



Meeting Minutes

Planning and Zoning Commission

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Wednesday, November 1, 2017

7:00 PM

Council Chambers

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**A. CALL TO ORDER:**

**B. ROLL CALL:**

**Present** 7 - Brett Fessler, Carrie Hansen, Bruce Hanson, Anthony Losurdo, Andrew Margulies, Chairperson Kamala Martinez, and Robert Williams

**Absent** 2 - Krishna Bansal, and Vice Chair Sean Hastings

**C. PUBLIC FORUM:**

**D. PUBLIC HEARINGS:**

1. Conduct the public hearing for Metro West (PZC 17-1-092) located at 1911 Continental Avenue, to consider a major change to the PUD for approval of a Final PUD and a lot area deviation.

Kasey Evans, Planning Services Team, gave an overview of the request.

Greg Collins, with M/I Homes, spoke on behalf of the petitioner.

The PZC inquired about the lot area variance request. Collins responded that the request is due to both design and economics. The Commission inquired as to staff's support for the project. Evans responded that the underlying zoning is R3 and that the use (attached single-family residential) is permitted in the R3 district. The PUD was intended to be a mixed use, transit oriented development. Staff believes the use is compatible with the PUD and the lot area reduction is minor in nature. PZC inquired about the building materials. Collins responded that M/I Homes works with several different brick manufacturers and will acid wash the brick to prevent staining.

Public Testimony: None

PZC closed the public hearing.

The Planning and Zoning Commission supported the request, finding the project to be a good use for the vacant land.

**A motion was made by Fessler and seconded by B. Hanson to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-092, a major change to the PUD for approval of a Final PUD and a lot area deviation at 1911 Continental Avenue, Naperville.**

**Aye:** 7 - Fessler, Hansen, Hanson, Losurdo, Margulies, Chairperson Martinez, and Williams

**Absent:** 2 - Bansal, and Vice Chair Hastings

- 2. Conduct the public hearing regarding 1821 Appaloosa Drive (PZC 17-1-095), to consider a deviation to allow a patio to encroach into the front yard setback.

Kasey Evans, Planning Services Team, gave an overview of the request. The PZC inquired about the patio timeline and the easement encroachment agreement. Evans responded that the petitioner visited the City prior to installing the patio and staff explained the Code requirements. If the patio is approved, the next step will be an easement encroachment agreement.

Vic Amaro, spoke as the interpreter for Hany Tadorus and Marine Hana the petitioners.

The PZC inquired about other patios in the subdivision. Evans responded that any other patio encroachments are unrelated. The case is before the PZC tonight because Code Enforcement received a complaint; the decision tonight has no bearing on any other encroaching patios. PZC inquired about the recommendations received from the HOA. The petitioner stated he was told to hold off on implementing those recommendations until the code complaint was rectified.

Public Testimony: Joyce Hasse is the treasurer of the HOA and would like the HOA letter to be seriously considered by the PZC. PZC inquired about the HOA regulations in terms of patios, as well as the other non-compliant patios. Hasse responded that the HOA has no size limitations on patios; she was not aware that other patios were non-compliant.

PZC closed the public hearing.

Commissioners C. Hansen, Fessler, Margulies, Martinez, and Williams did not support the request, finding that the intent of the front yard setback is to preserve the front yard for safety and aesthetics.

Commissioners B. Hanson and Losurdo supported the request, finding that other non-compliant patios exist. The Commissioners also recommended the petitioner comply with the HOA recommendations for the patio.

**A motion was made by C. Hansen and seconded by Fessler to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-095, a deviation to allow a patio to encroach into the front yard setback at 1821 Appaloosa Drive, Naperville.**

**Aye:** 3 - Hanson, Losurdo, and Chairperson Martinez

**Nay:** 4 - Fessler, Hansen, Margulies, and Williams

**Absent:** 2 - Bansal, and Vice Chair Hastings

**E. REPORTS AND RECOMMENDATIONS:**

- 1. Approve the minutes of the October 18, 2017 Planning and Zoning Commission meeting.

**A motion was made by B. Hanson and seconded by Losurdo to approve the regular meeting minutes of October 18, 2017.**

**Aye:** 7 - Fessler, Hansen, Hanson, Losurdo, Margulies, Chairperson Martinez, and Williams

**Absent:** 2 - Bansal, and Vice Chair Hastings

**F. OLD BUSINESS:**

**G. NEW BUSINESS:**

- 1. Uphold the Zoning Administrator’s decision with respect to the Downtown Design Standards (2011) for the subject property located at 22-26 W. Jefferson Avenue (Denim & Soul) - PZC 17-1-105.

Erin Venard, Planning Services Team, gave an overview of the request. The PZC inquired about the Downtown Design Standards. Venard responded that painting masonry is not permitted due to maintenance concerns.

Rob Sawchuk, on behalf of Denim & Soul, spoke as the petitioner. The PZC asked for additional detail regarding the request to paint the building. The petitioner responded that the paint will make the building stand out, will be good for business, and is part of the Denim & Soul Brand. The PZC inquired as to other methods to make the build stand out. The petitioner responded that awnings would not work for the building because of the recessed entryway.

The Planning and Zoning Commission did not support the request because the proposal is not compatible with the Downtown Design Standards. Commissioner B. Hanson cast the dissenting vote, finding that branding is important for consistency for retail business owners.

**A motion was made by C. Hansen and seconded by Fessler to uphold the Zoning Administrator’s decision with respect to the Downtown Design Standards (2011) to not permit the petitioner to paint the building at 22-26 W. Jefferson, Naperville.**

**Aye:** 5 - Fessler, Hansen, Losurdo, Margulies, and Williams

**Nay:** 2 - Hanson, and Chairperson Martinez

**Absent:** 2 - Bansal, and Vice Chair Hastings

**H. ADJOURNMENT:**

8:33PM