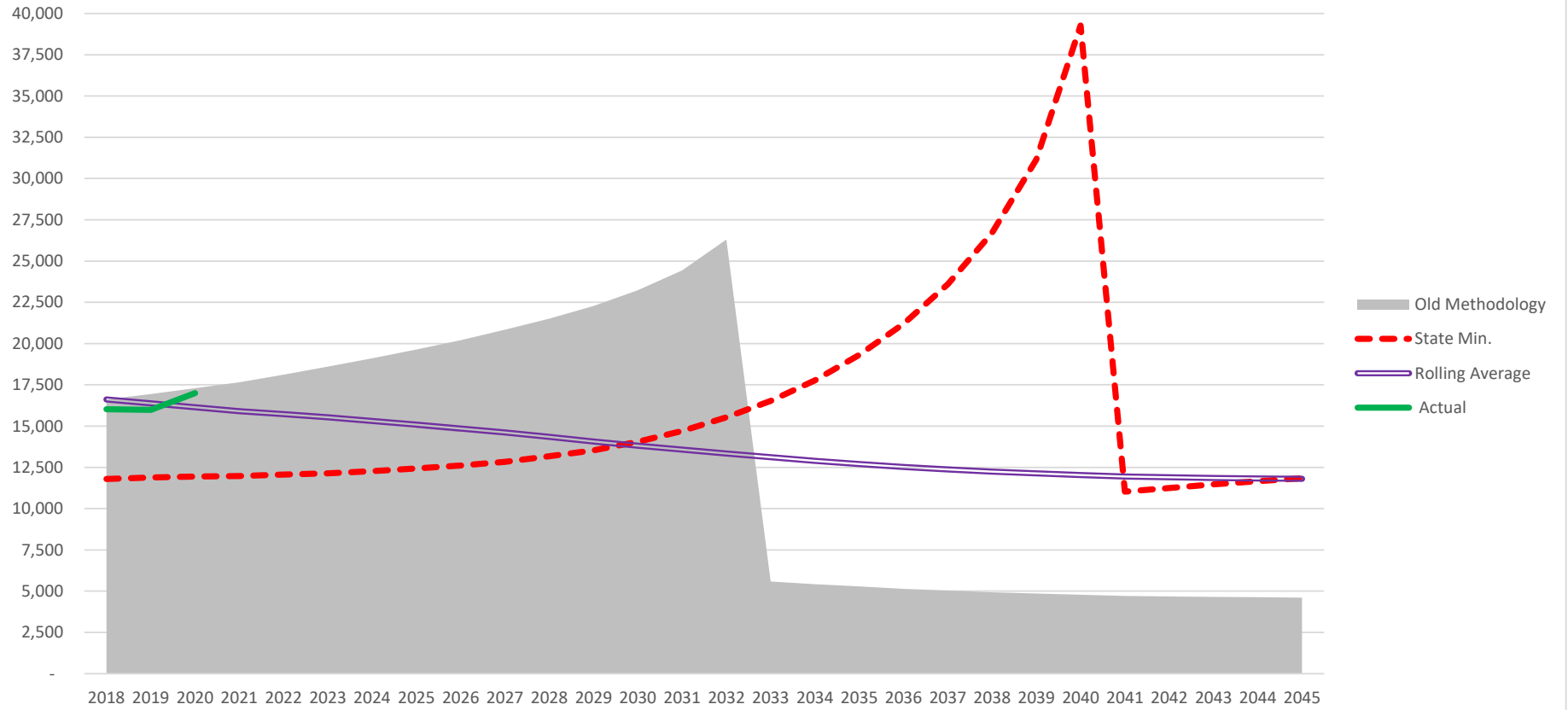
Q:	Last year it was my understanding that there was fair amount of council interest in raising the tax on alcohol sales and/or tobacco sales as an alternative to a real estate tax increase. Please clarify where we are in considering this alternative.	Coyn e
A:	At the January 15, 2019 City Council meeting, staff presented a report on alternative revenue options for the 2019 annual operating budget. At that time, staff presented options that aligned with the City's four revenue criteria; consistent, competitive advantage, service alignment, and diversification. Staff reviewed food and beverage tax options, home rule sales tax options, commuter parking fees, and a solid waste fund. Staff's final recommendation was that Council maintain the property tax levy to support the 2019 budget. Staff has not done extensive research regarding either an alcohol or tobacco tax to generate revenues.	Mayer

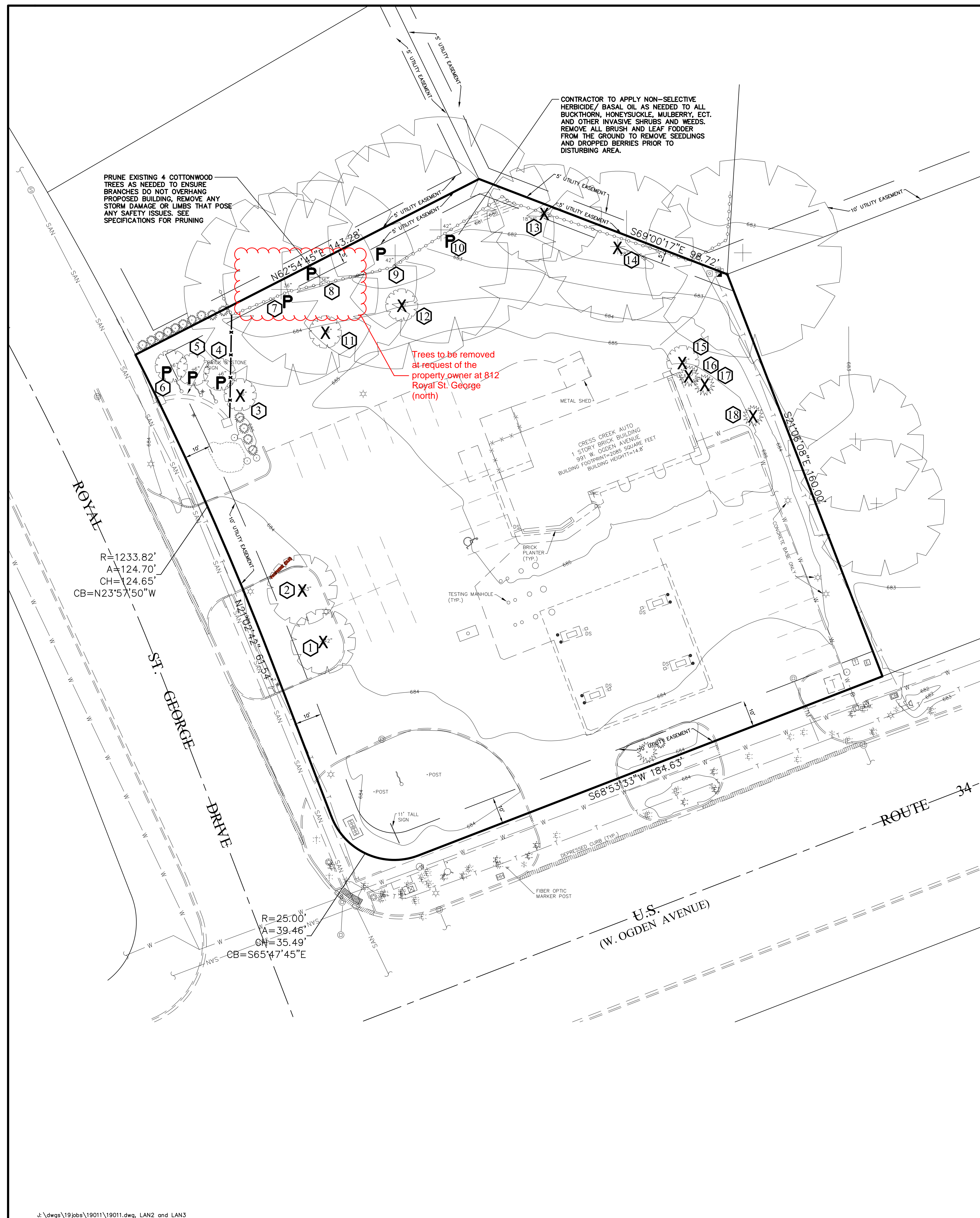
2019 Budget Report (Department Budget to Actual) - 6 Months



Row Labels	2019 Budget	2019 YTD	% Total Budget	2019 YTD Budget	% YTD Budget	2018 Actuals	2018 Variance
Expense							
Salaries & Wages							
Regular Pay	92,783,136	44,842,446	48.3%	46,384,456	96.7%	44,294,389	101.2%
Overtime Pay	7,874,202	4,189,534	53.2%	3,600,986	116.3%	3,768,798	111.2%
Temporary Pay	537,850	188,032	35.0%	205,128	91.7%	234,356	80.2%
Reimbursable Overtime	24,860	-	0.0%	6,835	0.0%	-	#DIV/0!
Other Compensation	(2,163,444)	52,189	-2.4%	(462,731)	-11.3%	46,612	112.0%
Salaries & Wages Total	99,056,604	49,272,201	49.7%	49,734,674	99.1%	48,344,155	101.9%
Benefits & Related							
Employer Contributions/Medical	12,979,406	6,169,018	47.5%	6,489,724	95.1%	6,199,233	99.5%
Fire Pension	9,102,559	3,195,821	35.1%	4,664,913	68.5%	4,989,774	64.0%
Police Pension	7,166,649	3,689,329	51.5%	3,666,660	100.6%	3,989,299	92.5%
IMRF	5,243,074	2,617,834	49.9%	2,621,566	99.9%	3,026,635	86.5%
Social Security	3,346,333	1,632,542	48.8%	1,672,755	97.6%	1,611,042	101.3%
Medicare	1,343,652	667,728	49.7%	671,859	99.4%	654,624	102.0%
Employer Contributions/Wcomp	941,607	449,772	47.8%	470,803	95.5%	506,281	88.8%
Employer Contributions/Dental	834,370	391,040	46.9%	417,195	93.7%	358,233	109.2%
Employer Contributions/Life In	161,000	72,920	45.3%	80,522	90.6%	71,908	101.4%
Employer Contributions/Unemploy	134,547	59,481	44.2%	67,291	88.4%	59,421	100.1%
Benefits & Related Total	41,253,197	18,945,485	45.9%	20,823,288	91.0%	21,466,450	88.3%
Expense Total	140,309,801	68,217,686	48.6%	70,557,962	96.7%	69,810,605	97.7%

Combine Public Safety Pension Contributions





TREE PRESERVATION/REMOVAL AND EXISTING LANDSCAPE NOTES:

- ALL TREES TO REMAIN AND BE PROTECTED. THEY SHALL HAVE PROTECTIVE FENCING INSTALLED PER THE DETAIL PROVIDED IF CONSTRUCTION IS IN PROXIMITY PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY ON SITE. ANY DAMAGE DONE TO A PROTECTED TREE DURING CONSTRUCTION SHALL BE REPORTED TO THE LANDSCAPE DESIGNER.
- IF TREES HAVE TO BE REMOVED, THEY SHALL HAVE THE STUMP GROUND DOWN A MINIMUM OF 18" BELOW THE ADJACENT GRADE UNLESS OTHER ARRANGEMENTS HAVE BEEN MADE AND AGREED TO BY THE OWNER AND LANDSCAPE DESIGNER. ALL DEBRIS FROM THE REMOVED TREE/STUMP SHALL BE HAULED OFF-SITE.
- ALL DISTURBED AREAS SHALL BE RESTORED TO MATCH EXISTING OR PROPOSED CONDITIONS, INCLUDING BACKFILLING OF HOLES LEFT FROM LANDSCAPE MATERIAL REMOVAL. CONTRACTOR TO MAINTAIN POSITIVE DRAINAGE AT ALL TIMES.
- TREES THAT NEED TO BE PRUNED SHALL BE PRUNED BY AN I.S.A. CERTIFIED ARBORIST UNLESS OTHERWISE APPROVED BY THE LANDSCAPE DESIGNER.
- TREES WHICH ARE NOTED TO REMAIN AND BE PROTECTED, AND WHOSE CANOPIES/ROOT SYSTEMS FALL WITHIN AN AREA OF DEMOLITION/CONSTRUCTION, SHALL HAVE ALL ROOTS EXPOSED BY HAND AND CLEANLY PRUNED, USING I.S.A. APPROVED METHODS.
- NO CONSTRUCTION ACTIVITY, AND/OR PLACEMENT OF EQUIPMENT, MATERIALS, OR SPOILS STORAGE SHALL BE PERMITTED WITHIN THE ROOT ZONE OF ANY PROTECTED TREE. NO EXCESS SOIL, ADDITIONAL FILL, CRUSHED LIMESTONE, LIQUIDS, OR CONSTRUCTION DEBRIS SHALL BE PLACED WITHIN THE ROOT ZONE OR LOCATED AT A HIGHER LOCATION WHERE DRAINAGE TOWARD THE TREES COULD POTENTIALLY AFFECT THE HEALTH OF SAID TREES.
- IN THE EVENT THAT AN UNDERGROUND UTILITY LINE/PIPE IS PROPOSED TO BE LOCATED WITHIN FIVE FEET OF THE TRUNK OF A TREE DESIGNATED FOR PRESERVATION, THAT UTILITY LINE/PIPE SHALL (WHERE POSSIBLE) BE AUGURED TO PREVENT DAMAGE TO THE ROOT SYSTEM OF THE TREE.
- DURING THE CONSTRUCTION PERIOD NO ATTACHMENTS, SIGNS, FENCES, WIRES, ETC. OTHER THAN APPROVED FOR BRACING, GUYING OR WRAPPING, SHALL BE ATTACHED TO ANY TREE.
- UNLESS OTHERWISE NOTED ALL EXISTING ON-SITE PLANT MATERIAL NOT EFFECTED BY CONSTRUCTION OR THE PROPOSED LANDSCAPE, SHALL BE PROTECTED AS PART OF THIS PLAN. EXISTING LANDSCAPE IN AREAS OF CONSTRUCTION AND PROPOSED LANDSCAPE SHALL BE REMOVED.
- ALL EXISTING PLANT MATERIAL ON THIS PLAN HAS BEEN SHOWN FOR GRAPHIC AND DESIGN PURPOSES ONLY. ALL EXISTING PLANT MATERIAL, NOT SHOWN ON THE LAND SURVEY PROVIDED, WAS LOCATED IN THE FIELD BY THE LANDSCAPE DESIGNER AND THEREFORE IS APPROXIMATE IN ITS LOCATION AS SHOWN ON THIS PLAN. THIS PLAN DOES NOT MAKE ANY CLAIMS ABOUT THE VIABILITY OR SAFETY OF ANY OF THE PLANT MATERIAL DESCRIBED HEREIN OR OBSERVED IN THE FIELD.

GENERAL NOTES:

- THESE PLANS ARE BASED ON THE ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY (SURVEY PROJECT #19.0019 DATED 02/06/19) PREPARED BY: COMPASS SURVEYING LTD 2631 GINGER WOODS PARKWAY, STE 100, AURORA, IL 60502 (630) 820-9100
- PRIOR TO CONSTRUCTION, CONTRACTOR TO CONTACT THE DESIGN ENGINEER AND ARCHITECT TO VERIFY THAT THEY ARE WORKING FROM THE MOST CURRENT SET OF PLANS AND SPECIFICATIONS.

TREE PRESERVATION AND REMOVALS KEY

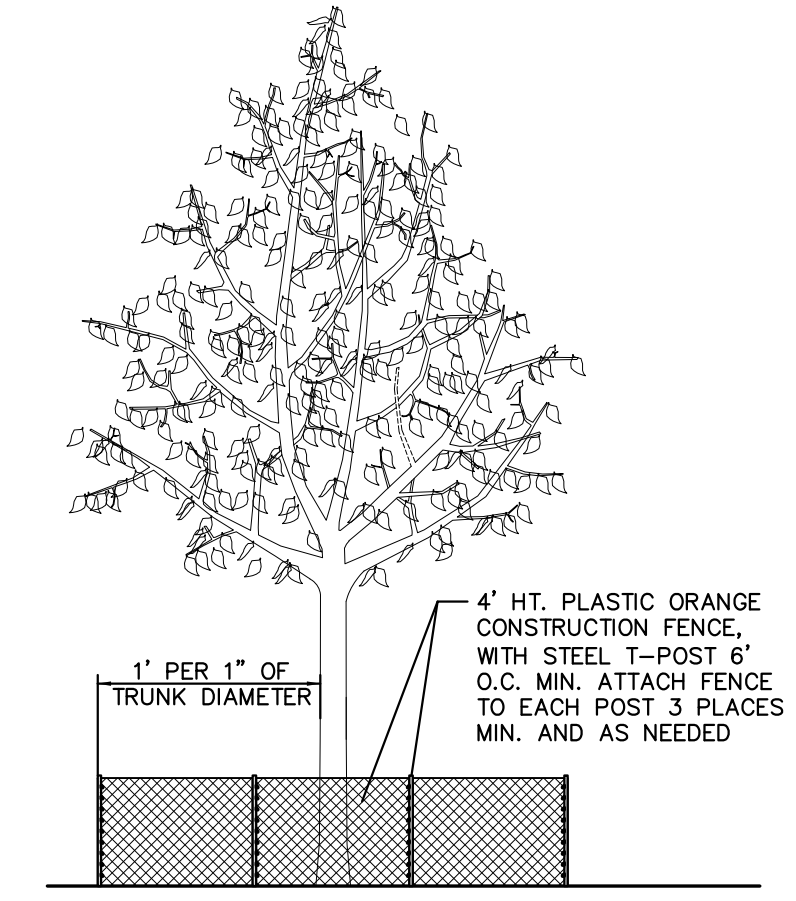
X = REMOVE EXISTING TREE INCLUDING STUMP AND STUMP GRINDINGS/REMOVE BRUSH.

P = EXISTING TREE TO BE PROTECTED

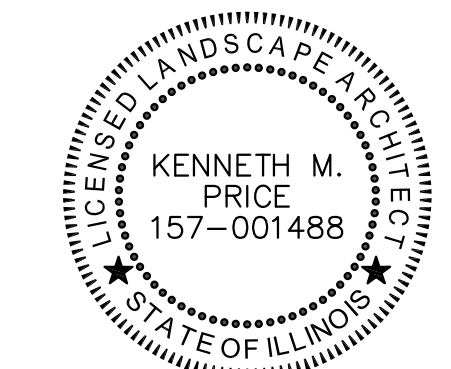
[X] = TREE PROTECTION FENCE

TREE INVENTORY

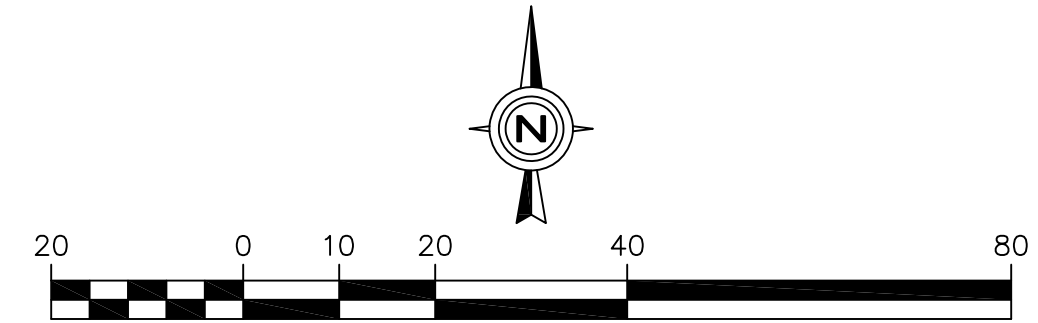
TREE #	BOTANICAL NAME	COMMON NAME	CONDITION	SIZE	ACTION	REASON
1	MALUS SSP.	CRABAPPLE	3	12"	REMOVE	CONSTRUCTION
2	MALUS SSP.	CRABAPPLE	3	13"	REMOVE	CONSTRUCTION
3	PYRUS CALLERYANA	FLOWERING PEAR	3	6"	REMOVE	CONSTRUCTION
4	PYRUS CALLERYANA	FLOWERING PEAR	3	6"	PRESERVE	
5	PYRUS CALLERYANA	FLOWERING PEAR	3	6"	PRESERVE	
6	PYRUS CALLERYANA	FLOWERING PEAR	3	6"	PRESERVE	
7	POPULUS DELTOIDES	COTTONWOOD	3	36"	PRESERVE PRUNE	
8	POPULUS DELTOIDES	COTTONWOOD	3	36"	PRESERVE PRUNE	
9	POPULUS DELTOIDES	COTTONWOOD	3	42"	PRESERVE PRUNE	
10	POPULUS DELTOIDES	COTTONWOOD	3	42"	PRESERVE PRUNE	
11	ACER SACCHARINUM	SILVER MAPLE	3	6"	REMOVE	CONSTRUCTION
12	ACER SACCHARINUM	SILVER MAPLE	3	6"	REMOVE	CONSTRUCTION
13	MORUS ALBA	WHITE MULBERRY	3	18"	REMOVE	INVASIVE/AGGRESSIVE HAZARDOUS TRUNK SPLITTING
14	ACER SACCHARUM	SUGAR MAPLE	2	28"	REMOVE	HAZARDOUS TRUNK IS SPLITTING
15	MORUS ALBA	WHITE MULBERRY	3	6"	REMOVE	CONSTRUCTION
16	ARBORVITAE SSP.	ARBORVITAE	2	4"	REMOVE	CONSTRUCTION
17	ARBORVITAE SSP.	ARBORVITAE	2	6"	REMOVE	CONSTRUCTION
18	ARBORVITAE SSP.	ARBORVITAE	2	6"	REMOVE	CONSTRUCTION



TREE PROTECTION DETAIL
NOT TO SCALE.



TREE INVENTORY AND PLAN PREPARED BY KENNETH M. PRICE, RLA



TREE PRESERVATION AND REMOVALS PLAN

DATE: _____

NO: _____

Prepared For:

Vequity
400 N. State St.
Chicago, IL 60654

PROPOSED FUEL CENTER - NAPERVILLE, IL

991 W. Ogden Avenue
Naperville, Illinois

Prepared By:

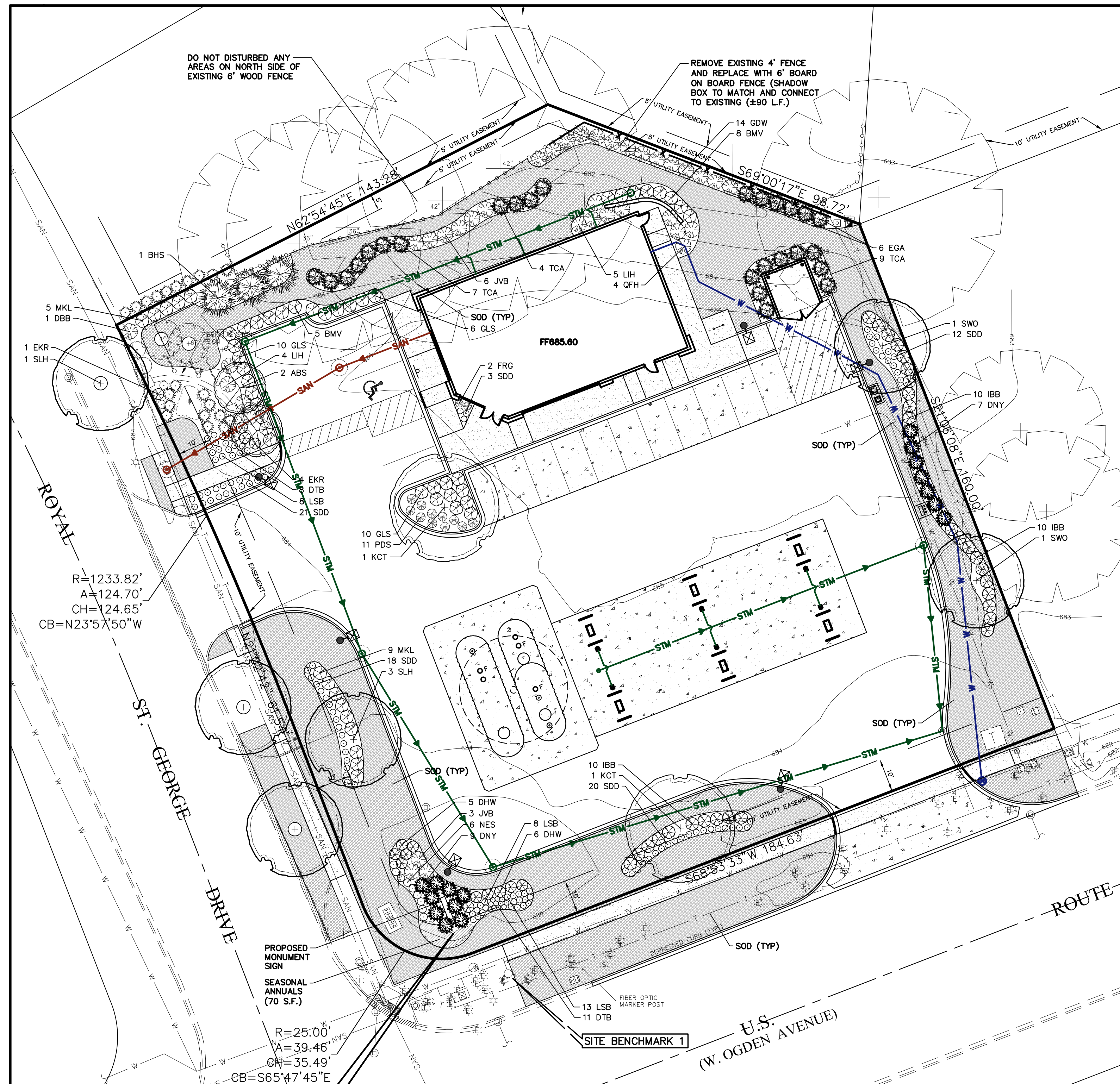
Watermark Engineering Resources, Ltd.

2631 Ginger Woods Parkway, Suite 100, Aurora, IL 60502
phone 630-375-1800 fax 630-236-9800 www.watermark-engineering.com

CHECKED BY: B. PERRY
DESIGN BY: S. SIMAK
DRAWN BY: S. SIMAK
DATE: MARCH 13, 2019
SCALE: 1" = 20'
PROJECT NO.: 19-011

L-2

TREE PRESERVATION AND REMOVALS PLAN



LANDSCAPE NOTES

- ALL PLANT MATERIAL SHALL BE HARDY TO THE ZONE IT IS BEING PLANTED IN. ALL TREES AND SHRUBS ARE TO BE BALLED AND BURLAPED UNLESS OTHERWISE NOTED AND SHALL BE GROWN IN ACCORDANCE WITH THE STANDARDS SET FORTH BY THE LATEST EDITION OF AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY AMERICANHORT.
- PLANT SIZES CALLED OUT ON THIS PLAN ARE THE MINIMUM SIZE REQUIRED. PLANTS WHICH FAIL TO MEET THE SIZES LISTED, SHALL BE REJECTED AT THE EXPENSE OF THE CONTRACTOR.
- CONTRACTOR MUST VERIFY ALL MATERIAL QUANTITIES AS DEPICTED ON THE DRAWING. THE PLANT LIST PROVIDED ON THIS PLAN IS FOR CONVENIENCE ONLY.
- SUBSTITUTIONS MAY NOT BE MADE WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT/DESIGNER.
- THE CONTRACTOR SHALL NOTIFY ALL APPROPRIATE AGENCIES AND UTILITY LOCATORS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOT BEGIN ANY WORK ON-SITE UNTIL ALL UTILITIES HAVE BEEN LOCATED. CONTRACTOR SHALL OBTAIN "AS-BUILT" PLANS FOR ALL IRRIGATION AND LIGHTING PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL UTILITIES INCLUDING IRRIGATION AND LIGHTING. ALL DAMAGE SHALL BE REPAIRED TO A NEW CONDITION IN ACCORDANCE WITH ALL CODES AT NO COST TO THE OWNER - SEE NOTE 5.
- ALL UNSUITABLE MATERIAL (CONCRETE, AGGREGATE STONE, CRUSHED ASPHALT, BRICK ETC.) SHALL BE REMOVED, INCLUDING HAUL OFF, PRIOR TO PLANTING AND SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.
- SOIL MIX PM35 BY MIDWEST TRADING COMPANY OR EQUAL SHALL BE ROTOTILLED INTO ALL PERENNIAL AND ANNUAL PLANTING BEDS PRIOR TO THE INSTALLATION OF THE PLANT MATERIAL. A SLOW RELEASE, GRANULAR FERTILIZER SHALL BE APPLIED TO ALL ANNUAL AND PERENNIAL PLANTING BEDS AT THE RECOMMENDED RATE, AND SHALL BE ROTOTILLED IN WITH THE ABOVE SOIL MIXTURE BEFORE THE PLANT MATERIAL IS INSTALLED.
- CONTRACTOR TO PROVIDE THOROUGH INITIAL WATERING OF ALL PLANTINGS WITHIN 12 HOURS OF INSTALLATION TO ENSURE ALL AIR POCKETS HAVE BEEN REMOVED AROUND ROOT BALL.
- ALL PLANT BED AREAS ARE TO BE MULCHED WITH 3" OF DOUBLE SHREDDED HARDWOOD MULCH AND SHALL BE SEPARATED WITH A SPADE EDGE ALONG PERIMETERS ADJACENT TO TURF AREAS. FINAL GRADE (AFTER SETTLING) SHALL BE 1" BELOW ADJACENT CURBS.
- ALL TURF AREAS ARE TO BE A MINIMUM OF A FIVE WAY BLUEGRASS BLEND, UNLESS OTHERWISE NOTED. CONTRACTOR IS RESPONSIBLE FOR WATERING ALL INSTALLED TURF AREAS UNTIL TIME OF KNOTTING. IF TURF SEED AND SOD OCCUR ON THE SAME PROJECT, CONTRACTOR SHALL VERIFY AND USE SEED MIXTURES TO MATCH SOD.
- AREAS TO BE SODDED SHALL BE WITH AN "APPROVED TURFGRASS SOD" OF PREMIUM GRADE. SOD SHALL BE A 5 WAY BLEND OF IMPROVED KENTUCKY BLUEGRASS VARIETIES THAT HAS BEEN GROWN LOCALLY TO THE PROJECT SITE. SOD MUST BE MATURED FOR 2 FULL GROWING SEASONS PRIOR TO HARVEST CUTTING AND BE HEALTHY WITH WELL ESTABLISHED ROOTS. SOD SHALL BE FREE OF DISEASE, INSECTS AND DEBRIS. SOD SHALL BE UNIFORM IN LEAF COLOR, TEXTURE, AND DENSITY. SOD SHALL BE DELIVERED, INSTALLED, AND WATERED WITHIN 24 HOURS OF HARVEST IN WHICH TEMPERATURES DO NOT EXCEED 90 DEGREES (F) NOR LESS THAN 55 DEGREES (F). SOD SHALL BE MACHINE-CUT AT A MINIMUM UNIFORM SOIL THICKNESS (1.5" OF SOD IS DESIRED) BUT SO THICKNESS SHALL BE A THICKNESS NECESSARY FOR PLANT VIABILITY. SOD SHALL BE LAID IN STAGGERED STRAIGHT LINES, TIGHTLY AGAINST EACH OTHER WITHOUT STRETCHING OR OVERLAPPING. SOD STAKES SHALL USED ON ALL SLOPES 4:1 OR GREATER.
- CONTRACTOR SHALL REPAIR ALL DISTURBED AREAS (INTENDED OR UNINTENDED) AT A MINIMUM, TO THE ORIGINAL CONDITION UNLESS OTHERWISE NOTED.
- THE EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS INTENDED SOLELY TO IDENTIFY THEM AS OBSERVED IN THE FIELD. THIS PLAN DOES NOT MAKE ANY CLAIMS ABOUT THE CONDITION OR SAFETY OF ANY OF THE PLANT MATERIAL DESCRIBED HEREIN OR OBSERVED IN THE FIELD.
- ALL TRANSPLANTED PLANT MATERIAL MUST BE INSTALLED IMMEDIATELY UPON EXTRACTION FROM ITS ORIGINAL LOCATION, UNLESS SPECIFIC ARRANGEMENTS HAVE BEEN MADE WITH THE LANDSCAPE ARCHITECT/DESIGNER. SHOULD IT BECOME UNREASONABLE TO TRANSPLANT ANY OF THE PLANT MATERIAL AS DESCRIBED IN THIS PLAN, DUE TO SITE CONSTRAINTS OR OTHERWISE, CONTRACTOR IS RESPONSIBLE FOR CONTACTING LANDSCAPE ARCHITECT/DESIGNER TO MAKE ALTERNATIVE ARRANGEMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE HEALTH AND VIABILITY OF THE PROPOSED PLANT MATERIAL INCLUDING WATERING, PROTECTION FROM PHYSICAL DAMAGE FROM THE TIME PLANT IS SELECTED THROUGH ITS INSTALLATION.
- CONTRACTOR IS RESPONSIBLE FOR ALL PLANT MATERIAL REMAINING PLUMB UNTIL THE END OF THE GUARANTEE PERIOD. PLANTS MAY NOT BE STAKED UNLESS APPROVED BY THE LANDSCAPE ARCHITECT/DESIGNER.
- CONTRACTOR TO GUARANTEE PLANT MATERIAL AND LABOR FOR A MINIMUM OF ONE YEAR FROM THE TIME OF INSTALLATION.
- THE CONTRACTOR IS RESPONSIBLE FOR BECOMING FAMILIAR WITH AND ABIDING BY THE LANDSCAPE ORDINANCES FOR THE SPECIFIC JURISDICTION IN WHICH THE WORK IS TAKING PLACE.
- BIDDERS SHALL BE RESPONSIBLE FOR EXAMINING THE SITE, PRIOR TO PREPARING BID, TO BECOME FAMILIAR WITH THE SPECIFIC SITE CONSTRAINTS.
- ALL EXISTING ON-SITE PLANT MATERIAL NOT EFFECTED BY CONSTRUCTION OR THE PROPOSED LANDSCAPE, SHALL BE PROTECTED AS PART OF THIS PLAN. EXISTING LANDSCAPE IN AREAS OF CONSTRUCTION AND PROPOSED LANDSCAPE SHALL BE REMOVED AS PART OF THIS PLAN.
- THE CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY FOR THE COMPLETION OF ALL THE ITEMS SHOWN ON THE PLANS.
- IF IRRIGATION IS DEEMED NECESSARY, THE DESIGN AND INSTALLATION OF THE IRRIGATION SYSTEM SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR. AN IRRIGATION PLAN ALONG WITH AN AS BUILT OF THE IRRIGATION SYSTEM SHALL BE PREPARED FOR OWNER REVIEW AND APPROVAL. CONTRACTOR SHALL GUARANTEE PERFORMANCE, PARTS, AND LABOR FOR A PERIOD OF 1 YEAR FROM THE DATE OF FINAL APPROVAL.
- IF EXISTING IRRIGATION IS PRESENT ON SITE, CONTRACTOR SHALL ADJUST, ADD TO, OR SUBTRACT FROM THE EXISTING IRRIGATION SYSTEM TO ACCOMMODATE ANY PROPOSED ALTERATIONS/ADDITIONS TO THE EXISTING LANDSCAPE. CONTRACTOR SHALL PROVIDE THE OWNER AN AS BUILT OF THE IRRIGATION SYSTEM AND ALL CHANGES TO THE SYSTEM AFFECTED BY THIS PROJECT.
- PROVIDE TOPSOIL RE-Spread PER THE FOLLOWING UNLESS OTHERWISE NOTED:
 - 4" MINIMUM IN GRASS OR SOD AREAS
 - 6" MINIMUM IN PLANTING AREAS
 - 12" MINIMUM IN LANDSCAPE ISLANDS

GENERAL NOTES:
 1. THESE PLANS ARE BASED ON THE ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY (SURVEY PROJECT #19.0019 DATED 02/06/19) PREPARED BY: COMPASS SURVEYING LTD 2631 GINGER WOODS PARKWAY, STE 100, AURORA, IL 60502 (630) 820-9100
 2. PRIOR TO CONSTRUCTION, CONTRACTOR TO CONTACT THE DESIGN ENGINEER AND ARCHITECT TO VERIFY THAT THEY ARE WORKING FROM THE MOST CURRENT SET OF PLANS AND SPECIFICATIONS.

ON SITE PARKING DATA
 PARKING REQUIREMENT - 4.5 SPACES PER 1,000 SQ FT FOR A CONVENIENCE STORE (3,036 SQ FT) ~ 14 SPACES REQUIRED

REGULAR SPACES	15
ADA ACCESSIBLE SPACES	1
TOTAL SPACES	16

SITE DATA
 LOT AREA = 44,124 S.F. (1.013 AC.)
 IMPERVIOUS AREA = 28,633 S.F. (0.657 AC.)(65%)
 PERVIOUS AREA = 15,491 S.F. (0.356 AC.)(35%)

PLANT LIST

SHADE, ORNAMENTAL, AND CONIFEROUS TREES

QTY.	ABRV.	BOTANICAL NAME	COMMON NAME	SIZE
4	SLH	Gleditsia triacanthos var. inermis 'Skyline'	Skyline Honeylocust	2 1/2" Cal.
2	KCT	Gymnocladus dioica	Kentucky Coffee Tree	2 1/2" Cal.
2	SWO	Quercus bicolor	Swamp White Oak	2 1/2" Cal.
2	ABS	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6"
3	BHS	Picea glauca var. densata	Black Hills Spruce	8"
6	EGA	Thuja occidentalis 'Emerald'	Emerald Green Arborvitae	6"
20	TCA	Thuja occidentalis 'Techny'	Techny Arborvitae	6"

FLOWERING AND EVERGREEN SHRUBS

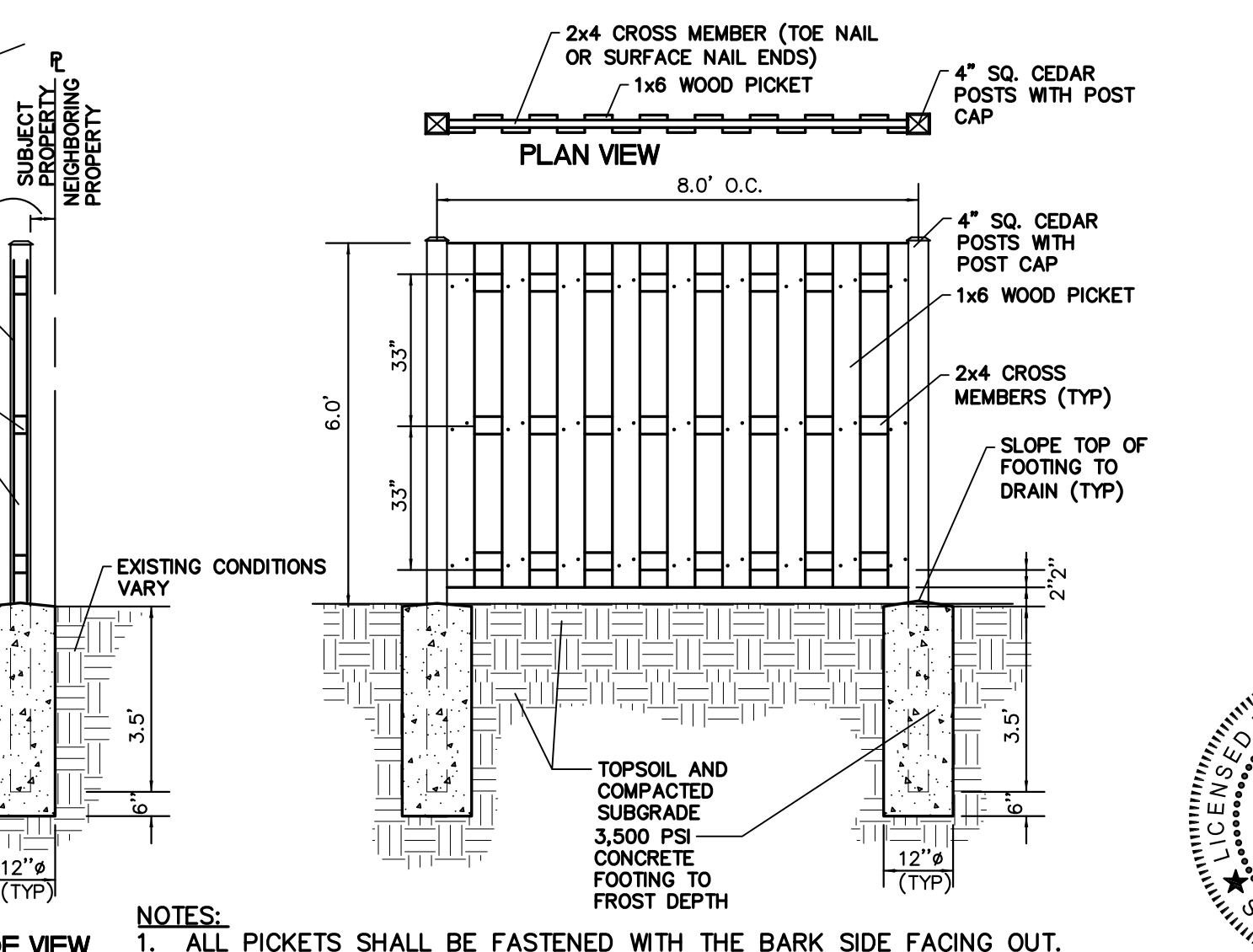
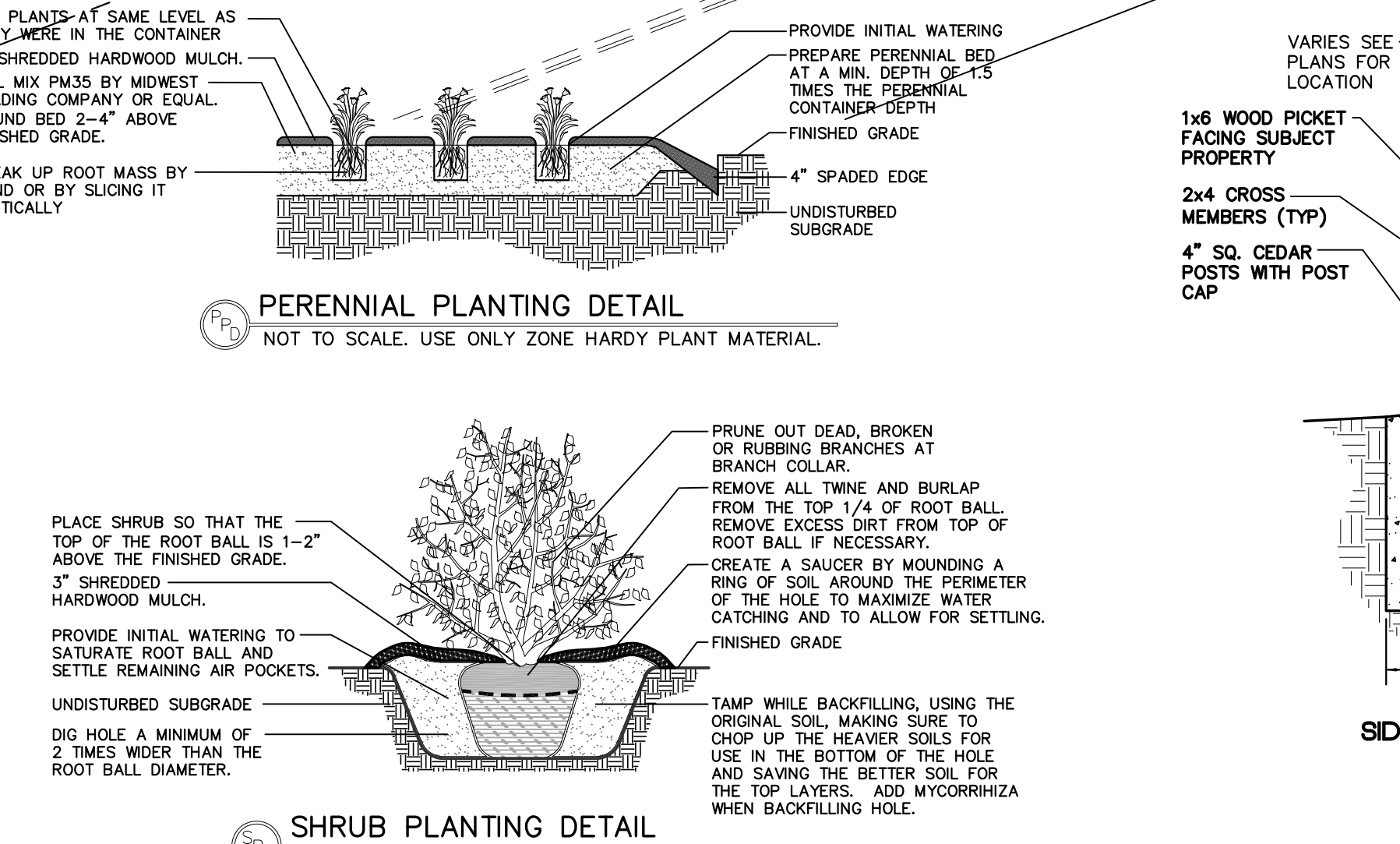
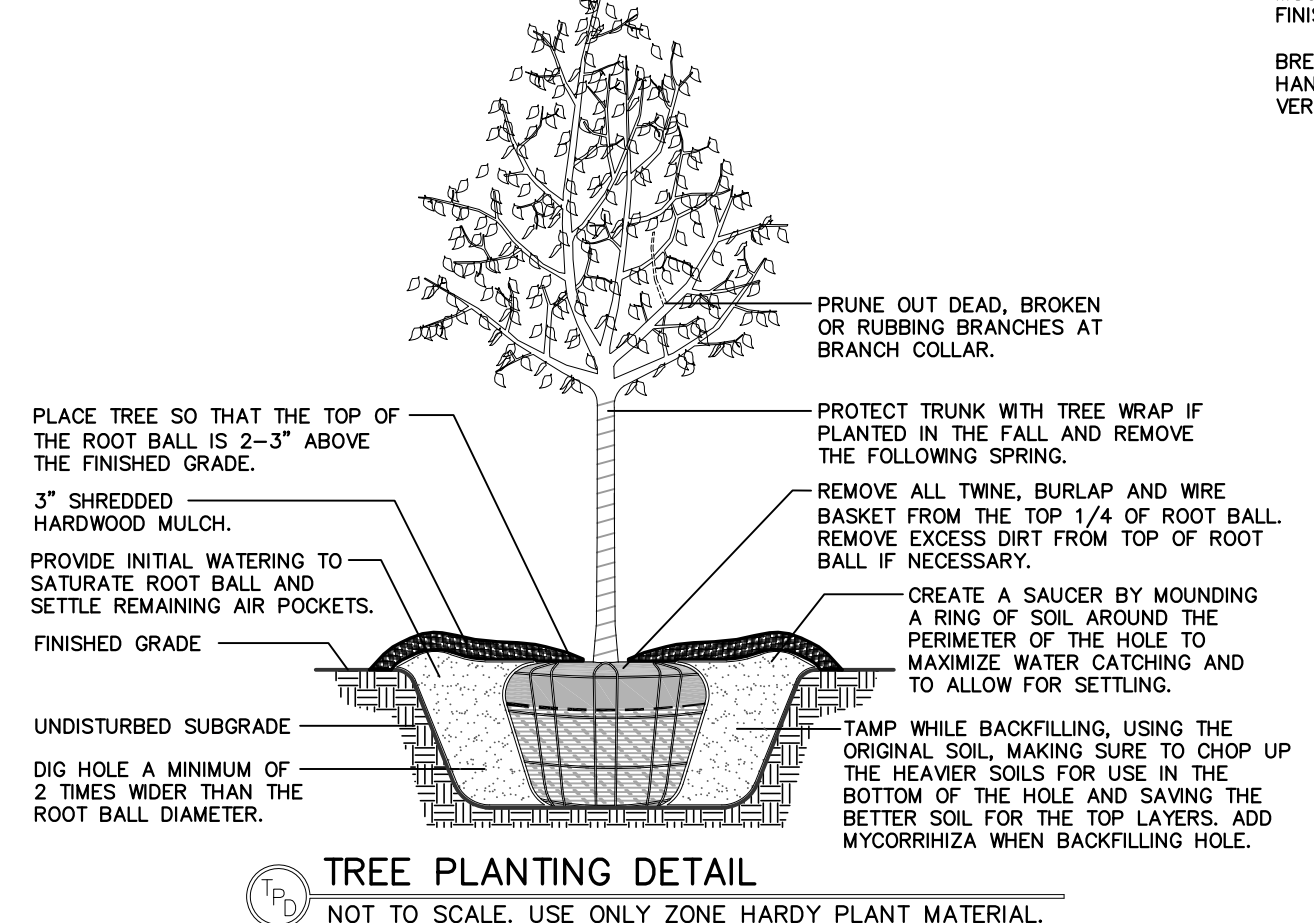
QTY.	ABRV.	BOTANICAL NAME	COMMON NAME	SIZE
30	IBB	Aronia melanocarpa 'Morton'	Iriquois Beauty Black Chokeberry	5 Gal.
14	GDW	Cornus racemosa	Gray Dogwood	36" Ht.
1	DBB	Euonymus alatus 'Compactus'	Dwarf Burning Bush	5 Gal.
4	QFH	Hydrangea paniculata 'Bulk'	Quickfire Hydrangea	5 Gal.
9	LIH	Hydrangea paniculata 'Limelight'	Limelight Hydrangea	5 Gal.
24	GLS	Rhus aromatica 'Grow-Low'	Grow-Low Sumac	5 Gal.
5	EKR	Rosa 'Balmir'	Easy Elegance Kashmir Rose	3 Gal.
14	MKL	Syringa patula 'Miss Kim'	Miss Kim Lilac	5 Gal.
13	BMV	Viburnum dentatum 'Christom'	Blue Muffin Viburnum	5 Gal.
9	JVB	Viburnum x juddii	Judd Viburnum	36" Ht.
11	DHW	Weigela x 'Dark Horse'	Dark Horse Weigela	3 Gal.
16	DNY	Taxus x media 'Densiformis'	Densiformis Yew	5 Gal.

PERENNIALS, ORNAMENTAL GRASS AND GROUNDCOVERS

QTY.	ABRV.	BOTANICAL NAME	COMMON NAME	SIZE
2	FRG	Calamagrostis brachytricha	Korean Feather Reed Grass	1 Gal.
74	SDD	Hemerocallis 'Stella de' Oro	Stella de Oro Daylily	1 Gal.
19	DTB	Penstemon digitalis 'Dark Towers'	Dark Towers Beardtongue	1 Gal.
29	LSB	Rudbeckia fulgida 'Vietie's Little Suzy'	Little Suzy Black Eyed Susan	1 Gal.
9	NES	Sedum spectabile 'Neon'	Neon Sedum	1 Gal.
11	PDS	Sporobolus heterolepis	Prairie Dropseed	1 Gal.

NAPERVILLE LANDSCAPE - UTILITY NOTE:
 TREES SHALL BE INSTALLED A MINIMUM OF FIVE (5) FEET HORIZONTALLY FROM UNDERGROUND ELECTRICAL FEEDERS, SANITARY SEWERS, SANITARY SERVICES, WATER MAINS, AND WATER SERVICES. TREES SHALL BE INSTALLED A MINIMUM OF TEN (10) FEET HORIZONTALLY FROM UTILITY STRUCTURES AND APPURTENANCES, INCLUDING, BUT NOT LIMITED TO, MANHOLES, VALVE VAULTS, VALVE BOXES AND FIRE HYDRANTS. NO TREES, SHRUBS OR OBSTACLES WILL BE ALLOWED 10' IN FRONT OF, 5' ON THE SIDES, AND 7' TO THE REAR OF THE ELECTRICAL TRANSFORMERS. PARKWAY TREES SHALL NOT BE PLACED CLOSER THAN 4' FROM PUBLIC SIDEWALKS

NOTE:
 CONTRACTOR TO MULCH ALL PLANT BEDS (PROPOSED AND EXISTING) WITH TWICE SHREDDED HARDWOOD BARK, DARK BROWN IN COLOR, AND SPADE EDGE WHERE APPLICABLE (TYP)



NOTES:
 1. ALL PICKETS SHALL BE FASTENED WITH THE BARK SIDE FACING OUT.
 2. ALL FENCE MATERIALS ARE WESTERN RED CEDAR WITH MINIMAL KNOTS.
 3. 4" TALL FENCE REQUIRES ONLY TOP AND BOTTOM CROSS MEMBERS 2" FROM BOTTOM AND 4" FROM TOP OF PICKETS



LANDSCAPE PLAN

DATE: _____
 REVISIONS: _____
 NO. _____

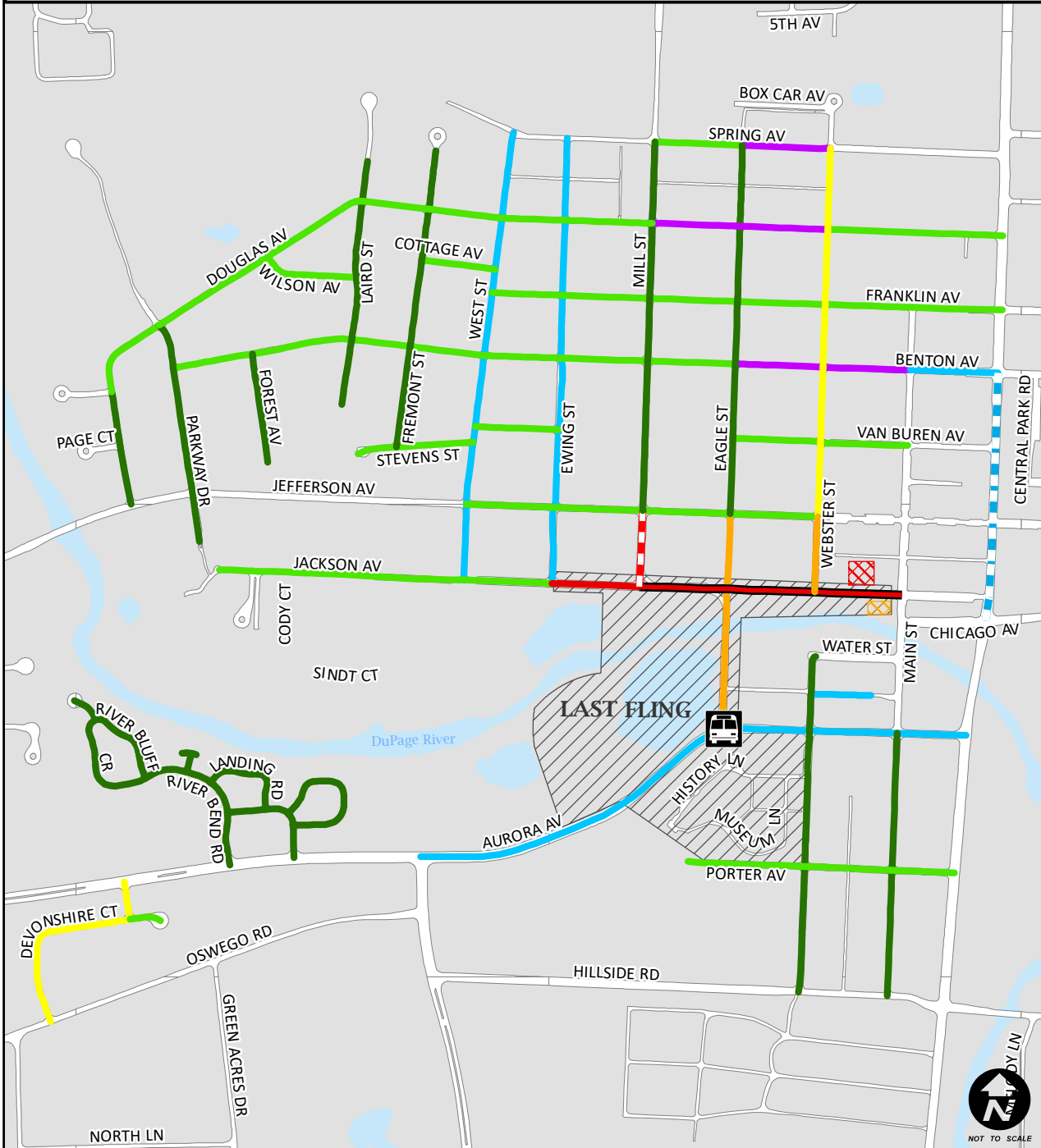
Prepared For:
 Vequity
 400 N. State St.
 Chicago, IL 60654
PROPOSED FUEL CENTER - NAPERVILLE, IL
 991 W. Ogden Avenue
 Naperville, Illinois

Prepared By:
Watermark Engineering Resources, Ltd.
 2631 Ginger Woods Parkway, Suite 100, Aurora, IL 60502
 phone 630-375-1800 fax 630-326-9600 www.watermark-engineering.com

CHECKED BY: B. PERRY
 DESIGN BY: S. SIMAK
 DRAWN BY: S. SIMAK
 DATE: MARCH 13, 2019
 SCALE: 1" = 20'
 PROJECT NO.: 19-011

LANDSCAPE PLAN
 L-1

LAST FLING 2019 TRAFFIC CONTROL PLAN



STREET CLOSURES & NO PARKING/TOW-AWAY ZONES:

- 5:00am Wed, Aug 28 until 5:00am Tues, Sept 3
- 3:00pm Thurs, Aug 29 until 5:00am Tues, Sept 3*
*NP/TZ will start at 1:00pm on Thurs, Aug 29
- 5:00am Wed, Aug 28 until 5:00am Tues, Sept 3
Local Access Only
- 5:00am* on Fri, Aug 30 until 5:00am Tues, Sept 3
*Eagle Street will close at 9am on Fri, Aug 30
- 9:00am to 1:00pm Sat, Aug 31 Only

NO PARKING/TOW-AWAY ZONES:

- 4:00pm Fri, Aug 30 until 5:00am Tues, Sept 3
- East side of street
- North side of street
- South side of street
- West side of street
- Both sides of street
- 6am Fri, Aug 30 until 8:30am Tue, Sept 3
- Both sides of street

PARKING LOT CLOSURES:

- 5:00am Wed, Aug 28 until 5:00am Tues, Sept 3
- 5:00am Thurs, Aug 29 until 5:00am Tues, Sept 3

Detour Route

Shuttle Drop-Off/Pick-Up



City of Naperville
Special Events
Dawn Portner (630) 305-5340
www.naperville.il.us
August 2019

This map should be used for reference only. The data is subject to change without notice. The City of Naperville assumes no liability in the use or application of the data. Reproduction or redistribution is forbidden without expressed written consent from the City of Naperville.



ORDINANCE NO. 019-

**AN ORDINANCE ESTABLISHING TEMPORARY TRAFFIC CONTROLS FOR
THE LAST FLING, LABOR DAY PARADE AND THE FLING MILE. AUGUST 30 -
SEPTEMBER 2, 2019**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE,
DuPAGE AND WILL COUNTIES, ILLINOIS,** in exercise of its home rule authority as follows:

SECTION 1: Section VIA, No Parking Zones and Section XII, Tow Away Zones, of the Naperville Traffic Schedule Manual is hereby temporarily amended for the Last Fling, Labor Day Parade and the Fling Mile from Friday, August 30, 2019 at 4:00 p.m. through Tuesday, September 3, 2019 at 5:00 a.m. by adding the underlined language as follows:

Street	Area of Restriction	Side
<u>River Bluff Circle</u>	<u>From River Bend Road to Western Terminus</u>	<u>East</u>
<u>Landing Road</u>	<u>From River Bend Road to Village Green Road</u>	<u>North</u>
<u>Village Green Road</u>	<u>From River Bend Road to Aurora Avenue</u>	<u>North</u>
<u>River Front Circle</u>	<u>From Village Green Road to Eastern Terminus</u>	<u>East</u>
<u>River Bend Road</u>	<u>From Aurora Avenue to River Bluff Circle</u>	<u>East</u>
<u>Dockside Court</u>	<u>From River Bend Road to the Northern Terminus</u>	<u>East</u>
<u>Waterside Court</u>	<u>From River Bluff Circle to the Northern Terminus</u>	<u>East</u>
<u>Devonshire Avenue</u>	<u>From Aurora Avenue to Oswego Road</u>	<u>West</u>
<u>Aurora Avenue</u>	<u>From West Street to Washington Street</u>	<u>Both</u>
<u>Webster Street</u>	<u>From Hillside Road to Water Street</u>	<u>East</u>
<u>Porter Avenue</u>	<u>From Washington Street to the Western Terminus</u>	<u>North</u>
<u>Main Street</u>	<u>From Hillside Road to Aurora Avenue</u>	<u>East</u>
<u>Webster Street</u>	<u>From Jefferson Avenue to Spring Avenue</u>	<u>West</u>
<u>Eagle Street</u>	<u>From Jefferson Avenue to Spring Avenue</u>	<u>East</u>

<u>Mill Street</u>	<u>From Jefferson Avenue to Spring Avenue</u>	<u>East</u>
<u>Ewing Street</u>	<u>From Jackson Avenue to Spring Avenue</u>	<u>Both</u>
<u>West Street</u>	<u>From Jackson Avenue to Spring Avenue</u>	<u>Both</u>
<u>Jackson Avenue</u>	<u>From Ewing Street to its Western Terminus</u>	<u>North</u>
<u>Jefferson Avenue</u>	<u>From West Street to Webster Street</u>	<u>North</u>
<u>Van Buren Avenue</u>	<u>From Eagle Street to Main Street</u>	<u>North</u>
<u>Benton Avenue</u>	<u>From Parkway Drive to Eagle Street</u>	<u>North</u>
<u>Benton Avenue</u>	<u>From Eagle Street to Main Street</u>	<u>South</u>
<u>Benton Avenue</u>	<u>From Main Street to Washington Street</u>	<u>Both</u>
<u>Franklin Avenue</u>	<u>From West Street to Washington Street</u>	<u>North</u>
<u>Douglas Avenue</u>	<u>From Jefferson Avenue to Mill Street</u>	<u>North</u>
<u>Douglas Avenue</u>	<u>From Mill Street to Webster Street</u>	<u>South</u>
<u>Douglas Avenue</u>	<u>From Webster Street to Washington Street</u>	<u>North</u>
<u>Spring Avenue</u>	<u>From Eagle Street to Webster Street</u>	<u>South</u>
<u>Spring Avenue</u>	<u>From Mill Street to Eagle Street</u>	<u>North</u>
<u>Fremont Street</u>	<u>From Stevens Street to the Northern Terminus</u>	<u>East</u>
<u>Stevens Street</u>	<u>From West Street to the Western Terminus</u>	<u>North</u>
<u>Van Buren Avenue</u>	<u>From Ewing Street to West Street</u>	<u>North</u>
<u>Parkway Drive</u>	<u>From Northern Terminus to Southern Terminus</u>	<u>East</u>
<u>Forest Avenue</u>	<u>From Benton Avenue to Southern Terminus</u>	<u>East</u>
<u>Laird Street</u>	<u>From the Northern Terminus to the Southern Terminus</u>	<u>East</u>
<u>Wilson Avenue</u>	<u>From Douglas Avenue to Laird Street</u>	<u>North</u>
<u>Cottage Street</u>	<u>From Fremont Street to West Street</u>	<u>North</u>
<u>Washington Street</u>	<u>From Benton Avenue to Chicago Avenue</u>	<u>Both</u>
	<u>(Friday, August 30, 2019 from 6 a.m.to Tuesday, September 3, 2019 at 8:30 a.m.)</u>	

SECTION 2: Section VIA, No Parking Zones, Section XII, Tow Away Zones and Section XXVIA, Traffic Prohibited Streets, of the Naperville Traffic Schedule Manual is hereby temporarily amended for the Last Fling, Labor Day Parade and the Fling Mile for the dates and times indicated by adding the underlined language as follows:

<u>Street</u>	<u>Area of Restriction</u>	<u>Side</u>
<u>Eagle Street</u>	<u>From Aurora Avenue to Jefferson Avenue</u> (Friday, August 30, 2019 at 9 a.m. to Tuesday, September 3, 2019 at 5 a.m.)	<u>Both</u>
<u>Jackson Avenue</u>	<u>From Ewing Street to Mill Street</u> (Wednesday, August 28, 2019 at 5 a.m. to Tuesday, September 3, 2019 at 5 a.m.)	<u>Both</u>
<u>Jackson Avenue</u>	<u>From Mill Street to Main Street</u> (Thursday, August 29, 2019 at 1 p.m. to Tuesday, September 3, 2018 at 5 a.m.)	<u>Both</u>
<u>Mill Street</u>	<u>From Jackson Avenue to Jefferson Avenue</u> (Wednesday, August 28, 2019 at 5 a.m. to Tuesday, September 3, 2018 at 5 a.m.)	<u>Both</u>
<u>Webster Street</u>	<u>From Jackson Avenue to Jefferson Avenue</u> (Friday, August 28, 2019 at 5 a.m. to Tuesday, September 3, 2019 at 5 a.m.)	<u>Both</u>
<u>Porter Avenue</u>	<u>From Webster Street to the Western Terminus</u> (Saturday, August 31, 2019 from 9 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Jackson Avenue</u>	<u>From West Street to Ewing Street</u> (Sunday, September 1, 2019 at 7 p.m. to Monday, September 2, 2019 at 1:30 p.m.)	<u>Both</u>
<u>Mill Street</u>	<u>From Ogden Avenue to Jefferson Avenue</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Jefferson Avenue</u>	<u>From Ewing Street to Washington Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Main Street</u>	<u>From Hillside Road to Van Buren Avenue</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Porter Avenue</u>	<u>From Washington Street to its Western Terminus</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Aurora Avenue</u>	<u>From West Street to Washington Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Sixth Avenue</u>	<u>From Mill Street to Eagle Street</u> (Monday, September 2, 2019 from 7 a.m. to	<u>Both</u>

	1:30 p.m.)	
<u>Spring Avenue</u>	<u>From Ewing Street to Eagle Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Douglas Avenue</u>	<u>From Ewing Street to Eagle Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Franklin Avenue</u>	<u>From Ewing Street to Eagle Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Benton Avenue</u>	<u>From Ewing Street to Eagle Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Ewing Street</u>	<u>From Jackson Avenue to Jefferson Avenue</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Eagle Street</u>	<u>From Jefferson Avenue to Van Buren Avenue</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Webster Street</u>	<u>From Jefferson Avenue to Van Buren Avenue</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Jackson Avenue</u>	<u>From Main Street to Washington Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Chicago Avenue</u>	<u>From Main Street to Washington Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Water Street</u>	<u>From Webster Street to Main Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>
<u>Webster Street</u>	<u>From Hillside Road to Water Street</u> (Monday, September 2, 2019 from 7 a.m. to 1:30 p.m.)	<u>Both</u>

SECTION 3: This Ordinance shall be in full force and effect after its passage and approval.

PASSED this _____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk

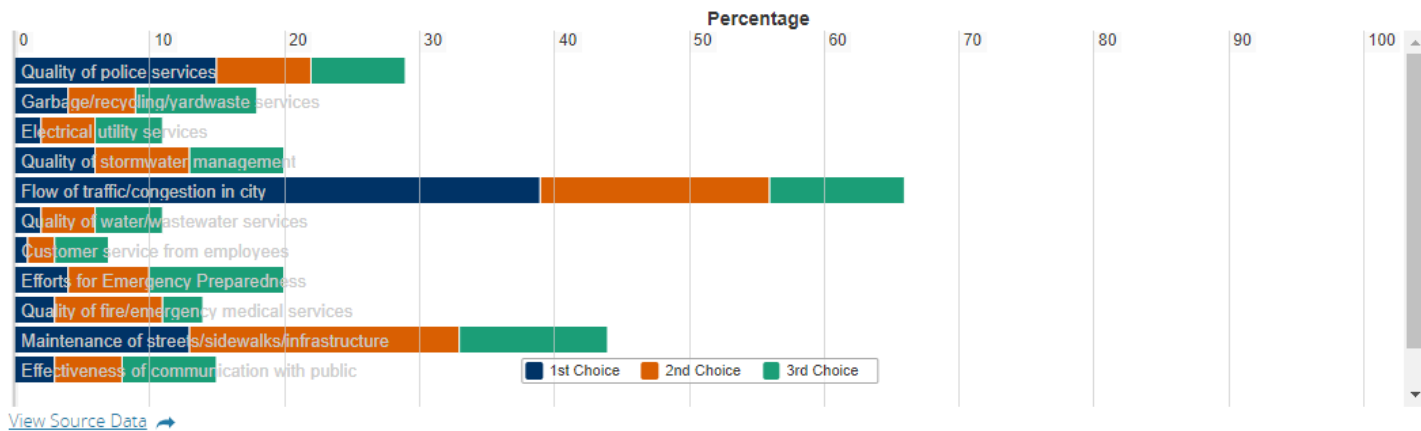
August 14, 2019

Dear City of Naperville Council Members:

The City of Naperville conducted a 2016 Citizen Survey where Naperville essentially wanted to know how they were doing as a city. Overall the majority of people surveyed expressed an overall quality of life living in Naperville. Driving that satisfaction were city services such as Fire and Ambulance Service, Police Services and Emergency Preparedness.

Equally important, the city also asked what city services should receive the most emphasis over the next two years. According to the City Website, “The priorities identified in this survey are flow of traffic/congestion and improved signal timing, visibility of police in your neighborhood and police efforts to prevent crime, household hazardous waste services, curbside leaf removal services, participation in renewable energy and overall value for utility rates.”

Major Categories of City Services That Should Receive the Most Emphasis Over the Next Two Years



The priorities identified in this survey are flow of traffic/congestion and improved signal timing, visibility of police in your neighborhood and police efforts to prevent crime, household hazardous waste services, curbside leaf removal services, participation in renewable energy and overall value for utility rates. City staff is in the process of developing our plans in response to our most recent survey. We are happy to provide the 2016 survey data here for your use. [Click here to further analyze the data.](#)

*NOTE: Nearly 7 out of 10 respondents were dissatisfied with traffic flow/congestion taking into account first, second and third choice.

An article by the Naperville Sun (1-27-17) entitled, Everyone seems to love Naperville --- until you bring up traffic, states,

“The most chronic source of public discontent, however, is still traffic. Although Naperville fares better than other cities in virtually every other area, it falls behind in the flow of traffic and congestion management. In fact, in both traffic and street maintenance, resident satisfaction has significantly declined in the past four years. Dissatisfaction with the amount of public transportation available to residents adds to this problem. North-south travel in the city earned the lowest ratings, with only 39 percent satisfied. Only 41 percent were satisfied with the availability of public transportation services. Residents surveyed said their top priorities for improvement were traffic flow and maintenance of streets, sidewalks and infrastructure. City officials should use this information to guide upcoming decisions. These things must remain priorities and should demand more attention and resources. The proposed streetscape plan that includes sidewalk improvements downtown is a step in this direction.” They further state, *“We urge the city of Naperville to first direct its energies toward improving the flow of traffic and reducing congestion.”*

There are four major issues: 1) The #1 issue for Naperville residents is dissatisfaction with chronic traffic congestion 2) that dissatisfaction over traffic congestion has increased over the past four years 3) North/ South travel in the city earned the lowest ratings 4) City officials should use this information to guide upcoming decisions. Further, these things must remain priorities and should demand more attention and resources from the city.

Every one of the four points mentioned above relates to the proposed development on Washington/Gartner. This is not a neighborhood issue, this is a very large, very important Naperville issue.

This City Survey data along with a petition we have created (just shy of 500 verifiable signatures) and numerous emails from residents to you about this proposed development is painting a very consistent picture----there is too much traffic and congestion in Naperville, people are very upset by it, they have been upset by it for years and it continues to get worse as time goes on. They are especially upset with the commute on the North/South corridors. (Reminder: there are only 3 main N/S corridors in Naperville with Washington Street being the main central corridor and is the only one that is a direct route to the train station).

The proposed retail development is located in the middle of that already highly congested main central N/S corridor of the city, the only one that goes directly to the train station.

In closing, please listen to your constituents. They are telling you in every possible way they don't want more traffic congestion—especially on the N/S corridors where they commute. Please put the needs and requests of the majority of Naperville residents above the needs of one developer. Residents' quality of life improves when traffic congestion is relieved (as shown by city survey data, petitions, emails) not when there are retail strip malls and fast food drive throughs added to an already congested, central N/S route through Naperville. No one's quality of life in Naperville is diminished because they can't find a Starbucks (I counted 14 on google maps) or fast food drive through. In contrast, quality of life for Naperville residents would greatly increase if traffic congestion was relieved on Washington. Please say no to fast food and Starbucks drive throughs on the proposed Washington and Gartner development.

Sincerely,
Susan Oliver



VIA EMAIL - LiuY@naperville.il.us

August 13, 2019

Ms. Ying Liu, AICP
Project Manager – TED Business group
City of Naperville
400 South Eagle Street
Naperville, Illinois 60540

RE: Mr. & Mrs. Ziliak Response Letter
1001 S. Washington Street, Naperville Illinois

Dear Ms. Liu:

It has come to my attention the Josh and Ellen Ziliak recently sent a letter to the Mayor and City Council relative to the Tartan's proposed development plans at 1001 S. Washington Street. Below is a summary of our responses to their requests. Please share this letter with Josh & Ellen, the Mayor, Council Members, Planning or other staff members.

1. Request to place a restriction on the property for fast food drive thru users.

Response: In their letter, Mr. & Mrs. Ziliak indicate in relevant part that "we are willing to accept the fast casual restaurants and coffee house and drive thru proposed by Tartan". Consistent therewith, we have agreed to a restriction against drive thrus on Building B and C which eliminates the possibility to lease any space to a drive thru fast food user in either building B or C. Additionally, to show our commitment and sincerity, we will also agree to the following language being added to our Owner's Acknowledgment Agreement relative to Building A. "At all times that a coffee house, bakery, cafe, internet café, bank or financial institution, candy or ice cream store, pharmacy, fast casual eating establishment or other similar uses are located

on lot 1 a drive thru shall be permitted on said lot 1. In the event lot 1 is utilized for a fast food establishment such as, but not limited to McDonalds, Arbys, Wendys, Taco Bell, Burger King, or White Castle a drive thru shall not be permitted under any circumstances.” This language will totally preclude any fast food users from locating in Building A while allowing fast casual uses which Mr. & Mrs. Ziliak stated are acceptable. I would also point out the following as belt and suspenders. Building A is designed for a coffee user based on the buildings size of 2,400 square feet. Fast food users such as McDonalds require a store size of 4,000 +/- square feet. Additionally, pursuant to the City of Naperville zoning code, fast food users require a parking ratio of 17 parking spaces per 1,000 square feet which is significantly higher than what the overall property is designed for, so fast food is not a use we can accommodate anywhere on the property. Lastly, we are willing to agree to a restriction that if we don't move forward with our proposed plans within two (2) years, then the property would then revert back to OCI zoning. This would completely eliminate any concern that we are simply trying to get B-1 zoning in order to lease the property to a fast food user.

2. *Concerns regarding traffic patterns and access and ability to cue into the drive thru from Gartner Road.*

Response: It is our understanding that any modification to the existing traffic patterns in the area is outside of the scope of our development. We will comply with what the City determines as appropriate. As for the access and ability to cue into the drive thru, we listened to input and comments provided at the Planning Commission meeting and we were able to revise the plan to address this concern which was reviewed and approved by staff. Our engineer and traffic engineer will be prepared to discuss the revisions and modifications made if any follow up questions arise at our hearing on Tuesday, August 20th.

3. *Request to place a restriction on delivery, cleaning/maintenance and trash pick-up hours from 7am to 10pm.*

Response: We will agree to restrict the delivery hours for buildings B and C from 6:30AM to 10:00PM and place this stipulation in the OAA. Building A will be occupied by a national coffee house tenant and they are unable to agree to a delivery hour restriction. In light of the fact that this building is well over two hundred feet away from the residences, is adjacent to where the gas station used to be and near the corner of Washington and Gartner which combined moves 30,000 cars daily, we do not believe that our inability to restrict delivery times

will have an impact on the neighborhood. We truly believe that placing a restriction on buildings B&C, which are closest to the residences will have a positive impact on the neighborhood.

4. *Request to install plantings in the Ziliak's front yard.*

Response: We are agreeable to provide the Ziliaks with a payment of up to \$1,000 in order for them to hire a landscaper to install plantings as they determine appropriate.

We hope that you, Mr. & Mrs. Ziliak, staff, the Mayor, City Council and the area residents find that we are listening and working with them and the City in good faith and agree that the we have taken necessary steps to ensure that the proposed project once completed will be an asset to the community. These 4 responses above certainly in no way reflect the totality of our efforts since day one to insure the proposed development is an asset to the community. In addition to the foregoing, our efforts and highlights of the project include the following:

- Community Involvement:
 - Worked with Fire and Police Department to provide training space leading up to the demotion of the building.
 - Reached out to Churches (Knox, Our Saviours and Next Ministry based in Chicago), the VFW and School District 203 to donate furniture and fixtures prior to clearing the site.
 - Immediate Neighbors:
 - Walked the immediate neighborhood prior to the demolition to provide the neighbors with notice of the demolition and provide preliminary plans.
 - Met in several neighbors' homes and had various correspondence (voice, text, email) with the immediate neighbors about our proposed plans and to seek feedback.
 - We hosted a total 3 neighborhood meetings, 2 with the immediate neighbors and 1 for the neighborhood at large
 - Met with other area stakeholders, including Knox Church, Casey's Food, Our Saviors, Chamber of Commerce and others to provide detailed information on Tartan Realty Group, past projects and to provide details on the proposed redevelopment of 1001 S. Washington Street.

- Further outreach: We installed several signs at the property along with my contact information and created a web site to foster communication regarding our proposed development.
- Project Highlights:
 - Architecture: High quality construction with four sided brick buildings.
 - Landscaping Improvements:
 - Adding 50+ trees, saving 11 trees and adding over 4,000 plantings to the proposed development, which is close to double the plant material required to meet the code requirement.
 - Added additional landscaping along Catalpa and made a commitment to the immediate neighbors that we would meet with them after the project has been in service for a year to ensure their concerns are addressed and to add additional landscaping if necessary.
 - We added a berm along Sycamore and our parking lot to minimize any headlights that would shine into the neighboring houses.
 - Lighting: We worked with our photometrics consultant to make sure we addressed concerns related to our lighting illuminating into the neighborhood.
 - Refuse/Garbage: We plan to install high quality garbage corals with heavy duty doors along with making sure drains are in the garbage corals and water spigots are nearby in order to clean the corals.
 - Setbacks: We designed the project to far exceed all applicable setbacks, in some instances tripling and quadrupling what code requires.
 - Building Heights: The proposed plan limits the building height to 1 and 2 stories and under the current Zoning, OCI, there are no limitations on the building height.
 - FAR/Building Size: Limited floor area ratio to approximately 10% (28,500 square feet) of what is permitted in the OCI zoning district and approximately 50% of what is permitted in the B-1 zoning district. The former PNC Bank building was 30,000 square feet
 - Parking/Pedestrian access: The development has ample parking for both cars (parking per code) and bikes. Pedestrian sidewalks connect the site from Washington, Sycamore, Catalpa, and Gartner streets, and offer internal walks to enhance safety and promote pedestrian activity.

- Site Plan Design/Enhanced Circulation To and From Site.
 - Aligns the Gartner Street access point with the Naperville Plaza shopping center's access across the street to improve the existing condition.
 - The access point on Washington Street is located near the property's existing access point but adjusts it to 90 degree angle.
 - The plan eliminates entirely the existing access point on Catalpa Lane.
 - Access points on Sycamore Drive have been reduced from two to one. The existing access widths are 20 and 90 feet; the new single access point will be 31-feet wide and will have full access into the property but limited access out, right turn only to address concerns states of cars leaving our property and driving into the neighborhood.
- Uses: We are seeking B-1 Neighborhood Convenience Retail to compliment the neighborhood. Our team is seeking tenants that will provide convenience to the neighborhood including the following uses.
 - Coffee User
 - Sit down Restaurant
 - Fitness User
 - Office Users
 - Medical/Dental Uses.

Thank you again and please do not hesitate to call me to discuss any questions or further concerns that you may have.

Sincerely,

Tartan Realty Group, Inc.



Wilhelm O. Kreuzer

Six-Month Financial Performance

CITY OF NAPERVILLE – AUGUST 20, 2019



Overview

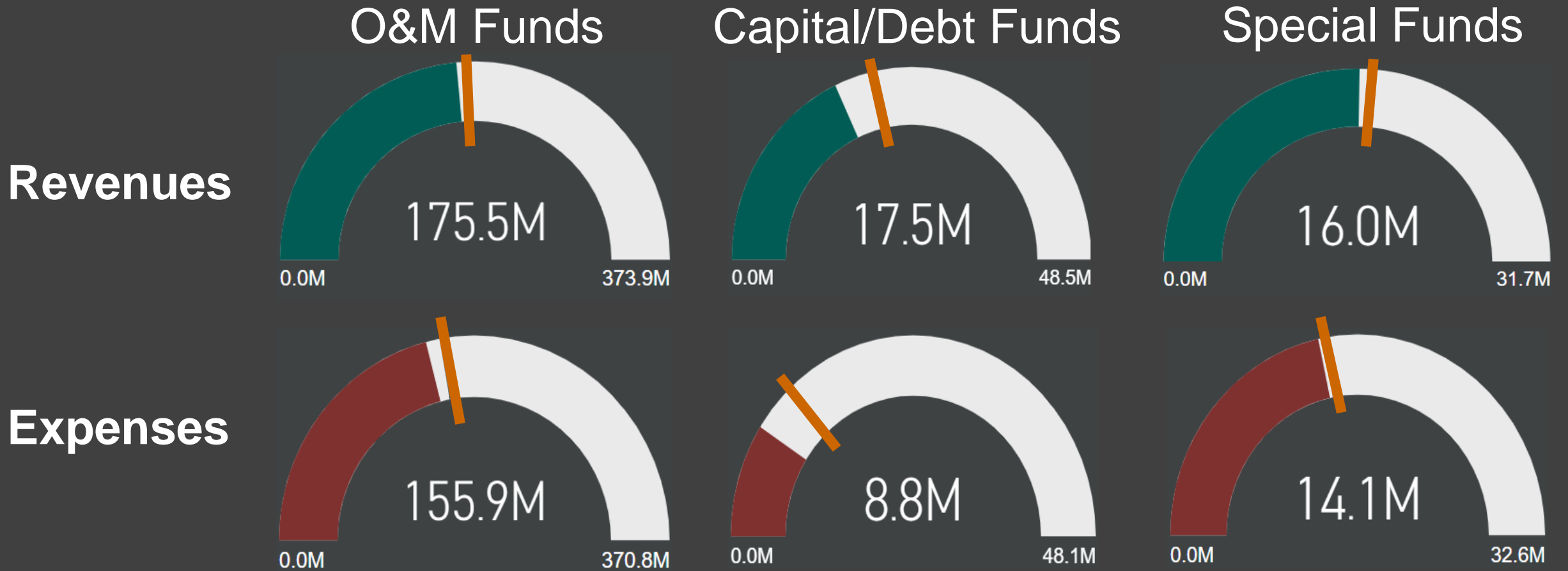
2019 financial performance to date

- Highlights
- Areas to Watch
- Adherence to Financial Principles

Upcoming budget discussions

- Groundwork for budget workshops

Six-Month Performance



**Orange line indicates staff's six-month projection figure*

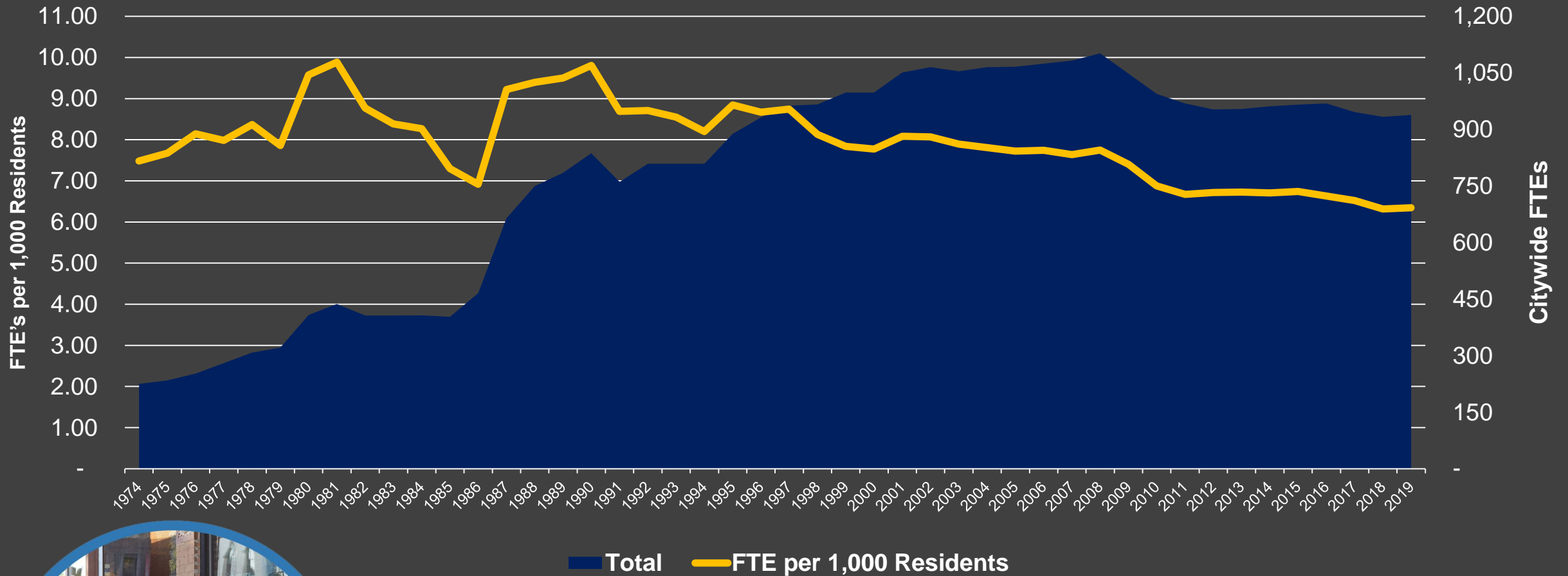
Highlights and Areas to Watch

ON TARGET & POSITIVE TRENDS

- Salaries and wages
- Market-driven revenues
- State shared revenues

AREAS TO WATCH

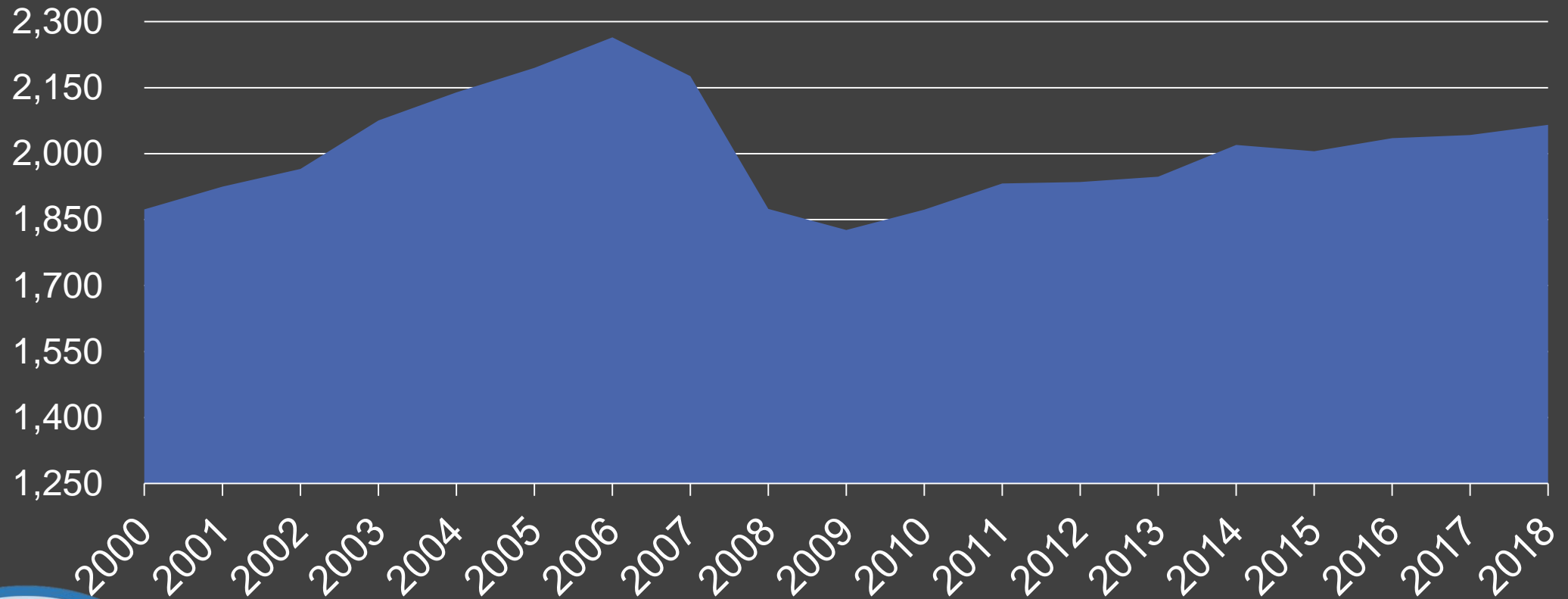
- Healthcare
- Pensions
- Water fund performance



Salaries and Wages

- Net Increase of 5 FTEs in 2019
- 2019 regular pay budget increase of 2.2%; current projections at 1.2%
- Overtime pay up from 2018 – hiring lag, winter events

Number of Sales Tax Businesses



Market-Driven Revenues

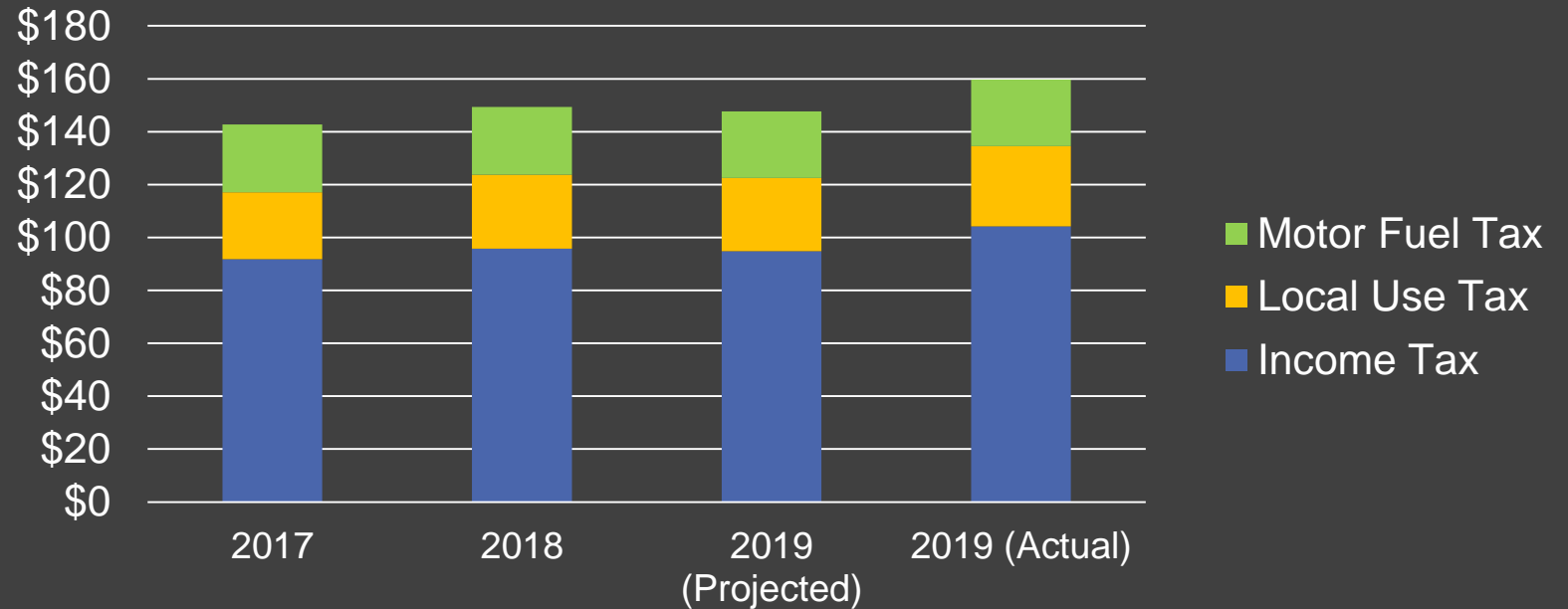
- 1% growth in sales tax businesses from 2017 to 2018
 - In line with 3-year average
- Sales tax up 0.5% compared to 2018
- Food and Beverage tax up 3.6% compared to 2018



- Per capita income outpacing projections
 - Income tax up 15%
 - Local use tax up 17%
 - Motor fuel tax currently holding steady
- Motor Fuel Tax
 - Increase in state tax July 1
 - Begin receiving additional funds in October
 - Projected \$1.9 million increase

State Shared Revenues

Per Capita Income



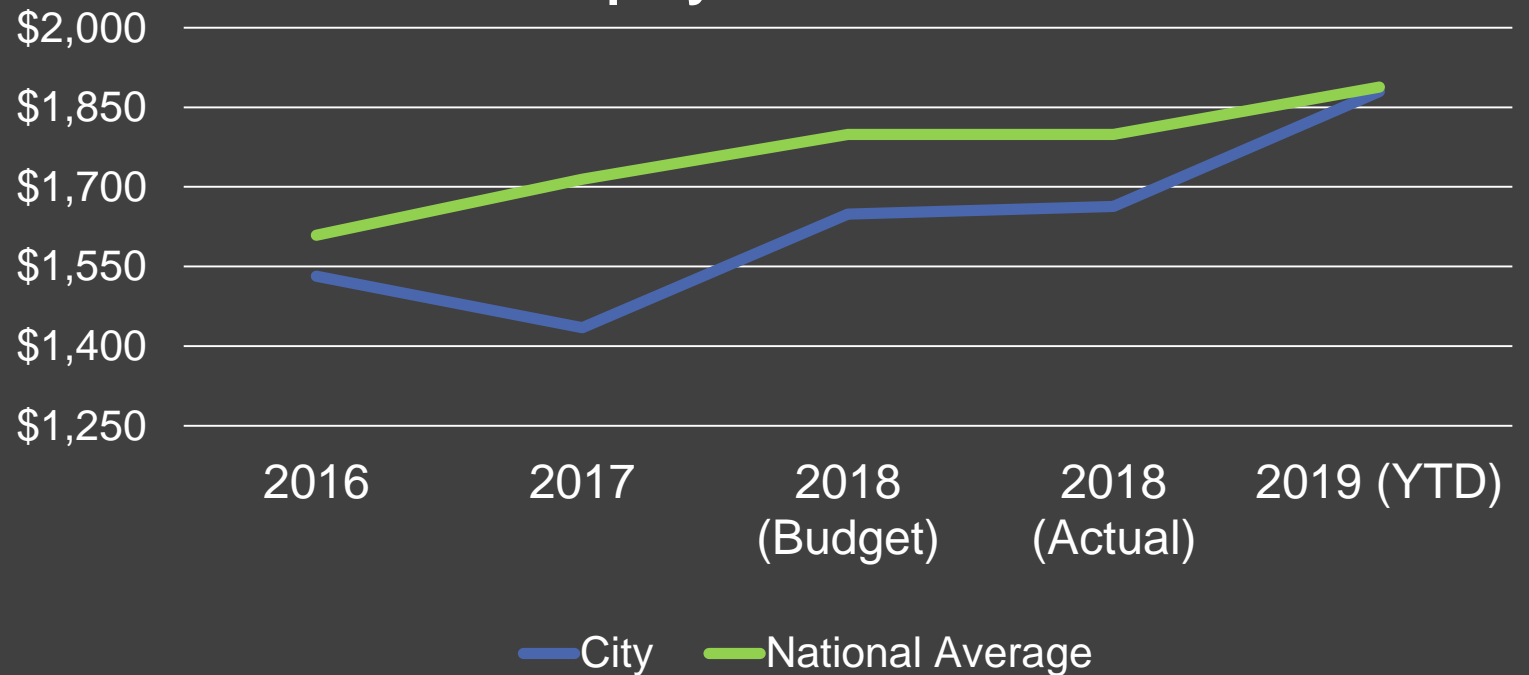


Areas to Watch

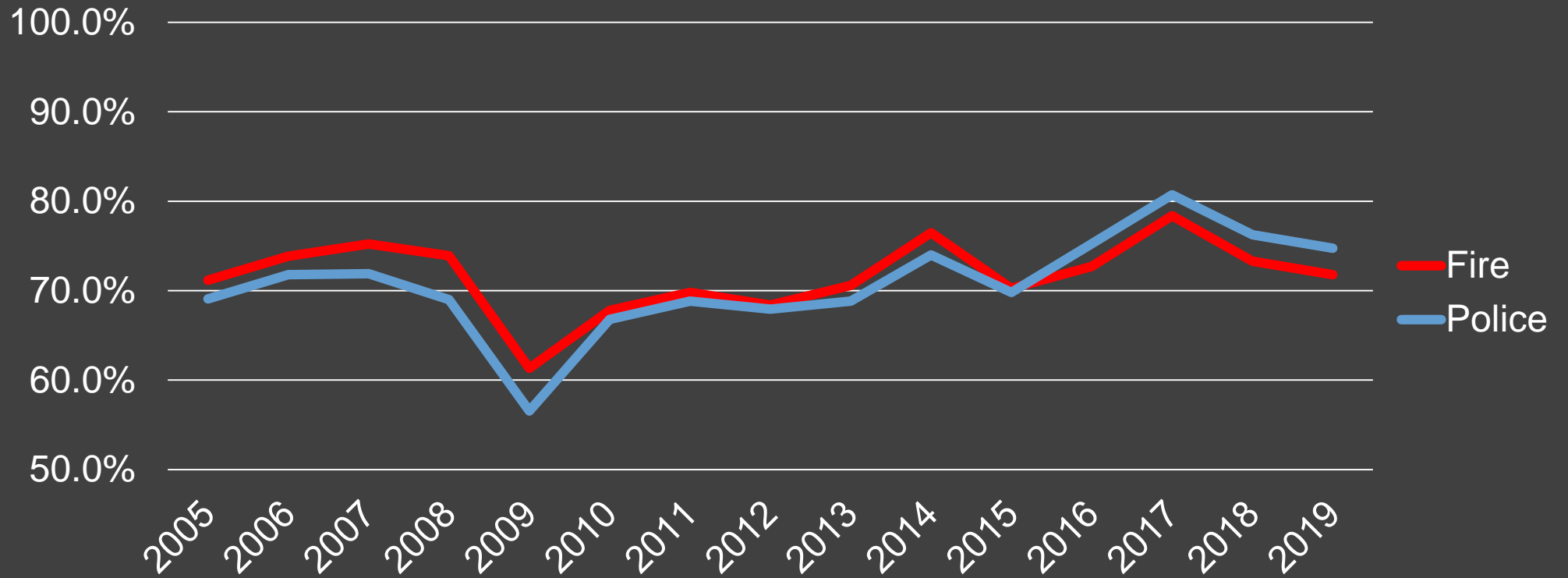
HEALTHCARE COSTS

- Implemented cost-saving measures and programs: 0% premium increase in 2019
- Elimination of consumer driven health plan, addition of virtual visits and generic preventative drug program
- Provide employee education and tools for employee to actively manage their health
- Increase in claims for 2019 over 2018 year-to-date

Per Employee Per Month Cost



Pension Fund Level – Public Safety



**Financial
Stability**

Pension Contributions

- Public Safety Pension
 - Less than 1% increase in 2019; 7% increase in 2020; estimated \$1.0M
 - Continue to have area's best funded pension program at 73.2% level
- IMRF: First increase in 6 years, increase from 9.34% to 11.05%

Principle #1

Pass a structurally balanced operating budget

- ✓ Approved budgets were balanced
- ✓ Projected positive margin across operating funds of \$3.25M

2019 Budget - Achieved

Principle #2

Continuous improvement in the delivery of necessary and cost-effective services

- ✓ Budget requests tied to ends policies with supporting metrics
- ✓ Continued push for operational efficiencies

2019 Budget – On Target

Principle #3

Increase reserves to 25% and reduce debt by 25% in next 8 years

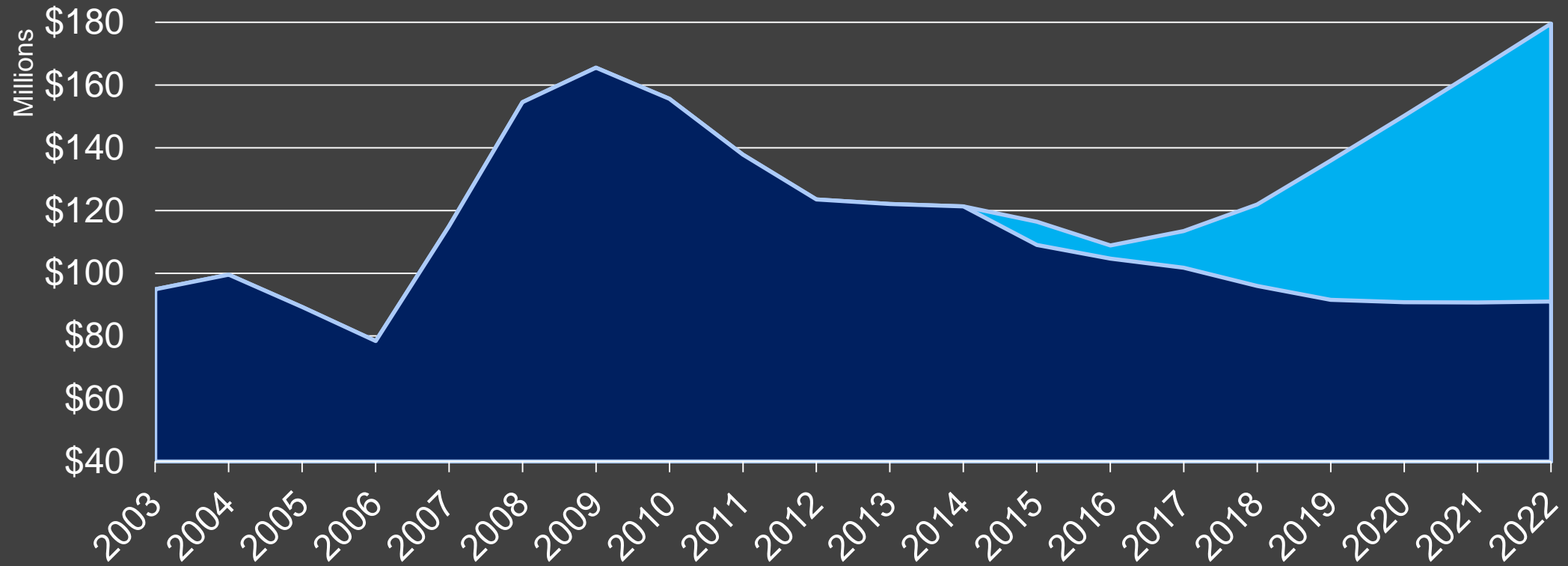
- ✓ 20.9% debt reduction at end of 2018
- ✓ \$28.28M reserves (23.5%) at end of 2018

2019 Budget – On Target



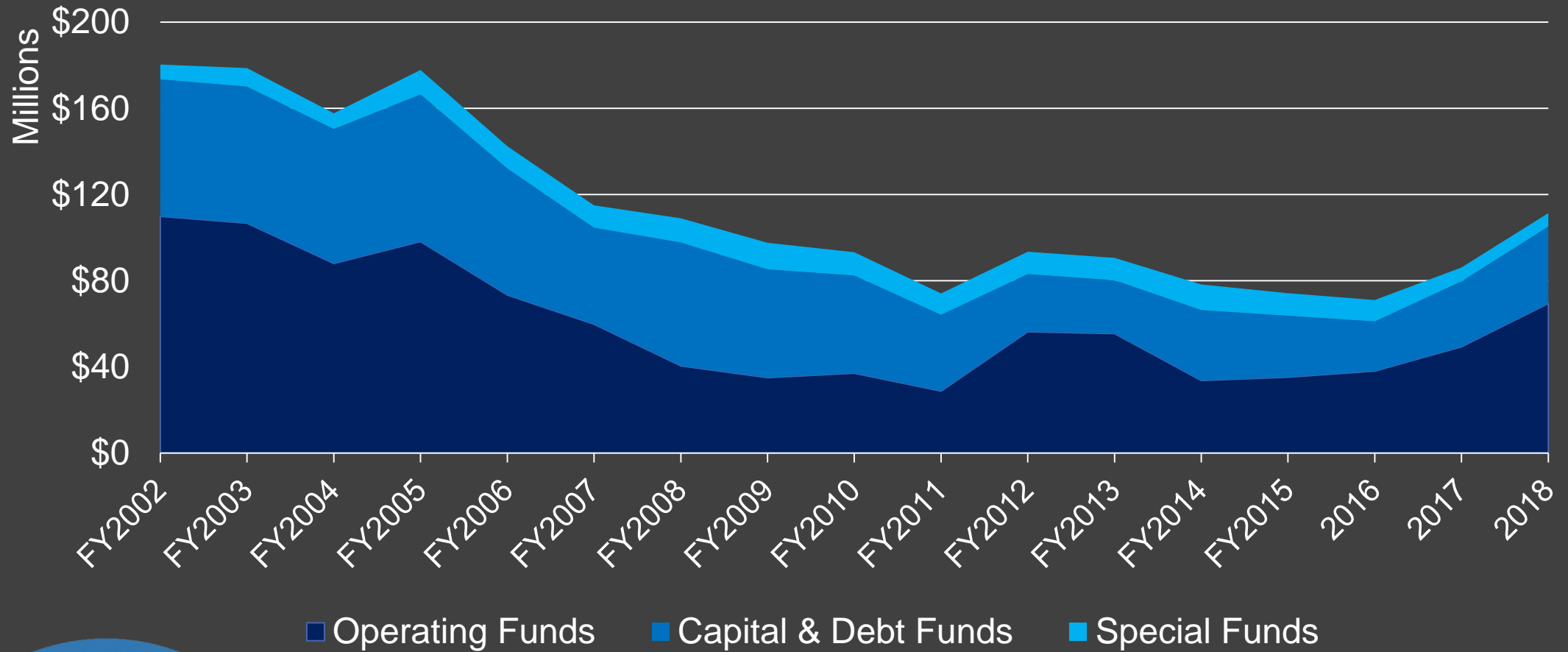
Financial Principles

Outstanding Debt



Debt Reduction

- End of 2014 general corporate debt: \$121.3M
- End of 2018 general corporate debt: \$95.9M
- 20.9% reduction; on track to reduce debt by 25% by 2022



Cash Reserves

- Began 2014 at 21.1%; increased to 23.5% at end of 2018
- On track to increase reserve to 25% by 2022
- Protects AAA bond rating and increases financial security

How 2019 budget actions have impacted the organization & are positioning 2020 requests

September 3

How actions plus priorities will impact the budget; update and review of capital needs

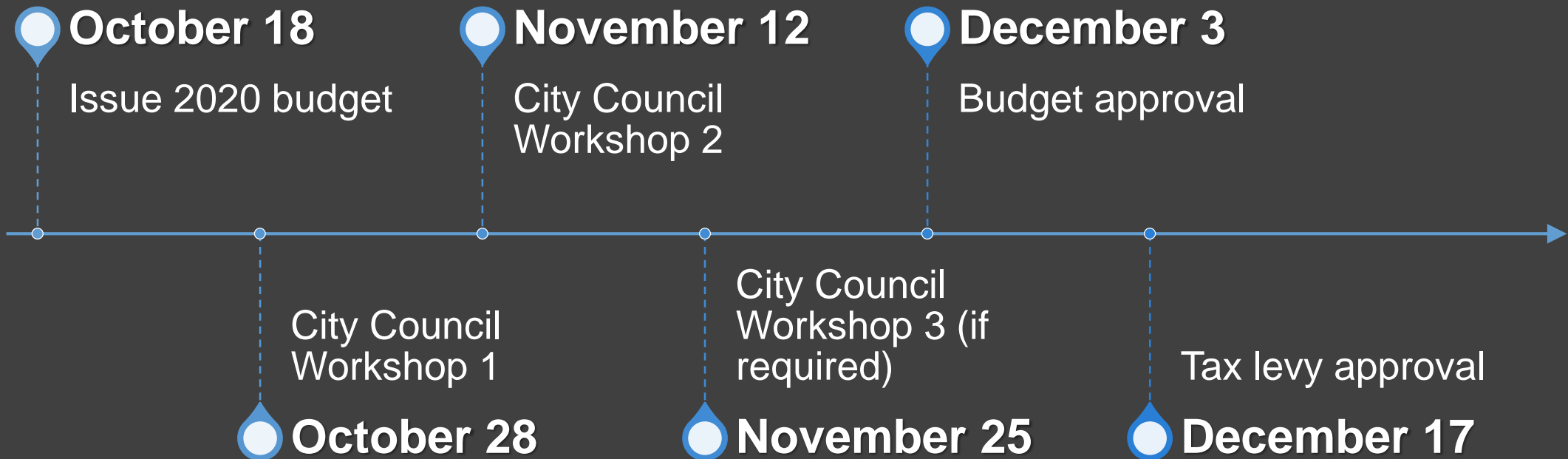
October 1

September 17

How the 2020 budget will position the City for the future through past efforts, resetting priorities and future needs

**Upcoming
Discussions**

Proposed Budget Calendar



Thank You & Questions

