



Meeting Minutes

Planning and Zoning Commission

Wednesday, November 18, 2020

7:00 PM

Held on Zoom due to COVID-19

CITY OF NAPERVILLE PUBLIC MEETINGS UPDATE:

Pursuant to Section 120/7(e) of the Illinois Open Meetings Act, the continuation of the Governor's disaster proclamation, and Mayor Chirico's executive order determining that in-person public meetings are not currently practical or prudent because of the Covid-19 pandemic, we are holding the November 18, 2020 Planning and Zoning Commission meeting remotely.

The commissioners and staff participating in the meeting are all in different locations in accordance with social distancing guidelines, and steps have been taken to ensure that the Commissioners can hear one another and all discussion and testimony. All votes shall be taken by roll call. The means by which the public may watch, listen, and/or participate in the meeting are described below.

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

TO WATCH OR LISTEN TO THE PZC MEETING LIVE:

1. Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T);
2. Watch online at <https://naperville.legistar.com/calendar.aspx>; or
3. Listen by telephone (audio only) – register to receive a dial-in phone number by calling the City Clerk's Office, (630) 305-5300, by 5 p.m. on Wednesday, November 18th.

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

1. Register by 5 p.m. on Wednesday, November 18 at: www.naperville.il.us/pzcspeaker. After the sign-up time has ended, you will receive an email with information about how to join the Zoom meeting. Questions regarding online sign-up may be directed to the City Clerk's Office by calling (630) 305-5300; or
2. Participate by telephone. Register with the City Clerk's office by 5 p.m. on Wednesday, November 18 to receive a dial-in phone number by calling (630)-305-5300.

TO SUBMIT WRITTEN COMMENTS OR MATERIALS:

1. Use the speaker sign-up form at www.naperville.il.us/pzcspeaker to submit a written comment by 5 p.m. on Wednesday, November 18 to be read into the public record during the Planning and Zoning Commission meeting by a member of staff; or

2. Use the speaker sign-up form at www.naperville.il.us/pzcspeaker to submit a one-word statement of "SUPPORT" or "OPPOSITON" regarding a specific agenda item by 5 p.m. on Wednesday, November 18 to be read into the public record during the Planning and Zoning Commission meeting by a member of staff.
3. Submit written materials to planning@naperville.il.us by 10 p.m. Friday, November 13th which are relevant to a public comment or public hearing before the Planning and Zoning Commission (e.g. a PowerPoint, photographs, reports). Submitted materials will be posted online for public access on Monday, November 16th.

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

PUBLIC ACCOMMODATION:

Any individual who may require an accommodation to submit comments or materials, or to view materials for the Planning and Zoning Commission meeting, should contact the City Clerk at (630) 305-5300 or napervilleclerks@naperville.il.us as soon as possible, but not later than by 5 p.m. on Wednesday, November 18.

PARTICIPATION GUIDELINES:

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

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

A. CALL TO ORDER:

B. ROLL CALL:

- Present** 8 - Manas Athanikar, Krishna Bansal, Brett Fessler, Bruce Hanson, Bill Habel, Oriana Van Someren, Whitney Robbins, and Carl Richelia
- Absent** 1 - Anthony Losurdo

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

- 1. Conduct the public hearing to consider a variance to allow a recreational vehicle exceeding the weight requirements to be parked on the driveway at 16 Pepperidge Road - PZC #20-1-095

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

Linda and Tom Cusack, presented as the owners and petitioners.

Public Testimony: None

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

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Richelia, Robbins, Van Someren

A motion was made by Commissioner Habel, seconded by Commissioner Robbins to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-095, a variance to Section 6-2-7:3 and 6-2-20:2.1 of the Naperville Municipal Code to allow a recreational vehicle exceeding the weight requirements to be park on the driveway at 16 Pepperidge Road with the following condition: the ordinance will be tied to the current property owners, Linda E. Cusack and Thomas F. Cusack.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

- 2. Conduct the public hearing regarding an amendment to Section 6-7E-3 to allow daycare centers, preschools, and primary schools as a conditional use in the B5 (Secondary Downtown) zoning district (PZC 20-1-106)

Sara Kopinski, Planning Services Team, presented the proposed text amendment.

Commissioner Bansal inquired where the uses are currently permitted. Kopinski clarified schools are permissible as a conditional use within residential districts and daycare type uses are permitted in the majority of the business districts.

Public Testimony:

Marilyn Schweitzer submitted support for the proposed text amendment.

David Nordsieck clarified his comments were for the Guidepost Montessori School - PZC 20-1-092 and has no comments on the proposed text amendment.

Commissioner Bansal asked staff what triggered the text amendment. Kopinski clarified the Guidepost Montessori School - PZC 20-1-092 submitted the text

amendment as part of their entitlement request.

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

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Richelia, Robbins, Van Someren

A motion was made by Chairman Hanson, seconded by Commissioner Van Someren to approve PZC 20-1-106, a text amendment to Section 6-7E-3 of the Naperville Municipal Code to allow daycare centers, preschools, and primary schools as a conditional use in the B5 (Secondary Downtown) zoning district.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

3. Conduct the public hearing for Guidepost Montessori - PZC 20-1-092 (Item 1 of 3)

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

Patti Bernhard presented on behalf of the petitioner.

Public Testimony:

Marilyn Schweitzer submitted support for the proposal.

David Nordsieck commented in support of the proposal and commended the reinvestment into the property versus redevelopment.

Commissioner Habel raised concern for the stacking space variance questioning what would happen if the school changed its drop off policy. Kopinski responded staff will include a provision in the approval ordinance that if any stacking issues arise, they will need to be addressed.

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

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Richelia, Robbins, Van Someren

Commissioner Bansal expressed support for the proposal.

4. Consider a conditional use for a daycare center, preschool, primary school and associated uses for Guidepost Montessori - PZC 20-1-092 (Item 2 of 3)

A motion was made by Commissioner Van Someren, seconded by Commissioner Athanikar to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-092, a conditional use to allow a daycare center, preschool, primary school and associated uses for Guidepost Montessori located at 24 N. Washington

and 20 E. Franklin Avenue.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

- 5. Consider a variance to eliminate the required stacking spaces for a daycare/ preschool/nursery school for Guidepost Montessori - PZC 20-1-092 (Item 3 of 3)

A motion was made by Commissioner Fessler, seconded by Commissioner Bansal to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-092, a variance to eliminate the required number of stacking spaces for a daycare/preschool/nursery school for Guidepost Montessori located at 24 N. Washington and 20 E. Franklin.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

- 6. Conduct the public hearing to consider a variance to allow a generator to encroach into the interior side yard setback at 743 Cardigan Court - PZC #20-1-097

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

Gary Kochanek spoke as the owner and petitioner.

Chairman Hanson inquired if there was a fence along the property line, Kochanek responded it is the neighbors wood fence. Chairman Hanson asked staff if the daytime decibels are 55 decibels and the nighttime decibels are 50 decibels, both measured at the property line, Russell responded yes. Commissioner Habel inquired the petitioner what the hardship is, Kochanek responded the hardship is removal of landscaping and visibility of the unit from the street at alternate locations. Chairman Hanson asked for data on Citywide electricity outages, Russell stated there have been 3 instances of outages from 2016-2020.

Additional inquires and comments were provided by the Commission concerning the type of generator proposed, emissions from the generator, weekly maintenance of the generator, and willingness of the petitioner to comply with the noise restrictions provided in the code should issues arise.

Public Testimony:

None

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

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Richelia, Robbins, Van Someren

A motion was made by Commissioner Richelia, seconded by Commissioner

Bansal to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-097, a variance to Section 6-6A-7:1 of the Naperville Municipal Code to allow a generator to encroach 1.5' into the 8' required interior side yard setback for the property located at 743 Cardigan Court with the following condition: the generator must meet the noise standards and additional screening requirements.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

E. REPORTS AND RECOMMENDATIONS:

- 1. Approve the 2021 regular meeting calendar for Planning and Zoning Commission

A motion was made by Commissioner Bansal, seconded by Commissioner Fessler to approve the 2021 regular meeting calendar for the Planning and Zoning Commission.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

- 2. Approve the minutes of the October 21, 2020 Planning and Zoning Commission meeting

A motion was made by Commissioner Bansal, seconded by Commissioner Van Someren to approve the meeting minutes of the October 21, 2020 Planning and Zoning Commission meeting.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

F. OLD BUSINESS:

- 1. Conduct the public hearing for CityGate West - PZC 20-1-022 (Item 1 of 4)

A motion was made by Commissioner Bansal, seconded by Commissioner Van Someren to resume the public hearing.

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Richelia, Robbins, Van Someren

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

Mike Roth and Geoffrey Roehll presented as the petitioners for the case.

The PZC took a 5 minute recess.

Public Testimony:

Eric Nystrom and Mario Halikias submitted support for the proposal.

Staff read written comment into the record which submitted in advance of the

meeting by Brian Wojciechowski and Jim Hill.

John Waller, president of the Brookdale association spoke in opposition raising concern for the number of students generated.

Phil Meno, Naperville resident and member of DuPage Housing Alliance, requested the development include affordable housing.

Marilyn Schweitzer spoke providing support for the overall proposal.

Carrie Cole spoke in opposition due to the number of students generated.

The Commission raised concern about the proposed density, full-service hotel, timing deviations, and lack of school district support. The Commission made inquiries on the discussions the petitioner has had with the school district, land-cash donation policies, variance justification specifically for the density and size of the units, and phasing of the development.

A motion was made by Commissioner Robbins, seconded by Commissioner Bansal to extend the meeting till 11:15 pm.

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Richelia, Robbins, Van Someren

Chairman Hanson requested continuation of the case with direction that the petitioner prepare the following information for future PZC review:

- A detailed phasing plan for the entire PUD, committing to a development sequence and overall construction timeframe that ensures a mix of land uses is achieved and maintained.
- Submittal of revised plans and documents that reflect a reduced residential density and an overall building height of 66’.
- A phasing plan specific to the full-service hotel proposed on Lot 15 that includes timing conditions, commitments that the connecting music venue and banquet facilities be constructed concurrently with the hotel, and details regarding how the uses will be associated with one another.
- Detailed plans (colored building elevations and a floor plan) for the proposed event facility on Lot 15.

A motion was made by Commissioner Bansal, seconded by Commissioner Habel to continue the public hearing for PZC 20-1-022 to the December 16th PZC meeting with the direction that the petitioner to prepare additional information requested.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo

2. Consider rezoning the subject property from I District to OCI District for CityGate West -

PZC 20-1-022 (Item 2 of 4)

- 3. Initiate a text amendment to designate restaurants as a conditional use within PUDs in the OCI district (CityGate West) - PZC 20-1-022 (Item 3 of 4)

- 4. Consider a conditional use to establish the CityGate West PUD and a preliminary PUD plat; a conditional use to allow multi-family residential on Lots 4 and 5; a conditional use to allow full service hotels on Lots 11 and 15; a conditional use to allow restaurants (subject to approval of Text Amendment) on Lots 1, 2, 6, 7, 8, 9, 12, 13, and 16; a conditional use to allow retail uses on Lots 4, 5, 12, and 13; and, multiple deviations to the Naperville Municipal Code for CityGate West - PZC 20-1-022 (Item 4 of 4)

G. NEW BUSINESS:

H. ADJOURNMENT:

11:06 pm

A motion was made by Commissioner Bansal, seconded by Commissioner Van Someren to adjourn the meeting.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Habel, Van Someren, Robbins, and Richelia

Absent: 1 - Losurdo