

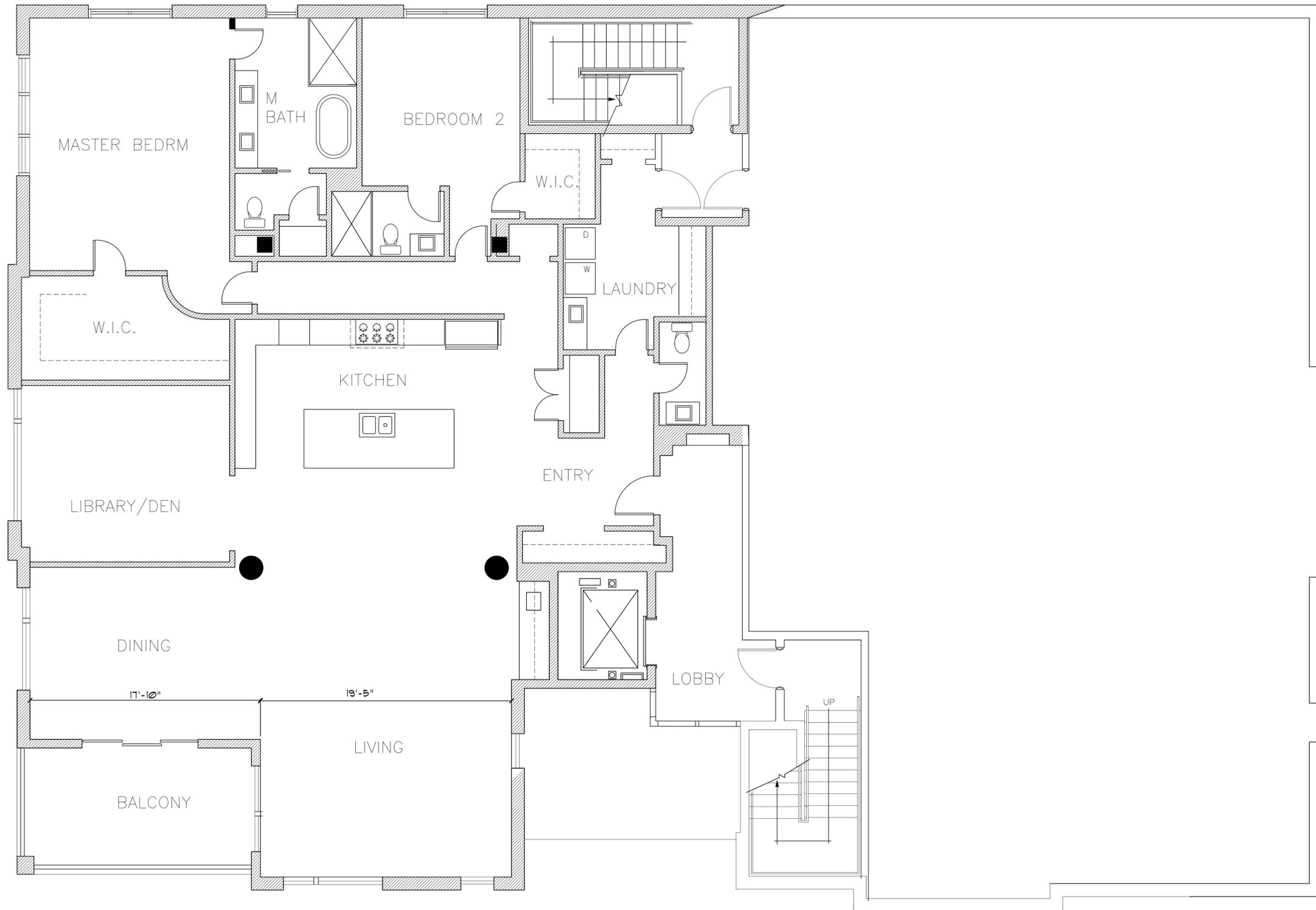
Q/A for April 5, 2023

Agenda #	Title	Requestor Responder
L1-L4	Receive the staff report for 415 Jackson Avenue (Riverwalk Place) - PZC22-1-094 (Item 1 of 4)	
Q.	Do we have any floor plans for this development?	<i>Hinterlong</i>
A.	Please find one conceptual preliminary floor plan attached. This provides a general idea of how the unit will be in relation to the elevator and stairwells. The Petitioner has indicated that this layout will change as floor plans for the entire floor have not yet been developed.	<i>Mattingly</i>
	The "Owner" name listed in the ordinances for items L2-L4 has been changed from "Mandel and Associates, Inc." to "Lee Mandel and Associates, Inc." per the request of the petitioner's attorney	<i>Venard</i>

L5	Conduct the first reading of the ordinance repealing Section 1-13-1:1 of the Naperville Municipal Code striking the regulation requiring public disclosure of certain campaign contributions	
Q.	Could we require a total recusal over a certain amount? Rather than just a disclosure?	<i>Hinterlong</i>
A.	Under its home rule authority, I believe Council could pass an ordinance requiring recusal if a Council member accepted a relevant campaign contribution over a specific threshold from an interested party; however, it is notbale that a Council member could refuse to recuse and the only remedey may be a censure from the Council. The City likely cannot stop a duly elected offical from voting on a matter based on a local campaign donation regulation. Additionally, staff does not recommend requiring recusal as it could potentially result in a lack of a quorum if several Council members were required to recuse on an agenda item. It is believed that this is, in part, why Council chose to require disclosure rather than recusal in the orignal ordinance.	<i>DiSanto</i>

M2	Approve the award of Bid 23-016, 2023 Sanitary Sewer Service Lateral Lining and Vac-A-Tee Installation, to Performance Pipelining, Inc. for an amount not to exceed \$1,949,995 plus a 3% contingency	
Q.	What year are we in of the 10 year cycle? Can you supply your figures on how we get to \$408,495 over budget? Looks like we're roughly \$30k over and with the 3% gives another roughly \$60k?	<i>Hinterlong</i>
A.	I believe the dollar discrepancies in the question stem from misunderstanding the differences in the Bid Price vs the Engineer's Estimate and the Budget Amount. Please note, that the Engineer's estimate is continually refined and updated after the budget is approved based on actual pricing within the City and the region. As a result, the Engineer's Estimate may deviate from the approved budget amount. The divergence between the Bid Price and the Budget Amount is partially a result of material/labor costs exceeding the anticipated inflationary impacts for these types of projects. The 10-year I&I reduction plan submitted to the IEPA is updated annually. Therefore, there is always a 10-year plan in place. Please note, the Brookdale subdivision is in year 5 of 10 for planned I&I improvements.	<i>Blenniss</i>

M3	Approve the award of RFQ 23-034, Single and Three Phase Transformer Qualifications, to UUSCO of Illinois, Inc. and WEG Transformers USA for an amount not to exceed \$7,300,000 and a two-year term (Item 1 of 2)	
Q.	Are these transformers for developments coming in the future that we will get re-imbursed for when they're needed? Or all for our use?	<i>Hinterlong</i>
A.	These transformers are primarily for Utility use in emergency restorations or when a transformer has been identified through inspections as needing to be replaced or refurbished. The Utility does keep some transformers on hand for service upgrades and new services but does not order transformers for large developments until design parameters are finalized and facility installation fees are paid. These units will not be delivered until 2025.	Groth



FLOOR PLAN B

SCALE: 1/4" = 1'-0"

RAM

R A Miffin architect
 river forest, il 60305
 312.406.9892

RIVERWALK PLACE
 415 JACKSON AVENUE
 NAPERVILLE, ILLINOIS

DATE JAN 19, 2023

JOBNO

RENO	REVISIONS	REDACTED
1	SECOND SUBMITTAL	1/19/2023
2		
3		
4		

SHEET

PIN: 07-13-426-009

ADDRESS:
415 JACKSON AVE
NAPERVILLE, IL 60540

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 #22-1-094

ORDINANCE NO. 23 - _____

AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE FOR
RIVERWALK PLACE

RECITALS

1. **WHEREAS**, Randy Mueller of Mikols Construction ("**Petitioner**") has petitioned the City of Naperville for approval of a preliminary/final plat of subdivision on the real property located at 415 Jackson Avenue, Naperville, Illinois, legally described on Exhibit A and depicted on Exhibit B ("**Subject Property**"); and
2. **WHEREAS**, Lee Mandel and Associates, Inc. ("**Owner**") is the Owner of the Subject Property; and
3. **WHEREAS**, with the authorization of the Owner, Petitioner has petitioned the City of Naperville for approval of a preliminary/final plat of subdivision for the Riverwalk Place to consolidate two (2) lots into one (1) lot to allow for the development of a four

(4) story multi-family residential building with six (6) condominium units on the Subject Property; and

4. **WHEREAS**, the City Council of the City of Naperville has determined that the preliminary/final plat of subdivision for Riverwalk Place should be approved 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: The preliminary/final plat of subdivision for Riverwalk Place, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: The owner's acknowledgement and acceptance agreement, attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 4: The landscape plan, attached to this Ordinance as **Exhibit D**, is hereby approved.

SECTION 5: The building elevations, attached to this Ordinance as **Exhibit E**, are hereby approved.

SECTION 6: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 7: The City Clerk is authorized and directed to record this Ordinance, the preliminary/final plat of subdivision for Riverwalk Place, and the owner's acknowledgement

and acceptance agreement, approved by this Ordinance, with the DuPage County Recorder.

SECTION 8: If this Ordinance and preliminary/final plat of subdivision it approves are not recorded with the DuPage County Recorder within one (1) year of their approval and passage by the Naperville City Council, this Ordinance and the preliminary/final plat of subdivision shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

SECTION 9: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 10: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2023.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk

PIN: 07-13-426-009

ADDRESS:
415 JACKSON AVE
NAPERVILLE, IL 60540

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 #22-1-094

ORDINANCE NO. 23 - ____

**AN ORDINANCE REZONING THE PROPERTY
LOCATED AT 415 JACKSON AVE TO
B5 (SECONDARY DOWNTOWN DISTRICT)**

RECITALS

1. **WHEREAS**, Randy Mueller of Mikols Construction ("**Petitioner**") has petitioned the City of Naperville for rezoning to B5 (Secondary Downtown) District of the real property located at 415 Jackson Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Lee Mandel and Associates, Inc. ("**Owner**") is the Owner of the Subject Property; and
3. **WHEREAS**, the Subject Property is presently zoned OCI (Office, Commercial and Institutional District) and improved with a single-story office building and a parking lot ("**Existing Improvements**"); and
4. **WHEREAS**, the Petitioner intends to demolish the Existing Improvements and construct a four (4) story multi-family residential building with six (6) condominium units on the Subject Property; and

5. **WHEREAS**, with the authorization of the Owner, Petitioner has requested that the Subject Property be rezoned from OCI (Office, Commercial and Institutional District) to B5 (Secondary Downtown District) pursuant to Section 6-3-7 (Rezoning) in order to conform with the recommendations of the City's Comprehensive Plan and to accommodate the proposed land use of multi-family residential; and
6. **WHEREAS**, the requested rezoning of the Subject Property meets the Standards for Rezoning as provided in **Exhibit C** attached hereto; and
7. **WHEREAS**, on March 15, 2023, the Planning and Zoning Commission conducted a public hearing to consider the rezoning request and recommended approval of the Petitioner's request; and
8. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's request should be granted as provided herein.

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

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

SECTION 2: The Subject Property, legally described on **Exhibit A** and depicted on **Exhibit B**, is hereby rezoned to B5 (Secondary Downtown) District in the City of Naperville.

SECTION 3: The Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

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

SECTION 6: If this Ordinance and the rezoning it approves are not recorded with the DuPage County Recorder within one (1) year of their approval and passage by the Naperville City Council, this Ordinance and the rezoning it approves shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

SECTION 7: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 8: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2023.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk

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400 SOUTH EAGLE STREET
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PZC Case #22-1-094

ORDINANCE NO. 23 - _____

AN ORDINANCE GRANTING A SETBACK VARIANCE
FROM SECTION 6-7E-7 OF THE NAPERVILLE MUNICIPAL CODE
FOR RIVERWALK PLACE

RECITALS

1. **WHEREAS**, Randy Mueller of Mikols Construction ("**Petitioner**") has petitioned the City of Naperville for a front yard setback variance at the real property located at 415 Jackson Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Lee Mandel and Associates, Inc. ("**Owner**") is the Owner of the Subject Property; and
3. **WHEREAS**, the Subject Property is currently improved with a single-story office building and a parking lot ("**Existing Improvements**"); and

4. **WHEREAS**, the Petitioner intends to demolish the Existing Improvements and construct a four (4) story multi-family residential building with six (6) condominium units (“**Subject Building**”) on the Subject Property; and
5. **WHEREAS**, due to the requirement for a public utilities and drainage easement and the significant grade changes on the Subject Property, the Petitioner plans to construct the Subject Building two feet from the property line along Jackson Avenue, encroaching three feet into the required five foot front yard setback requirement in B5; and
6. **WHEREAS**, with the authorization of the Owner, the Petitioner requests approval of a variance to Section 6-7E-7 (B5 District: Yard Requirements) of the Naperville Municipal Code to reduce the required front yard setback along Jackson Avenue from five feet to two feet; and
7. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto; and
8. **WHEREAS**, on March 15, 2023, the Planning and Zoning Commission considered the requested setback variance and recommended approval of the Petitioner’s request; and
9. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner’s request should be granted as provided herein.

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

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

SECTION 2: A variance from Section 6-7E-7 (B5 District: Yard Requirements) of the Naperville Municipal Code to reduce the front yard setback requirement on Jackson Avenue from 5 feet to 2 feet, as depicted on the Site Plan attached hereto as **Exhibit B**, is hereby approved.

SECTION 3: The variance 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 4: This variance shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

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

SECTION 6: If this Ordinance is not recorded with the DuPage County Recorder within one (1) year of their approval and passage by the Naperville City Council, this Ordinance shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

SECTION 7: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 8: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2023.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk