

July 17, 2018 City Council Q&A

Wednesday, July 11, 2018 6:10 PM

I. CONSENT AGENDA:

1. **18-547** Approve 06/01/2018 thru 06/28/2018 Cash Disbursement for \$29,950,835.85
2. **18-564** Approve the 5th Avenue Project Workshop Minutes from June 27, 2018.

Q:	a. Please review the comments made by Ms. Whited – I believe the notable point about the survey availability was that the survey results had not been made available (the <i>lack of availability</i>), only the select summaries had been made public	Boyd-Obarski, Rebecca
A:	Attached are amended minutes to reflect Ms. Whited concern about availability of survey results. Please approve minutes, as amended.	Amy Emery

3. **18-568** Approve the regular City Council meeting minutes of June 19, 2018

Q:	a. Please review the comments on item 21 – I believe Ms. Lutzke said that it was not economically feasible to require more than one BASSET trained individual per 35 guests.	Boyd-Obarski, Rebecca
A:	The video was reviewed and the minutes changed to read, "it is not economically feasible to require more than one BASSET trained individual per 35 guests."	Pam Gallahue

4. **18-432** Approve the award of Bid 18-116, Mill Street and Commons Road Traffic Signal, to Meade, Inc. for an amount not to exceed \$344,979.53, plus a 5% contingency
5. **18-458** Approve the award of Bid 18-111, Martin Mitchell Mansion Roof Preservation Project, to Renaissance Roofing Inc. For an amount not to exceed \$348,300, plus a 5% contingency
6. **18-474** Approve the award of Bid 18-140, Aggregate Materials, to Boughton Materials Inc. for an amount not to exceed \$247,346.75 and for a one-year Term
7. **18-486** Approve the award of Bid 18-141, 2018 Small Diameter Cured-in-Place Pipe (CIPP) Sanitary Sewer Lining, to Hoerr Construction, Inc. for an amount not to exceed \$784,408.50, plus a 3% contingency

8. **18-541** Approve the award of RFP 18-019, Design, Build and Operate Roof Mount Fixed Axis Solar Photovoltaic System, to WCP Solar Company, Inc. for an amount not to exceed \$100,893.03 plus a 5% contingency and for a 10-year term
9. **18-545** Waive the applicable provisions of the Naperville Procurement Code and award Procurement 18-146, Leaf Disposal, to Tri-County Excavation & Construction, Inc for an amount not to exceed \$67,500 and to Steve Piper and Sons for an amount not to exceed \$32,500 (Requires six positive votes)

Q:	<p>a. What city owned properties have you identified for holding the leaves until Piper and Tri-County pick them up?</p> <p>b. How long do you expect that they will be held on that property?</p> <p>c. Please explain how the contracts for Piper and Tri-County will be written – i.e., are they allowed to take up to a certain volume of leaves or are they obligating themselves to take that volume of leaves?</p> <p>d. Is staff considering proposing an alternative method of resident leaf disposal service?</p>	Boyd-Obarski, Rebecca
A:	<p>a. The leaves will be placed at the Public Works Service Center, 180 Fort Hill Drive and the Compost site at 3816 Plainfield/Naperville Rd.</p> <p>b. The leaves will be placed at the Public Works Service Center, 180 Fort Hill Drive and the Compost site at 3816 Plainfield/Naperville Rd.</p> <p>c. The expectation is that once leaf collection begins, removal of the leaves will be a continual process.</p> <p>d. The City will dictate the quantity of leaves that each vendor will receive based on the location, weather, and quantity that they have indicated that they can handle.</p> <p>e. As noted in the agenda item, the bulk leaf collection program is very expensive to implement and may not be sustainable. Staff has been examining options and opportunities that may be available with the new refuse/yard waste contract.</p>	Dublinski

Q:	<p>Does staff anticipate a future plan, budget of new equipment, continue to contract with outside service or seek to modify the burning box with an air filter system, if available?</p>	Gustin, Patty
A:	<p>If the City continues the bulk curbside leaf collection program, staff does anticipate the need to purchase new equipment in the next five years to both replace the existing leaf loaders that pick up the majority of leaves generated as part of the curbside leaf program as well as the less efficient and aging leaf vacuum units. As mentioned in the agenda memo, to replace our existing equipment is approximately \$250,000 per unit. DPW will continue to contract out leaf pick-up with outside vendors since the volume of leaves will continue to grow as the trees continue to mature. It should be noted the City's waste hauler augments DPW's curbside leaf pick up program by picking up bagged leaves, which typically occurs following the six week curbside leaf program.</p>	Dublinski

10. **18-546** Approve the award of Bid 18-145, Grouting of Sanitary Sewer Service Connections and Service Laterals Cress Creek Phase 4, to Michels Pipe Services for an amount not to Exceed \$273,700, plus a 3% contingency

11. **18-550** Approve the award of Bid 18-107, West Waterworks Electrical Upgrade Project, to Leyden Electric for an amount not to exceed \$538,880, plus a 3% contingency
12. **18-566** Approve the award of Change Order #2 to Contract 17-191, Southeast Water Works Booster Pump Upgrades, to Briesser Construction Co. for an additional eight months

Q:	What is the contractors penalty as identified in staffs legislative text?	Gustin, Patty
A:	The penalty is related to added electrical usage and associated cost for not meeting the pump's design efficiency. The pumps were retested on Friday, July 13 and exceeded the manufacturer's published efficiency. The manufacturer is preparing the pumps for shipment and the contractor will commence to install them after arrival to the project site.	Holzapfel

13. **18-573** Approve the award of Change Order #1 to Option Year Three of Contract 14-115, Security Service for Municipal Center, to Securatex Ltd for an amount not to exceed \$22,213 and a total award of \$60,000 and for an additional 6 months
14. **18-569** Accept public underground and traffic signal improvements associated with Atwater Phase 2, Columbia Park Townhomes and Trumpet Avenue

Q:	Has staff reviewed the storm water paths affecting the ponds and stream banks? Some areas lack vegetation, rock or stone embankments to reduce soil erosion. Is a surety bond or other held until final inspection of these and other matters?	Gustin, Patty
A:	The stormwater natural areas in the Atwater subdivision are actually being monitored and subsequently released by the DuPage County Stormwater Management Division. The developer must submit an annual monitoring report which the County also inspects and confirms. Financial surety will continue to be held for the stormwater special management areas until DuPage County authorized the return of the surety. This agenda item deals specifically with the underground improvements, not the stormwater areas.	Novack

15. **18-536** Approve the City Council meeting schedule for August, September, and October 2018

Q:	Labor Day is September 3. Is it traditional to move the council meeting to another day?	Gustin, Patty
A:	In the past, we have continued to hold meeting dates on Tuesdays following holidays. In these instances, Q&A is accelerated, and sent out by close of business on the preceding Friday.	Krieger

16. **18-473B** Pass the ordinance approving a parking variance for Illinois

Cheer Enterprises (PZC 18-1-046) on property located at
1152 Frontenac Road

17. **18-476B** Pass the ordinance approving a sign variance for Starbucks (PZC 18-1-049) at 215 E Ogden Avenue
18. **18-498** Receive the staff report for Clow Creek Farm Addition Final - PZC 18-1-030 (Item 1 of 4)
19. **18-499** Pass the ordinance approving the final PUD plat for Clow Creek Farm Addition (Clow Creek Farm Addition Final) - PZC 18-1-030 (Item 2 of 4)
20. **18-500** Pass the ordinance approving the final plat of subdivision for Clow Creek Farm Addition (Clow Creek Farm Addition Final) - PZC 18-1-030 (Item 3 of 4)
21. **18-501** Pass the ordinance approving a variance from the Design Manual for Public Improvements for Clow Creek Farm Addition (Clow Creek Farm Addition Final) - PZC 18-1-030 (Item 4 of 4)
22. **18-467C** Receive the staff report for CityGate Centre North located at 2415 & 2416 Corporate Lane, Naperville - PZC 18-1-029 (Item 1 of 4)
23. **18-468B** Pass the ordinance rezoning the property located at 2415 & 2416 Corporate Lane from OCI (Office, Commercial and Institutional District) to ORI (Office, Research and Light Industry District) CityGate Centre North - PZC 18-1-029 (Item 2 of 4)
24. **18-469B** Pass the ordinance granting a major change to the Monarch Landing PUD Located at 2415 & 2416 Corporate Lane with deviations to reduce the amount of parking and the parking setback along Corporate Lane, CityGate Centre North - PZC 18-1-029 (Item 3 of 4)
25. **18-470B** Pass the ordinance granting a conditional use for the property located at 2415 & 2416 Corporate Lane to permit an eating/drinking establishment as a part of a planned unit development, CityGate Centre North - PZC 18-1-029 (Item 4 of 4)
26. **18-520B** Pass the ordinance amending Sections 3 and 11 of Title 3, Chapter 3, of the Naperville Municipal Code adding a Bartending Services Permit and Dispenser Permit.

Q:	I26. In the past when we have discussed liquor permit issues, the marketing and brand of the establishment was a consideration. College age kids are not likely to be attracted to wine bar but wouldn't they be to beer venue that offers similar style of service? Is the opportunity for disturbance not greater?	Coyne, Kevin
A:		Lutzke,

	Red Arrow Tap Room, which will serve self-dispensed beer, was already approved for a liquor license because there are currently no regulations in place for self-service dispensers. The purpose of the dispenser permit is to provide regulations for these establishments too.	Jennifer
--	--	----------

27. **18-580** Conduct the first reading of an ordinance amending Sections 3-3-3 and 3-3-11 of the Naperville Municipal Code amending the Class P liquor license to incorporate craft distilleries.

Q:	I27. I don't recall ever granted an ordinance change prior to knowing the location of the enterprise. Why are we not waiting until they have a location?	Coyne, Kevin
A:	The amendment to the ordinance is to allow for a craft distillery under our Class P license. The craft distillery will still be required to go through the application process. The distillery is in the process of looking for locations, but wants to ensure that Naperville will allow a craft distillery.	Lutzke, Jennifer
Q:	Can staff identify other distillery locations near Naperville? Distilleries during processing season can release unfavorable smells, will staff provide recommended locations where the smells will not be an issue for residents and businesses, i.e. warehouse districts, etc?	Gustin, Patty
A:	Geneva, Aurora and Plainfield have craft distilleries. The zoning required for the proposed business will be largely dependent on the operations it proposes. For example, Solemn Oath located at 1661 Quincy Avenue includes on-site manufacturing for package and distribution (along with an accessory tasting room) and is therefore appropriately located within the I (Industrial District). In contrast, Granite City produces beer for on-site sale and consumption and is therefore appropriately classified as a restaurant and is located in the B2 (Commercial District). In all districts, the Naperville Municipal Code does provide performance standards and Property Maintenance Code requirements relative to smell and noise.	Lutzke, Jennifer Laff, Allison

28. **18-581** Pass the ordinance to establish temporary street closures and issue a Special Event and Amplifier permit for the Scott S'Cool Scoot on Saturday, August 25, 2018
29. **18-582** Pass the ordinance to establish temporary street closures and issue a Special Event permit for Old Naperville Days to be held on Sunday, August 19, 2018
30. **18-583** Pass the ordinance to establish temporary traffic controls and issue a Special Event Permit and an Amplifier permit for the 2018 Last Fling, Labor Day Parade, Fling Mile, and the NCAA Women's Triathlon scheduled for August 31-September 3, 2018
31. **18-590** Pass the ordinance granting an extension to the July 19, 2018 deadline to install required improvements at 1210 E. Ogden Avenue as set forth in Ordinance 17-113.

Q:	Will staff provide a monthly update on progress and a deadline for the completion of beautification and signage? Are there other options for the city? Residents have voiced the Naperville/Wheaton Ogden intersection needs immediate attention, cross walk safety, beautification and signage.	Gustin, Patty
A:	The subject agenda item pertains only to required improvements on the private property located at 1210 E. Ogden Avenue (Gerald Collison Center) and not improvements contemplated for the larger east Ogden Corridor. Such larger improvements would be subject to approval through a separate CIP item or budgeted program.	Laff

- 32. 18-598** Pass the ordinance amending Title 1, Chapter 6, Article A of the Naperville Municipal Code and adding Chapter 14 to Title 1 to the Naperville Municipal Code to establish an administrative procedure for assessing and determining claims made under the Public Safety Employee Benefits Act.
- Municipal Code and adding Chapter 14 to Title 1 to the Naperville
 - Municipal Code to establish an administrative procedure for assessing
 - and determining claims made under the Public Safety Employee Benefits Act.

J. PUBLIC HEARINGS:

- 1. 17-896C** Receive the staff report for World Missions Society Church of God located at 29W771 79th Street, Naperville - PZC 17-1-094 (Item 1 of 7)

Q:	a. What Naperville zoning designation is appropriate for a church? b. What entitlements would B2 give to the West parcel that it would not have if it were annexed and zoned for church use? c. Is there a reason for the location of the dividing line between the parcels other than the location of the church on the current parcel?	Boyd-Obarski, Rebecca
A:	a. A religious institution is a permitted use in the OCI (Office, Religious and Institutional) District. Staff does not find OCI to be appropriate for the property, as no other OCI exists in the vicinity and is not contemplated for the adjacent properties fronting Route 59 which are located south of this site. A religious institution is also conditional use in many of the City's residential zoning districts. However, staff does not find residential zoning to be appropriate along the Route 59 frontage. b. The proposed rezoning of the west property to B2 will allow the property to house any of the uses permitted within the B2 District. Permitted by right uses in B2 include banks, coffee shops, eating establishments, and general retail. c. The proposed subdivision line was drawn to respect the existing improvements on the property (I.e. the church and parking lot), as well as create useable lots for possible future development.	Venard, Erin

- 2. 18-897B** Receive the staff report for the Martinez Property located at 9S065, 9S080 and 9S081 Route 59, Naperville - PZC 17-1-093 (Item 1 of 6)

Q:	a. Given some recent experiences with noises and disturbances of commercial loading areas to adjacent residential properties, what consideration has been given to requirements of sound buffers along the East side of this parcel upon annexation rezoning to B2? b. Re: the drive-thru lane and bypass lane – is petitioner (and staff) saying that the identified employee parking space that would be encroached is “excess”? How many employee parking spaces does code require? Where? c. If the building does not have a loading berth, and the petitioner is willing to cede employee parking spaces to the retailers’ suppliers	Boyd-Obarski, Rebecca
-----------	--	------------------------------

	delivery trucks, where will those employees park?	
A:	<p>a. A 6' tall board on board fence will be located on the south property line. There is also landscaping, in the form of shade trees and shrubs along the south property line.</p> <p>b. Per code, the proposed development requires 82 parking spaces and the petitioner is proposing 83 parking spaces. The spaces designated as employee spaces are included within the 83 spaces required per code. The parking required by code assumes parking needs for both customers and employees, but does not specifically designate a set requirement (or on-site signage) for either.</p> <p>c. The petitioner is requesting a variance to reduce the required number of loading berths from 1 to 0. Per the petitioner, the proposed Best Buy Carpet facility is a showroom that will not receive deliveries of product. The employee parking will be located in the rear (east) of the building and will potentially be blocked by the stacking lane of the drive-through.</p>	

3. **18-592** Conduct the public hearing to consider the Annexation Agreement for the Martinez Property and World Missions Society Church of God - PZC 17-1-093 & PZC 17-1-094 (Item 2 of 6)
4. **18-593** Pass the ordinance authorizing the execution of an Annexation Agreement for the property located at 29W771 79th Street (World Missions Society Church of God) and 9S060, 9S080 and 9S081 Route 59, Naperville (Martinez Property) - PZC 17-1-093 & 17-1-094 (Item 3 of 6)

Q:	Is Aero Drive currently under County control? When annexed will the city take over authority/jurisdiction?	Gustin, Patty
A:	Aero Drive is currently under the jurisdiction of the Naperville Township Highway Department. When annexed the City will only take over the portion of Aero Drive adjacent to the Church property.	Novack

5. **18-594** Pass the ordinance annexing certain property located at 29W771 79th Street, Naperville (World Missions Society Church of God) PZC 17-1-094 (Item 4 of 7)
6. **18-595** Pass the ordinance annexing certain property located at 9S065, 9S080 and 9S081 Route 59, Naperville (Martinez Property) - PZC 17-1-093 (Item 4 of 6)
7. **18-235B** Pass the ordinance rezoning the property located at 29W771 79th Street to B2 (Community Shopping Center District) and R2 (Single-Family and Low Density Multiple-Family Residence District) (World Missions Society Church of God) - PZC 17-1-094 (Item 5 of 7)
8. **17-898B** Pass the ordinance rezoning the property located at 9S065, 9S080 and 9S081 Route 59, Naperville to B2 (Community Shopping Center District) (Martinez Property) - PZC 17-1-093 (Item 5 of 6)
9. **18-596** Pass the ordinance approving the preliminary/final plat of subdivision for

World Missions Society Church of God Subdivision - PZC 17-1-094 (Item 6 of 7)

10. 18-236B Pass the ordinance granting variances to Section 6-9-2:4.3.2 and Section 6-9-3:6 of the Naperville Municipal Code for the property at 29W771 79th Street, Naperville (World Missions Society Church of God) - PZC 17-1-094 (Item 7 of 7)

11. 17-899B

1. Concur with staff and the petitioner and pass the ordinance granting variances to Section 6-9-6 and Section 6-9-5 of the Naperville Municipal Code for the property at 9S065, 9S080 and 9S081 Route 59, Naperville (Martinez Property) - PZC 17-1-093; or
2. Concur with the Planning and Zoning Commission and deny variances to Section 6-9-6 and Section 6-9-5 of the Naperville Municipal Code for the Property at 9S065, 9S080 and 9S081 Route 59, Naperville (Martinez Property) (Item 6 of 6)

	Please see attached ordinance with Exhibits D and E which were not included in the packet.	
--	---	--

Q:	<p>What is proposed for lighting in the back of the building adjacent to the residential? Is it shielded?</p> <p>What is being done to protect the neighbors in regards to sound with the drive thru?</p> <p>Is that the garbage corral in the north east corner? Is it blocking the bypass lane?</p> <p>Is there berming along the residential to give the 8 foot fence some added height?</p>	Hinterlong, Paul
A:	<ol style="list-style-type: none"> a. The proposed photometric plan complies with the City code. All fixtures are shielded and glare controlled. The proposal also meets the requirements for light trespass at the property line (between 0.0 and 0.1 footcandles at the south property line). b. The south property line is buffered with a 6' board on board fence and landscaping including shade trees and shrubs. c. The garbage corral is located in the north east corner of the site. It does partially obstruct the bypass lane, but staff does not have concerns that this will present a traffic flow problem. d. The project is only in the preliminary engineering stage. However, staff does not anticipate that a berm will be provided by the petitioner. 	Venard, Erin

L. ORDINANCES AND RESOLUTIONS:

1. 18-528B

1. Concur with PZC and the Petitioner and pass the ordinance approving a variance from Section 6-2-10:2 of the Naperville Municipal Code to allow an existing pergola to remain in the required corner side yard; or
2. Concur with staff and deny the request for a variance from Section 6-2-10:2 of the Naperville Municipal Code to allow an existing pergola to remain in the required corner side yard - PZC 18-1-023

Q:	What are the consequences to the property owner if the variance is not approved?	Boyd-Obarski, Rebecca
A:	If the variance is not approved, the property owner will be required to comply with the Municipal Code and either modify the pergola so that it complies with the accessory structure requirements or remove the pergola entirely.	Mattingly, Gabrielle

Q:	Please add 2304 Spikehorn to memo for easy identification.	Gustin, Patty
A:	The Q&A is retained in the official records of the meeting, so the address will be included. In the future, we will include address number information to make identifying the parcel easier.	Krieger

2. **18-597** Pass the ordinance approving an extension to Ordinance 17-084 approving a temporary use to allow a temporary banner to be displayed on the east wall of the Loggia Building (123 Water Street) through December 31, 2019, subject to the terms included in the ordinance.
3. **18-522** Receive the staff report for McDowell Point (PZC 18-1-019) located at the southwest corner of Diehl Road and Raymond Drive (Item 1 of 3).

Q:	a. Did the Senior Task force comment on the affordability of this housing? b. What public transportation serves this area? c. Do we know if it is being proposed as apartments or condominium?	Boyd-Obarski, Rebecca
A:	a. Jim Hill, Senior Task Force, spoke on this project at the May 16, 2018 PZC public hearing. During his testimony, Mr. Hill noted that he supports the project and that he is in favor of providing different types of senior housing products in the City. However, he did not specifically address affordability as it pertains to this development. b. This location is served by Pace Suburban Bus Route 559 and the Naperville-Aurora Call-n-Ride. c. The units are proposed as apartments.	Laff
Q:	Is age-restricted apartments calculated the same as regular apartments for parking?	Hinterlong, Paul
A:	Per the Naperville Municipal Code, 2 parking spaces (plus 0.25 guest spaces) are required per residential unit, regardless of their intended use as age-restricted or non age-restricted.	Laff

4. **18-523** Pass the ordinance rezoning the subject property to OCI - PZC 18-1-019 (Item 2 of 3);
5. **18-524** Pass the ordinance approving a conditional use in the OCI (Office, Commercial and Institutional) zoning district to allow an age-restricted, multi-family building, a conditional use for a planned unit development, and a preliminary PUD plat with deviations to Section 6-9-3, Section 6-7F-5, and Section 6-7F-8 of the Naperville Municipal Code for McDowell Point -

PZC 18-1-019 (Item 3 of 3).

Q:	Has Tabor Hill officials and residents received notice on the proposed changes? Have we received parking concerns in these areas?	Gustin, Patty
A:	As Tabor Hills falls within 300' of the subject property, they did receive notice of the PZC public hearing. In addition to that notice, Vince Rosanova, Attorney for McDowell Point, met with the Executive Director of Tabor Hills to discuss the project in approximately March 2018. Following their meeting, the Executive Director met with Tabor Hills residents on 2 occasions to share the information received from Mr. Rosanova and then followed up with Mr. Rosanova with resident questions related to the project, including proposed age-restriction, on-site security, etc. Following Mr. Rosanova's response to the resident questions, there has been no further communication with Tabor Hills and no testimony was provided by Tabor Hills at the PZC public hearing.	Laff

O. REPORTS AND RECOMMENDATIONS:

- 18-565** Approve the 5th Avenue Concept Principles and direct Ryan Companies to initiate concept plan creation.

Q:	O1. Has the concept of a ground lease been explored with Ryan? If we did lease to them would there be a way to put the property on tax roles despite city ownership?	Coyne, Kevin
A:	The concept of a ground lease for some or all of the subject properties has not yet been fully explored. Ryan is aware that the City may be interested in leasing property to it and Ryan seems open to considering that as an option. Public property owned by a municipal corporation and used <i>exclusively</i> for public purposes is property tax exempt. If the City were to lease public property to Ryan it is expected that property taxes would be assessed and owed on the property.	DiSanto, Michael

- 18-412B** Provide feedback on significant changes identified through the 2018 International Building Code Update.

Q:	O2. I would expect significant pushback to the sprinkler requirement from the real estate industry. Often these are considered cost prohibitive, any idea as to fiscal impact on homeowners of such a requirement?	Coyne, Kevin
	We also acknowledge there may be some opposition from the real estate industry as well as the building community however, this change has already been submitted and approved by both major model code organizations, NFPA and ICC, as a minimum code standard. There are code committees, which are comprised of building officials, authorities having jurisdiction, engineers, safety experts and experts in the building trades that are consulted and ultimately approve what is included into a minimum code standard. That being said, sprinklers do come at a cost, however, the national average for a residential sprinkler system has decreased between 2009 to 2013 from approximately \$1.61 per square foot to \$1.35 per square foot. The decrease in cost is largely due to better design methods, construction trade-offs, and development incentives such as hydrant spacing in large developments. Some local examples of builder costs are a house that has construction costs of \$585,000 would have a sprinkler installation cost of \$10,000. A home being built that was 2200 square feet in size would have a cost	Scheller

between \$3,500 and \$5,000. These costs are cheaper than a granite counter top installation, outdoor landscaping or a lawn irrigation system and yet provides great life safety benefits by reducing deaths, injuries and property damage. The fiscal impact to a homeowner with a \$5,000 sprinkler cost, amortized over a 30 years, would add approximately \$13.88 per month to their mortgage bill.

Q:	<p>a. Please clarify the staff recommendation on when battery powered smoke detectors will be acceptable (not as back-up, but as primary). Reconcile these two statements:</p> <ul style="list-style-type: none"> • The agenda item report appears to state that Staff recommends that “smoke detectors installed as part of alterations, repairs or additions cannot be battery powered, instead they must be powered by the house domestic 110V power with battery backup... all detectors and alarms will still need to be interconnected...” • But Attachment 2 says “If a second story addition was added, the new second story would be allowed to have battery-operated smoke detectors...if a home was completely gutted, battery-operated smoke detectors could be installed.” <p>b. Why would the size of a house make a difference for installed sprinkler systems?</p>	Boyd-Obarski, Rebecca
A:	<p>a. There is a conflict between the State of Illinois requirements for primary power to Smoke Alarms for remodeling and the 2018 IRC requirements.</p> <p>To clarify (and to keep consistent with the stricter of the two codes, and as required by State Law) the staff recommendation is needed to keep the proposed 2018 code in compliance with the State’s requirements for residential smoke alarms. The intent is to clarify the requirements for power source for areas not being altered:</p> <p><i>Smoke Alarms shall receive their primary power from the building wiring and, where primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those for overcurrent protection. All Smoke Alarms shall be interconnected (either with a wired interconnection or wirelessly).</i></p> <p>b. The size of the house was given as an option to consider for a threshold requirement for new home construction in the event Naperville felt this code change would have a detrimental cost effect on smaller homes. There is no difference on the size of the home when it comes to life safety, injury reduction and decreased property damage, only the cost of the installation.</p>	Felstrup/Scheller

3. **18-099D** Select a funding level for City participation regarding a replacement fence along the north side of 95th Street

Q:	<p>a. Did the City consider the scope (span along 95th Street) of US Dept of Transportation of the noise study in 2008?</p> <p>b. Could Naperville have requested that the noise study encompass a larger area?</p>	Boyd-Obarski, Rebecca
A:	<p>a. In 2008 the City and County followed the standard practice of studying noise from the FHWA approved logical termini point to logical termini point. The study did not extend beyond those points. The recent letter from the US DOT confirms that is the practice and policy that is followed today.</p>	Novack

- | | |
|--|--|
| b. The City could have made the request; we just do not know if it would have been accepted or not. It is most probable that either the County or the FHWA would have denied the request due to the fact that it is outside of the FHWA practice and policy. However, we are confident that if they had been open to extending the noise study it would have been entirely at the City's cost. | |
|--|--|

Q:	Do residents want a fence or sound wall? If sound wall what is the cost?	Gustin, Patty
A:	The request that has been discussed is for a fence, not a noise wall. The proposed fence is \$52,260 while a noise wall would cost around \$365,000.	Novack

City of Naperville

*400 S. Eagle Street
Naperville, IL 60540*



Naperville

Meeting Minutes

Wednesday, June 27, 2018

6:30 PM

Workshop: 5th Avenue

Council Chambers

City Council

A. CALL TO ORDER:

Mayor Chirico called the meeting to order at 6:00 p.m.

B. ROLL CALL:

9 Present:

Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judy Brodhead
Councilman Kevin Coyne
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman John Kruppen
Councilwoman Rebecca Obarski
Councilman Benjamin White

Also Present:

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; City Clerk, Pam Gallahue

C. CLOSED SESSION - 6:00 p.m.**D. 5TH AVENUE WORKSHOP - 6:30 p.m.**

Mayor Chirico reconvened the public meeting at 6:32 p.m.

E. ROLL CALL:

All members of City Council were present.

Also Present:

Fire Chief, Mark Puknaitis; Police Chief, Robert Marshall; Director of Finance, Rachel Mayer; Director of TED, Bill Novack; Deputy Director of TED, Jennifer Louden; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Mark Curran; Director of Public Utilities - Water, Jim Holzapfel; Director of Public Works, Dick Dublinski; Amy Emery, TED Operations Manager

F. PUBLIC FORUM:

Seven speakers provided comments:

Jayne Koller

- Consider Financial Structures
- Leave legacy of improvement, not cost

Deidra O'Neil

- Discussed recent visit to DuPage Children's Museum experienced no parking availability; Concern about how many spaces in the lot are dedicated to commuters

-
- Recommended either return those spots or offer valet parking or parking directors to address crowded parking conditions

Sandee Whited

- Expressed concerns about comments from last meeting about residents being apathetic; the process to date; lack of availability of full survey results (only select summaries)
- Asked City council to remember that residents are providing input, not just at meetings, but through surveys and petitions.

Jeffrey Havel

- Member of Land Use Working Group who noted that he appreciated we are at a point to work on preparing concept options. He relayed the point that while resident attendance at meetings may not be high, there is a great deal of resident discussion about the project on social media.
- Cautioned that the hard work is yet to come when we start looking at costs.
- Believe that form will follow parking in the design of this project.

Dan Dodge

- Not against development, but questions how you can accomplish everything discussed and still blend in with the neighborhood and balance traffic.
- Request for RFP process given such a large project.

Michael Dunfey

- Had a hard time finding survey on web page. Asked that the survey be more accessible on-line. Ask that if project moves forward the surrounding neighborhood should remain a peaceful, pleasant place. Mary Lou Wehrl
- Involved in Pedestrian Safety and Connectivity Working Group. Expressed appreciation for the process as it has provided many opportunities to be heard and give and take.
- Observed that the volunteers have been well-qualified and dedicated, support from City Staff is outstanding, and communication has been excellent
- Appreciates City Council guidance through 2-month Checkpoint
- Expressed her opinion that Ryan as a choice is outstanding. Presence, processes, personnel - all has been inclusive and transparent.
- Thanked the City Council for their time and attention to this area. Something should be done.

G. REPORTS AND RECOMMENDATIONS:

1. Presentation for the 5th Avenue Workshop by Ryan Companies on June 27, 2018.

At this point, four members of the Steering Committee provided an overview of the recommendations. Specifically:

Mary Beth Box

- Spoke of her positive experience on the Steering Committee. She appreciated the guidance from Councilwoman Obarski who kept the steering committee focused on writing what we mean and being clear.
- Reviewed redlined comments from Steering Committee related to: design, land use and storm water concept principles.
- Highlights included relaying desired experience for a variety of users, role as “a”, but not “the” gateway, safety, and taking the opportunity to improve storm water.

Thom Higgins

- Noted he was very impressed with the level of commitment of the residents of the community and activeness of Ryan in this effort.
- Observed that we need to accept that this is a partnership and the document was a joint effort of Steering Committee and Ryan.
- Focused his remarks on traffic & transportation, parking and pedestrian safety & connectivity concept principles
- Clarified in response to City Council questions:
 - Importance of considering off-site parking options and bussing of commuters during construction
 - Meaning of the terms “balanced” and “efficient” with respect to the parking ○ “Future proofing” as related to parking to allow for future uses and changes in transportation

Dr. Bob Buckman

- Presented information about the points of conflict between the concept principles, market study, survey and other findings.
- Focused his remarks on the Steering Committee discussion of the need to include attainable/workforce housing in the development.
- Provided definition to differentiate from affordable housing.
- Also noted committee support for additional parking at the DuPage Children’s Museum Site.
- With assistance from Thom Higgins and Laura Zeman of the Steering Committee, discussed the steering committee recommendation for consideration of multiple options for Kroehler parking lot.
- In response to City Council questions:
 - Laura Zeman relayed Park Addition perspective that the Kroehler parking lot change to either open space or single family uses to clarify the boundary between the neighborhood and development.
 - Novack noted the challenges of putting storm water facilities below single family uses; traditionally this has been avoided.
 - Council confirmed that Kroehler is most ideal lot for storm water from economic perspective, but solutions could be provided under the Public Works Site.

- Council discussed the specificity of making the threshold of 10% of housing in the development being affordable at this point and should they provide specific guidance on the term “attainable”.
-

Jim Hill

- Suggested that the project should address needs of seniors and millennials by focusing on populations living low income and median household income
- Completed the presentation regarding the points of conflict by relaying Steering Committee support for:
 - Addition of a north-south pedestrian access on the west side of Washington
 - Seeking to address stormwater issues in Pilgrim Addition
 - Retaining existing and considering new park space
 - Maintaining the existing supply (not increasing) commuter parking.
- In response to questions from Councilman Krumpal he explained:
 - Steering Committee felt adding surplus commuter parking spaces would exacerbate existing traffic concerns and instead believe enhancing transit experience will be a better approach than creating more parking that may potentially not be needed in the long-term.

2. Review and reach consensus on the concept principles for the 5th Avenue Project and receive input from the 5th Avenue Steering Committee regarding Points of Conflict.

Following the presentation City Council provided the following comments:

- Clarification that pictures will be shown during the first phase of concept development and three-dimensional images will be provided to help with understanding of scale and massing.
- Clarification that the concept images will be paired with some economic and traffic impact. It was noted though by the Ryan Team that the financial and traffic details will become more precise as the concept becomes more complete through community input and revision.
- Councilwoman Gustin stressed that storm water issue should be a top priority and her support for building flexible parking options to be forward thinking.
- Councilman Hinterlong confirmed that traffic studies will be part of the process once a concept is created to understand impacts on all intersections along 5th Avenue.
- Councilwoman Anderson clarified with the Ryan Team that the timeframe for concept development will extend through the end of the year. She also agreed that inclusion of some attainable/workforce housing is a great goal for the city as a part of this project.
- Additional discussion focused around clarifying affordable and workforce housing. Jim McDonald relayed that Ryan appreciates the distinction made by the Steering Committee and City Council and their company has experience providing housing for a variety of incomes and ages to create diverse communities.

- Councilman White suggested the AI be reviewed.

Mayor Chirico asked about storm water upgrades and the ability to improve conditions in Park Addition with this project. Bill Novack indicated the priority should be on getting storage in place before any new development occurs to take advantage of the opportunity. Once parcels are developed with buildings, retrofitting storm water solutions is not financially feasible.

H. ADJOURNMENT:

Mayor Chirico closed the workshop at 8:22pm.

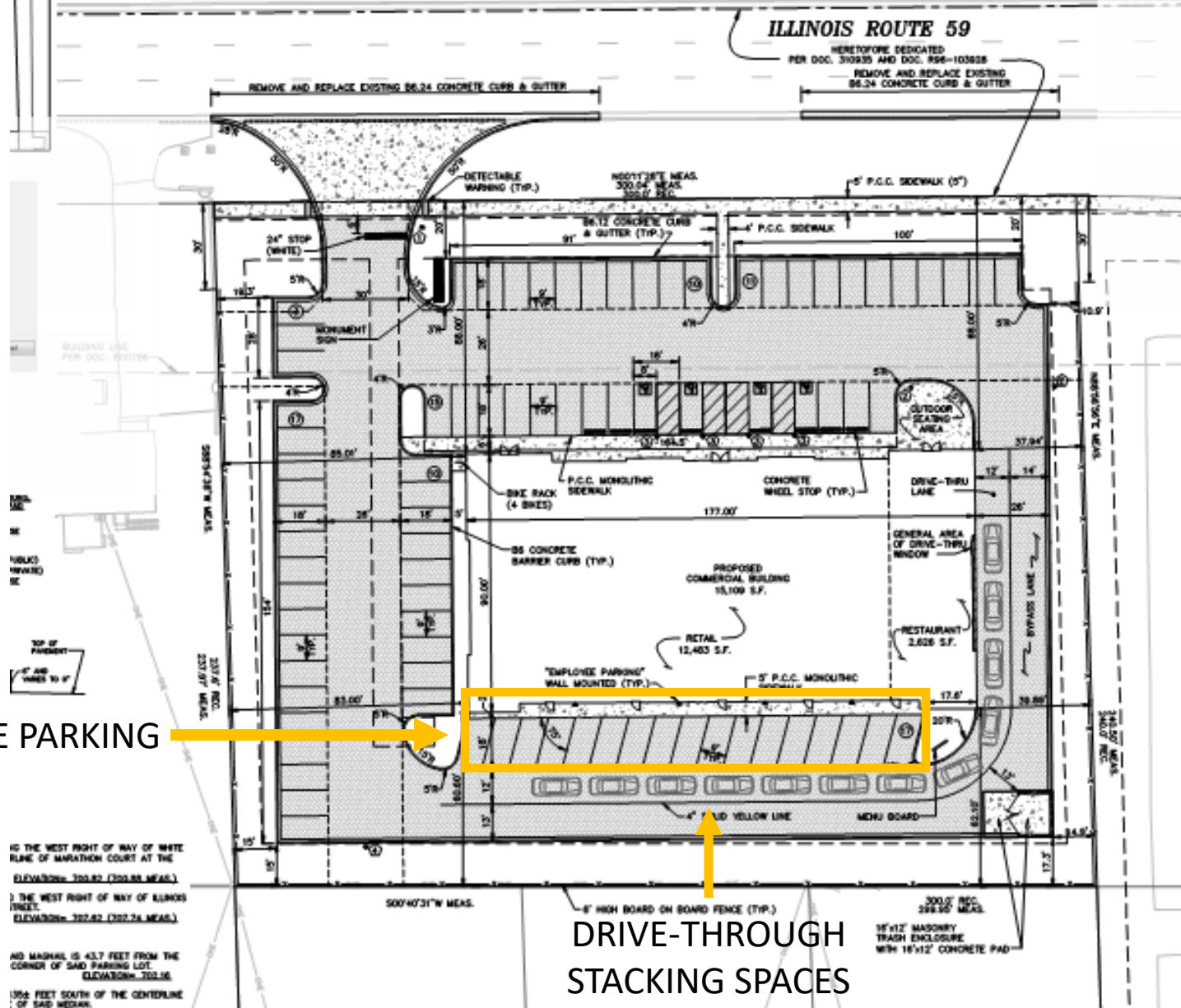
NAPERVILLE, ILLINOIS

PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



ILLINOIS ROUTE 59

HERETOFORE DEDICATED
PER DOC. 310935 AND DOC. 856-103928
REMOVE AND REPLACE EXISTING
86.24 CONCRETE CURB & GUTTER



LEGEND

- MANHOLE
- GATCH DRAIN
- INLET
- TRAP & TRAP
- VASE & BOX
- △ FIRE HYDRANT
- ⊞ STREET LIGHT
- ⊞ POWER POLE
- SIDEWALK
- CURB
- STOP SIGN
- SLOWLY SIGN
- WATERMAN
- HAZARD
- DO SIGN
- CORRUGATED I
- ELECTRIC LINE
- GAS LINE
- TELEPHONE LN
- FIBER OPTIC C
- OVERHEAD POW
- CABLE TELEVIS
- TRAFFIC SIGNAL
- STREET LIGHT
- FENCE LINE
- PERMEABLE PA
- CONCRETE

LINE TYPE LEGEND

- PROPOSED

GROSS BOUNDARY:
EXISTING PERVIOUS AREA
EXISTING IMPERVIOUS AREA
PROPOSED PERVIOUS AREA
PROPOSED PERMEABLE PAVEMENT
PROPOSED IMPERVIOUS AREA (NO)
PROPOSED BUILDING AREA
PARKING REQUIRED:
[12,483/1000 SF] x 4.5 SPA
[2,626/1000 SF] x 10 SPA
TOTAL
PARKING PROVIDED:
REGULAR SPACES=
HANDICAP SPACES=
TOTAL SPACES PROVIDED=

EMPLOYEE PARKING



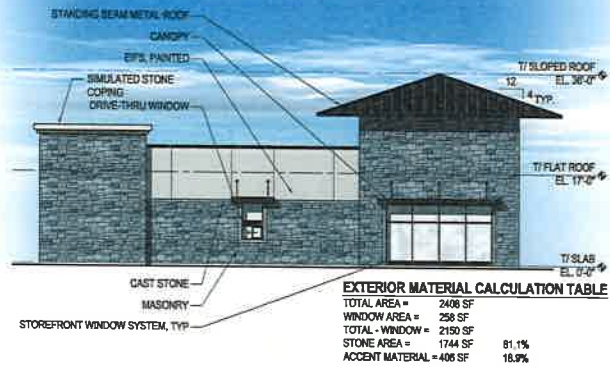
DRIVE-THROUGH
STACKING SPACES



10 THE WEST RIGHT OF WAY OF WHITE
LINE OF MARATHON COURT AT THE
ELEVATION= 302.82 (302.88 MEAS.)
3 THE WEST RIGHT OF WAY OF ILLINOIS
TRAIL
ELEVATION= 302.82 (302.74 MEAS.)
40 MARSHAL IS 43.7 FEET FROM THE
CORNER OF SAID PARKING LOT.
ELEVATION= 302.16
136 1/2 FEET SOUTH OF THE CENTERLINE
OF SAID MEDIAN
ELEVATION= 304.78

TOTAL BUILDING EXTERIOR MATERIAL CALCULATION TABLE	
TOTAL AREA =	13296 SF
WINDOW AREA =	2050 SF
TOTAL - WINDOW =	11586 SF
STONE AREA =	8864 SF
ACCENT MATERIAL =	2722 SF
	78.5%
	23.5%

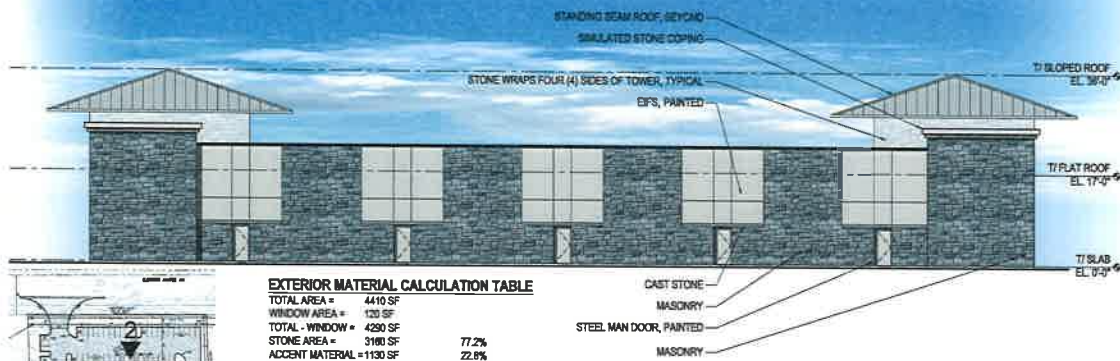
NOTE: REFER TO EXHIBIT #1 FOR MONUMENTAL SIGN ELEVATION. PER NAPERVILLE MUNI. CODE 6-18-5 (2.2) ONE (1) MONUMENTAL SIGN IS ALLOWED WITH 90 SF OF SIGN AREA. REFER TO CIVIL SITE PLAN FOR SIGN LOCATION



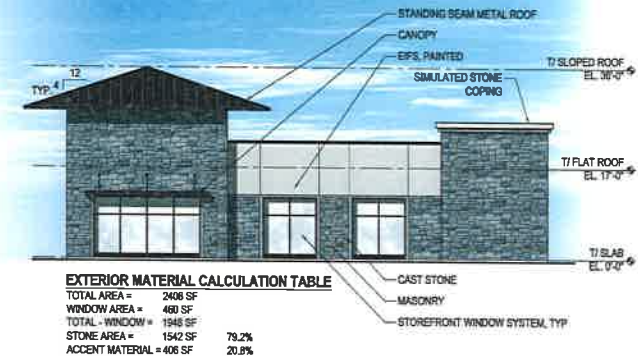
4 NORTH EXTERIOR ELEVATION
SCALE: 3/32" = 1'-0"



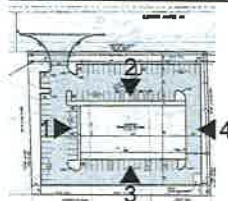
2 WEST EXTERIOR ELEVATION
SCALE: 3/32" = 1'-0"



3 EAST EXTERIOR ELEVATION
SCALE: 3/32" = 1'-0"



1 SOUTH EXTERIOR ELEVATION
SCALE: 3/32" = 1'-0"



BBCG SHOWROOM & COMMERCIAL STRUCTURE

9S080 Route 59
Naperville, IL 60564
October 2017



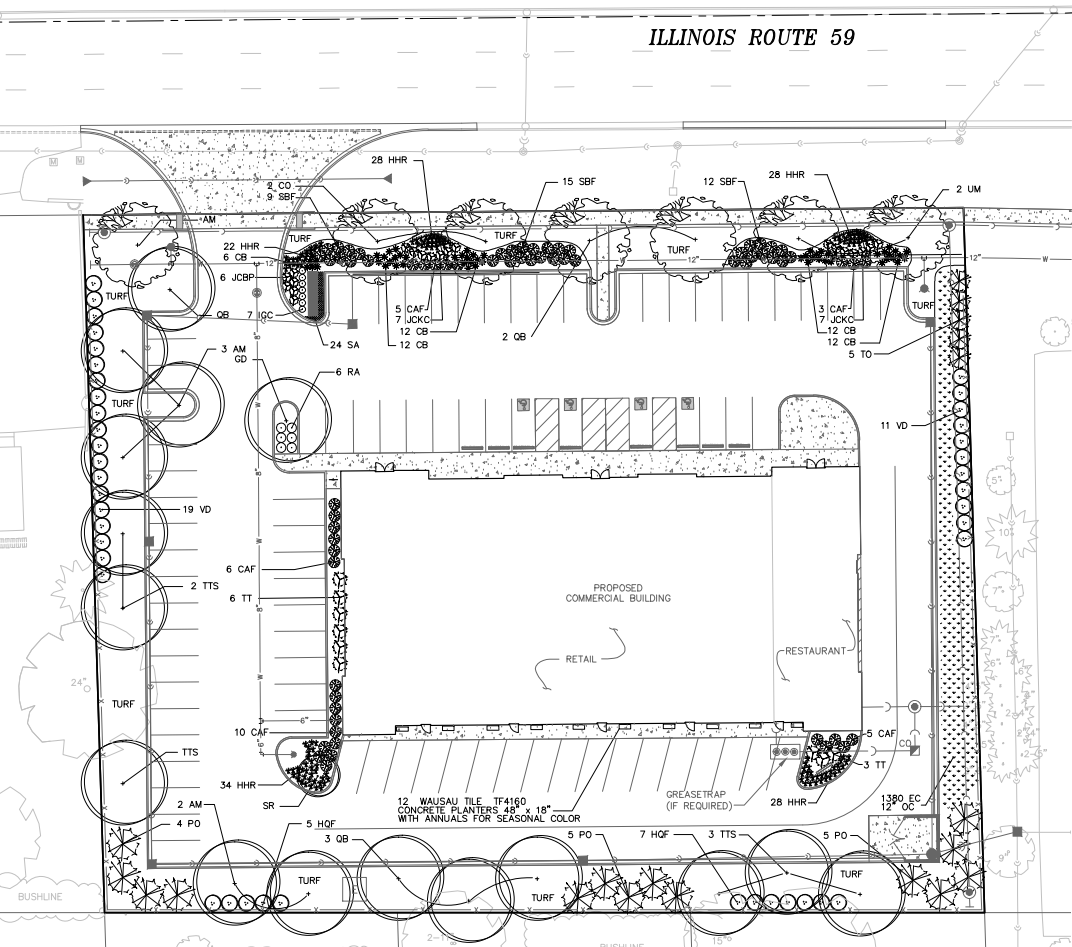
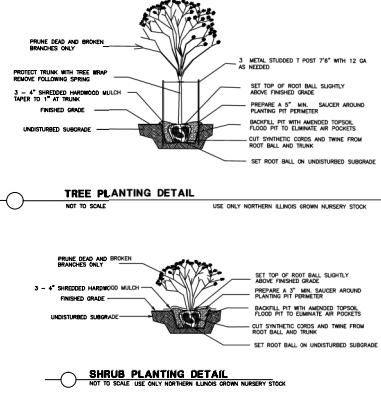
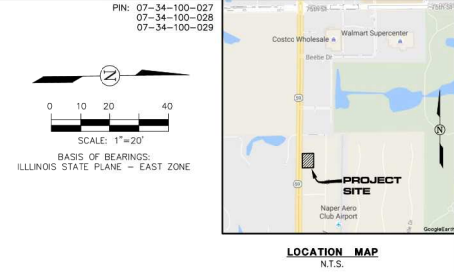
LANDSCAPE PLAN FOR BEST BUY CARPET AND GRANITE NAPERVILLE, ILLINOIS

I. CRAIG A. HERNAN, ILLINOIS REGISTERED LANDSCAPE ARCHITECT NO. 157-000419 DO HEREBY CERTIFY THE PLAN SHOWN HEREON IS A CORRECT REPRESENTATION OF LANDSCAPE IMPROVEMENTS TO THE NOTED PROPERTY.

CRAIG A. HERNAN
RLA #157-000419
WESTWOOD LANDSCAPE
WEST CHICAGO, IL



OF PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS



1. TREES SHALL BE INSTALLED A MINIMUM OF FIVE (5) FEET HORIZONTALLY FROM UNDERGROUND ELECTRICAL FEEDERS, SANITARY SERVICES, 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 FEET IN FRONT OF, 5 FEET ON THE SIDES AND 7 FEET TO THE REAR OF ELECTRICAL TRANSFORMERS.

GENERAL NOTES

- ALL PLANT MATERIAL SHALL BE NORTHERN ILLINOIS NURSERY GROWN TO ASSURE CLIMATIC AND SOIL SIMILARITY. ALL MATERIAL SHALL BE BALLED AND BURLAP PER AMERICAN STANDARD FOR NURSERY STOCK BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. PERENNIAL AND GROUND COVER SHALL BE CONTAINER GROWN.
- ALL BEDS SHALL RECEIVE 3-4" OF FINELY SHREDDED HARDWOOD MULCH. GROUND COVER BEDS SHALL BE TREATED WITH TRIFLURIN PRE-EMERGENT HERBICIDE. ALL OTHER BEDS SHALL RECEIVE RONSTAR 5g OR SIMILAR PRE-EMERGENT HERBICIDE FOR WEED CONTROL. ALL TREES SHALL RECEIVE 6" OF FINELY SHREDDED HARDWOOD MULCH. ALL LANDSCAPE SPOILS SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR.
- OWNER SHALL PROVIDE SUFFICIENT WATER FOR THE CONTRACTOR TO MAINTAIN THE PLANT MATERIAL, SEED AND SOIL AREAS. CONTRACTOR SHALL WATER SOIL UNTIL THE TURF HAS BECOME ADEQUATELY ESTABLISHED. CONTRACTOR SHALL WARRANT ALL MATERIAL AND LABOR FOR A PERIOD OF ONE YEAR FROM ACCEPTANCE OF ALL WORK. OWNER TO PROVIDE ALL SUPPLEMENTAL WATERING AND PROPER CARE AND MAINTENANCE OF ALL MATERIAL AFTER CONTRACTOR'S INITIAL CARE.
- QUANTITY LISTS ARE SUPPLIED AS A CONVENIENCE. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES ON-SITE. THE CONTRACTOR SHALL VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO DIGGING.
- PLANTING BEDS SHALL BE ELEVATED SLIGHTLY TO INSURE PROPER DRAINAGE. ALL ROOT BALLS OF TREES SHALL BE ELEVATED ABOVE FINISHED GRADE. ALL GRADING SHALL PROVIDE SLOPES WHICH ARE SMOOTH, CONTINUOUS AND HAVE POSITIVE DRAINAGE IN ALL AREAS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING TEMPORARY EROSION CONTROL FOR SOIL AREAS DUE TO SLOPE CONDITIONS. CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL STRUCTURES, FENCES, DITCH CHECKS, AND INLET PROTECTORS UNTIL ADEQUATE VEGETATION HAS BEEN ESTABLISHED.
- EXCAVATED MATERIALS IN EXCESS OR THOSE NOT REQUIRED OR UNSUITABLE FOR RE-USE SHALL BE DISPOSED OF OFF SITE AT CONTRACTOR'S EXPENSE. CONTRACTOR SHALL REMOVE ALL DEBRIS DAILY AND MAINTAIN THE SITE IN A NEAT AND SAFE CONDITION.
- SOIL TESTS SHALL BE MADE TO DETERMINE THE EXACT REQUIREMENTS FOR BOTH SOIL AMENDMENTS AND FERTILIZER. SOIL TESTS SHALL BE CONDUCTED BY A GOVERNMENT LABORATORY OR RECOGNIZED COMMERCIAL LABORATORY. COST OF WHICH SHALL BE BORNE BY THE CONTRACTOR. CONTRACTOR IS RESPONSIBLE FOR MATERIAL COST AND APPLICATION OF TESTING LABORATORY'S RECOMMENDATIONS.
- LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH AN EQUIPMENT AND LABOR RATE SCHEDULE. THIS LIST SHALL INCLUDE COST OF TOPSOIL AND LANDSCAPE DEBRIS/SPOILS REMOVAL WITH SQUARE FOOT COST FOR TURF RESTORATION (GOD AND SEED). LANDSCAPE CONTRACTOR SHALL RESTORE ALL TURF AREAS DAMAGED DUE TO CONSTRUCTION ON AND OFF SITE AT THE AGREED RATES TO RESTORE THE EXISTING CONDITIONS.
- LANDSCAPE CONTRACTOR SHALL FOLLOW ALL LOCAL AND MUNICIPAL CODES AND REQUIREMENTS. CONTRACTOR SHALL SECURE ALL REQUIRED PERMITS AS NECESSARY TO COMPLETE THE SCOPE OF THE JOB.

GENERAL SEED SPECIFICATIONS

TURF GRASS SEED RATE
250 LBS/ACRE

GREENSHEEPER PREE MIXTURE
20% FREEDOM III KENTUCKY BLUEGRASS
20% BLUE CHIP KENTUCKY BLUEGRASS
20% CHICAGO II KENTUCKY BLUEGRASS
20% CREEPING RED FESCUE
20% ACCENT PERENNIAL PINEGRASS

LINKS MIX NATIONAL LINKS MIX
AVAILABLE FROM NATIONAL SEED
4720 VENDOR AVE., LISLE, IL
630-963-8767

TURF FERTILIZATION
6-24-24 STARTER FERTILIZER
RATE: 250 LBS/ACRE

TREE SHRUB AND PLANT BED FERTILIZER LESCO 14-14-14 PLOD PLUS SULFUR COATED LANDSCAPE AND ORNAMENTAL ALL PURPOSE FERTILIZER RATE: 5 POUNDS PER 1000 S.F. PLANT BEDS ONE POUND PER CALIPER INCH FOR TREES

PLANT LIST

KEY	NAME	BOTANICAL/COMMON	SIZE	QUANTITY
AM	ACER MIYABE VORSTEN		2.5"	6
MM	STATE STREET MIYABE MAPLE			
CO	CELTIS OCCIDENTALIS	COMMON HICKBERRY	2.5"	2
GO	CYNOCALDUS DIOICUS	KENTUCKY COFFEETREE	2.5"	3
QB	QUERCUS X BICOLOR	SWAMP WHITE OAK	2.5"	6
TTS	TILIA TOMENTOSA 'STERLING'	STERLING SILVER LINDEN	2.5"	6
UM	ULMUS X MORTON	ACCOLADE ELM	2.5"	2
SR	SYRINGA RETICULATA	JAPANESE TREE LILAC	2.5"	1
PO	PICEA OMORICA RIVERSIDE	RIVERSIDE SEBAST SPRUCE	6"	14
TD	TILIA OCCIDENTALIS TERRY	TEHRNY ARBORVITAE	5"	5
TT	TAXUS X MEDIA TAUNTONI	TAUNTON YEW	30"	9
JOKC	JUNIPERUS CHAMBERSI KALLAY'S COMPACT	KALLAY'S COMPACT JUNPER	5 GAL	14
SPB	JUNIPERUS CONFERTA 'BLUE PACIFIC'	BLUE PACIFIC SHORE JUNPER	5 GAL	6
CAF	CORNUS STOLONIFERA	ARTIC FIRE DOGWOOD	3"	29
HOF	HYDRANGEA PANICULATA 'DUCK FIRE'	HYDRANGEA QUICK FIRE	4"	12
RA	RHEUS ARNATICA 'ORO-LOW'	ORO-LOW SUMAC	3 GAL	6
ICC	ILEX GLABRA COMPACTA	COMPACT HENRY	18"	7
SFB	SPIREA JAPONICA 'TRESBELLI'	FROEBEL SPIREA	24"	36
VO	VIORNIUM DENTATUM	ARROWWOOD VIBURNUM	4"	30
HHR	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAUTLY	1 GAL	150
CB	CALAMAGROSTIS BRACHYTRICHA	KOREAN FEATHER REED GRASS	2 GAL	54
SA	SELERIA AUTUMNALIS	AUTUMN MOOR GRASS	1 GAL	25
EC	EUDORMIS CALORATIS	LITTLE LEAF WATERPAPER	015	1380

CITY PROJECT NO: 17-1000093

ROAKE AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS
1884 QUINCY AVENUE, SUITE 100A • NAPERVILLE, ILLINOIS 60540
TEL (630) 366-3232 • FAX (630) 366-3267

PREPARED FOR:
BEST BUY CARPET AND GRANITE
585 SOUTH ROUTE 59
AURORA, ILLINOIS 60540
TEL. (630) 417-9162
TEL. (630) 686-2240

NO.	DATE	DESCRIPTION	REVISIONS	NO.	DATE	DESCRIPTION
1	10/11/17	REV. PER CITY RVM (DATED 9/15/17)				

BEST BUY CARPET AND GRANITE

LANDSCAPE PLAN

DRN./GND. BY: SRH/JGC FILE: 8381LS PLO. BK./PG: 263/76-78 SHEET NO. 1 OF 1
SCALE: 1"=20' DATE: 08/21/17 JOB NO.: 838.001

PIN:
See "Exhibit A"

ADDRESS:
9S065, 9S080 AND 9S081 ROUTE 59
NAPERVILLE, IL 60564

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

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

PZC Case #17-1-093

ORDINANCE NO. 18 - _____

**AN ORDINANCE GRANTING A VARIANCE TO
SECTION 6-9-6 (SUPPLEMENTAL STANDARDS FOR DRIVE-THROUGH STACKING
LANES) AND SECTION 6-9-5 (SCHEDULE OF OFF-STREET LOADING
REQUIREMENTS) OF THE NAPERVILLE MUNICIPAL CODE FOR
THE PROPERTY AT 9S065, 9S080 AND 9S081 ROUTE 59
(MARTINEZ PROPERTY)**

WHEREAS, Cristina Martinez ("Petitioner") is the owner of real property located on the east side of Route 59, south of 79th Street, commonly known as 9S065, 9S080 and 9S081 S Route 59, Naperville IL, which is legally described in **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, Petitioner has petitioned the City of Naperville ("City") for approval of variances to Section 6-9-6:2.1.1 (Supplemental Standards for Drive-through Stacking Lanes: Setbacks and Landscaping), Section 6-9-6:2.3.1 (Supplemental Standards for Drive-through Stacking Lanes: Stacking Lane Design), and Section 6-9-5:4 (Schedule of Off-

Street Loading Requirements: Loading Class No. 4—Retail And Wholesale Trade) on the Subject Property; and

WHEREAS, in addition to the variances described herein, Petitioner has also requested City approval of ordinances approving an annexation agreement, annexation, and rezoning (hereinafter cumulatively referenced as the “Martinez Ordinances”); and

WHEREAS, the Subject Property is currently zoned B2 (Community Shopping Center District) and is improved with three single-family residences that are intended to be demolished; and

WHEREAS, upon demolition of the single-family residences, the Petitioner intends to construct a new 15,100 square foot multi-tenant commercial building with a drive-through tenant on the Subject Property; and

WHEREAS, the Petitioner requests a variance to reduce the required drive-through setback from 40’ to 15’ pursuant to Section 6-9-6:2.1.1 (Supplemental Standards for Drive-through Stacking Lanes: Setbacks and Landscaping); and

WHEREAS, the Petitioner also requests a variance to allow the drive-through stacking lane to block access to parking spaces pursuant to Section 6-9-6:2.3.1 (Supplemental Standards for Drive-through Stacking Lanes: Stacking Lane Design); and

WHEREAS, the Petitioner also requests a variance to Section 6-9-5:4 (Schedule of Off-Street Loading Requirements: Loading Class No. 4—Retail And Wholesale Trade) to reduce the required number of off-street loading berths from 1 to 0; and

WHEREAS, on December 6, 2017, the Planning and Zoning Commission conducted a public hearing concerning PZC 17-1-093, and recommended denial of the Petitioner’s variance requests; and

WHEREAS, the City Council of the City of Naperville has determined that the Petitioner's requests meet the Standards for Granting a Variance as provided in **Exhibit C** attached hereto, and should be granted as provided herein.

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

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

SECTION 2: A variance to Section 6-9-6:2.1.1 (Supplemental Standards for Drive-through Stacking Lanes: Setbacks and Landscaping) of the Naperville Municipal Code is hereby granted to reduce the required drive-through setback at the Subject Property from 40' to 15' as generally depicted in the Preliminary Engineering Plan attached as **Exhibit B** subject to the condition that said parking spaces are used for employee parking only and are signed accordingly by the Petitioner.

SECTION 3: A variance to Section 6-9-6:2.3.1 (Supplemental Standards for Drive-through Stacking Lanes: Stacking Lane Design) of the Naperville Municipal Code is hereby granted to permit a drive-through stacking lane that blocks access to parking spaces as generally depicted in the Preliminary Engineering Plan attached as **Exhibit B**.

SECTION 4: A variance to Section 6-9-5:4 (Schedule of Off-Street Loading Requirements: Loading Class No. 4—Retail And Wholesale Trade) of the Naperville Municipal Code is hereby granted to reduce the number of required off-street loading

facilities at the Subject Property from 1 to 0 as generally depicted in the Preliminary Engineering Plan attached as **Exhibit B**.

SECTION 5: The Building Elevations, attached to this Ordinance as **Exhibit DG**, are hereby approved.

SECTION 6: The Landscape Plan, attached to this Ordinance as **Exhibit ED**, are hereby approved.

SECTION 7: The Subject Property shall be constructed in accordance with the building elevations and landscaping plan approved in Section 5 and Section 6. Any deviations from the approved plans shall be permitted as established herein. Any minor modifications that do not alter the concept or intent of the approved plans shall be approved by the Zoning Administrator, as established in Title 6 of the Naperville Municipal Code. Any modifications that are determined major which alter the concept or intent of the plans approved in Section 5 and Section 6, as determined by the Zoning Administrator, shall be approved by the City Council without the review and recommendation of the Planning and Zoning Commission unless the City Council refers a request for a modification to the Planning and Zoning Commission for review and recommendation.

SECTION 8: The variances approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

SECTION 9: The variances approved by this Ordinance shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

SECTION 10:The City Clerk is directed to record this Ordinance, together with the exhibits attached hereto, and the remaining Martinez Ordinances, with the DuPage County Recorder.

SECTION 11: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

SECTION 12:This Ordinance shall be deemed passed upon approval of the City Council and shall be in full force and effect upon its recordation with the DuPage County Recorder.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk