



Meeting Minutes

Planning and Zoning Commission

Wednesday, December 21, 2022

7:00 PM

Council Chambers

TO WATCH OR LISTEN TO THE PZC MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-Astound, Ch. 10 - Comcast, Ch. 99 - AT&T)
- Watch online at <https://naperville.legistar.com>

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

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

TO SUBMIT WRITTEN COMMENTS OR MATERIALS:

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

- Written comments received by 5 p.m. the Wednesday before the meeting will be included in the meeting packet sent to the PZC. This meeting packet is also posted on the City's website.
- Written comments received after 5 p.m. the Wednesday before the meeting through 5 p.m. the day before the meeting will be emailed directly to the PZC, but will not be included in the PZC packet or posted online.
- Written comments received after 5 p.m. the day before the meeting will be added to the case file.

PUBLIC ACCOMMODATION:

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

PARTICIPATION GUIDELINES:

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

- **ALL VIEWPOINTS AND OPINIONS WELCOME:** All viewpoints are welcome, positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Commission members, staff, other speakers or members of the public. Comments made to intentionally disrupt the meeting may be managed as necessary to maintain appropriate decorum and allow for city business to be accomplished.
- **IF YOU SIGNED UP TO SPEAK,** the PZC will call your name at the appropriate time during the Planning and Zoning Commission meeting. Once your name is called you may identify yourself for the public record. Once you have been sworn in, then you may address remarks to the Planning and Zoning Commission as a whole. Speak clearly and try to limit remarks directly to the matter under discussion. Speakers are called in the order they sign up.

A. CALL TO ORDER:

B. ROLL CALL:

- Present** 7 - Tom Castagnoli, Stasha King, Derek McDaniel, Carl Richelia, Whitney Robbins, Oriana Van Someren, and Mark S. Wright
- Absent** 2 - Manas Athanikar, and Anthony Losurdo

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

1. Conduct the public hearing for 10 W. Martin Avenue and 800 S. Washington Street (Naperville Medical Office Building) - PZC 22-1-030

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

Curt Pascoe, Ryan Companies, provided details on the request.

Commissioner Wright asked if any consideration was made to add stop lights at the new entrance off Martin Avenue. Pascoe noted the traffic study did not justify a traffic signal at the new location. Ray Fano, City of Naperville Engineer, noted that strict traffic volume requirements would need to be met in order for a signal to be installed and the study concluded that it does not meet the requirements for a traffic light at this time.

Commissioner McDaniel spoke in support of the new entrance and the closure of Pam Davis Drive.

Public Testimony:

Marilyn Schweitzer raised concern with the proposed setback and found the design of the building to not be attractive at the pedestrian level. Schweitzer recommended the building be setback to save canopy trees along Washington Street and raised concern with the height and size of the monument sign proposed at Martin and Washington. Schweitzer spoke in support of the proposed rezoning, variance to the wall signs, and the elimination of the entrance/exit of Pam Davis Drive onto Washington and requested the variances for the monument sign and the 13.5' setback be denied.

Commissioner Van Someren spoke in support of the proposal and asked if the slope of the sidewalk along Washington Street would be leveled. Pascoe spoke about the slope of the property and noted the sidewalk will not be improved within the ROW, but if any sidewalk improvements are needed, they will take a look at those during construction.

Chairwoman Robbins spoke in support of the request.

The PZC closed the public hearing.

A motion was made by Commissioner Wright, seconded by Commissioner Van Someren to adopt the findings of fact as presented by the petitioner and approve PZC 22-1-030, granting approval of rezoning from OCI to the Health Services District, variances to reduce the corner side yard setback and major arterial setback along Washington Street, a variance to allow parking to encroach into the required front yard along Martin Avenue and the required corner side yard along Washington Street, and multiple sign variances as outlined in the staff report for 10 W. Martin Avenue and 800 S. Washington Street (Naperville Medical Office Building).

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

Absent: 2 - Athanikar, and Losurdo

E. REPORTS AND RECOMMENDATIONS:

1. Consider the Petitioner’s appeal to the Zoning Administrator’s finding in regards to the setback variance granted through Ordinance 21-111

Adam Beaver, City of Naperville Planning Services Team, provided an overview of the appeal request.

Daniel Ignash and Jill Ignash, property owners, provided details on the appeal request.

Public Testimony:

Marilyn Schweitzer concurs with staff that the proposed porch should be consistent with the size of the porch approved through the ordinance.

Commissioner Castagnoli asked for clarification on the request. The property owners clarified that the porch was approved through a variance a year ago, but the design of the home is expanded so the porch was expanded.

Commissioner Van Someren stated the PZC does not act on precedent.

Commissioner McDaniel asked for clarification from staff on how this ruling will impact future cases. Kopinski noted staff typically attaches site plans to ordinances and the variances are expected to comply with the site plan. Kopinski clarified that the question before the Commission is whether the approved ordinance allows for the encroachment along the entire yard or whether the porch can only encroach where it was shown to encroach on the site plan attached to the ordinance. Kopinski noted that in the future staff can clearly state in the ordinance that the approval only applies to the footprint.

Commissioner Van Someren asked about the options moving forward. Kopinski clarified that if the appeal request is denied the property owners can either reduce the depth of the porch to make it narrower, remove the new portion of the porch so it is consistent with the ordinance, or seek approval of a new variance.

Commissioner King asked for a depiction of the original blueprint.

Commissioner Wright asked if the property owners sought a new variance if it could be expedited or if they would have to go through the full process. Beaver clarified they would need to go through the full process.

Commissioner Van Someren concurs with the petitioner finding the property owners should have a functional porch and does not believe it will negatively impact the neighborhood.

A motion was made by Commissioner Richelia, seconded by Commissioner McDaniel to overturn the Zoning Administrator's interpretation and allow the petitioner to modify the footprint of the proposed porch so that it varies from the site plan attached to Ordinance 21-111 so long as it does not exceed a 6.75 foot encroachment into the corner side yard.

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

Absent: 2 - Athanikar, and Losurdo

2. Approve the minutes of the December 7, 2022 Planning and Zoning Commission meeting

The PZC approved the meeting minutes.

F. OLD BUSINESS:

G. NEW BUSINESS:

H. ADJOURNMENT:

7:54 PM