



Meeting Minutes

Planning and Zoning Commission

Wednesday, February 3, 2021

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 February 3, 2021 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 Planning Services Team, (630) 420-6694, before 5 p.m. on February 3, 2021. If a staff member is unavailable, please leave a voicemail.

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

1. Register by 5 p.m. on Wednesday, February 3 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 Planning Services Team via email at planning@naperville.il.us; or
2. Participate by telephone. Register with the Planning Services Team before 5 p.m. on Wednesday, February 3 to receive a dial-in phone number by calling (630)-420-6694. If a staff member is unavailable, please leave a voicemail.

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, February 3 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, February 3 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 8 a.m. Monday, February 1 which are relevant to a public comment or public hearing before the Planning and Zoning Commission (e.g. a PowerPoint, photographs, reports).

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, February 3.

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, Bruce Hanson, Anthony Losurdo, Bill Habel, Oriana Van Someren, Whitney Robbins, and Carl Richelia
- Absent** 1 - Brett Fessler

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

- 3. Conduct the public hearing to consider a variance to the interior side yard setback in order to construct a porte cochere at 6 North Columbia Street - PZC #21-1-007

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

Erik Haugsnes, spoke as the petitioner, providing details regarding the reasoning for the request.

Public Testimony:

Tim Messer, spoke in support of the proposal.

Chairman Hanson inquired about the Historic Preservation Commission review. Kathleen Russell clarified the HPC provided a positive recommendation on the request.

Erik Haugsnes provided closing remarks.

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

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

A motion was made by Chairman Hanson, seconded by Commissioner Bansal to adopt the finding of facts as presented by the petitioner and approve the variance to Section 6-6C-7:1 to permit a porte cochere to encroach into the interior side yard setback by 1 foot to allow the structure to be 5 feet from the northern property line at 6 N. Columbia Street.

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

Absent: 1 - Fessler

E. REPORTS AND RECOMMENDATIONS:

- 1. Approve the minutes of the January 20, 2021 Planning and Zoning Commission meeting

A motion was made by Commissioner Athanikar, seconded by Commissioner Van Someren to approve the January 20, 2021 Planning and Zoning Commission meeting minutes.

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

Absent: 1 - Fessler

F. OLD BUSINESS:

1. Reconvene the public hearing for Naper Commons located on Lot 4 at the northwest corner of Naperville and Warrenville Roads, Naperville, PZC 20-1-086

A motion was made by Commissioner Robbins, seconded by Commissioner Richelia to resume the public hearing for PZC 20-1-086.

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

Public Testimony:

Staff read names submitted in support or opposition and the written comments which were received through the online speaker sign up prior to the December 16, 2020 and February 3, 2021 meetings into the record.

Russ Whitaker, Rosanova and Whitaker, Ltd. provided an overview of the changes made to the plans since the December 16th, 2020 PZC meeting.

Mark Daniel, Daniel Law Office, P.C. spoke on behalf of his clients who reside in Fairmeadow Subdivision, Jeffrey and Jan Banowetz, James and Sandra Butt, Tim and Karen Feldballe. The concerns raised included lack of open space within the proposal, use of the berm, stormwater issues including the Danada-Hesterman drain impact, proposed landscaping, density and roadway connections.

Joe Suchecki, raised concerns with the proposed land use and lack of open space.

Kenneth Schmidt, raised concerns with the proposed density and lack of open space.

Jen Banowetz, concurred with Mark Daniel's comments.

Bob Rubens, requested the plan be revised finding the current proposal would significantly impact the surrounding neighborhood.

Cynthia Smith Esq., legal counsel for Nokia of America Corporation, spoke in regards to the berm requesting the neighbors do not use the berm without consent from Nokia given it is on private property.

Dean Grant requested the townhomes be removed from the plan.

Commissioner Losurdo asked Joe Suchecki for clarification on the letter from

the Forest Preserve District of DuPage County regarding state level review. Mr. Suchecki clarified the IDNR review is outdated given the bald eagle nest was not there at the time of IDNR consultation.

Commissioner Bansal requested the City engineer provide an overview of the stormwater review. Ray Fano, City of Naperville Project Engineer provided the history of the stormwater concerns on the property and review of the plans. Chairman Hanson requested clarification on the 39th street, Mr. Fano clarified there is no connection proposed with 39th street in this plan, but the right of way will be dedicated allowing for a roadway connection in the future if desired.

Commissioner Athanikar asked the petitioner if the setback variances were eliminated if the density would be reduced. Mr. Whitaker clarified the density did not drive the requested variances.

Commissioner Bansal and Chairman Hanson raised concern with the proposed density, Chairman Hanson raised concern with the requested eaves variance. Commissioner Robbins requested an updated review from the IDNR.

Russ Whitaker called upon the petitioner's expert witnesses to respond to questions. Greg Sagen, Signature Design Group Inc., responded to the tree replacement ratio inquiry and clarified invasive species are banned and will not be included in the residential development. Christopher Morgart, Cemcon, provided details on stormwater drainage plan. Javier Millan, KLOA Inc., responded to questions on the traffic study. Peter Pluskwa, Cemcon, described the proposed open space meets the PUD requirements for open space. Rob Getz, Pulte Group, provided details on the population generated from this proposal and described the vision for the proposal.

A motion was made by Commissioner Van Someren, seconded by Commissioner Bansal to extend the meeting to 11:30 PM.

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

Chairman Hanson asked staff to clarify position of support which changed from the December 16th, 2020 PZC meeting. Erin Venard, City of Naperville Project Manager, stated staff did not support the prior preliminary PUD plat proposal since it only provided the minimum required open space. Ms. Venard clarified the revised proposed added amenities including landscape buffers which increased open space and provided for a more creative development.

Commissioner Van Someren requested a larger buffer be provided from the Forest Preserve. Commissioner Losurdo requested the full cutoff light shields be provided as requested by the Forest Preserve District of DuPage County.

A motion was made by Commissioner Van Someren, seconded by Commissioner Losurdo to extend the meeting to 12:00 am.

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

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

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

Commissioner Bansal has concerns with the proposed density and use and is not in support of the project. Chairman Hanson, Commissioner Athanikar, Commissioner Richelia, Commissioner Robbins echoed these concerns. Commissioner Losurdo and Commissioner Habel expressed support. Mr. Whitaker requested clarification from the Commission on the desired revisions. Chairman Hanson requested verification from staff on next steps. Pat Lord, City of Naperville City Attorney, stated the Commission may make minor recommendations on the proposal to City Council, however, the revisions are more significant than minor recommendations and would need to reopen the public hearing in order to continue the case and consider a revised plan.

Chairman Hanson requested further separation and fewer lots along the east to the west of the development. Commissioner Van Someren requested a larger buffer between the development and the Forest Preserve.

A motion was made by Commissioner Habel, seconded by Chairman Hanson to reopen the public hearing for PZC 20-1-086.

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

A motion was made by Commissioner Van Someren, seconded by Commissioner Losurdo, to continue the public hearing for PZC 20-1-086 to the March 17th PZC meeting.

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

Absent: 1 - Fessler

- 2. Reconvene the public hearing for the Islamic Center of Naperville located at 3540 248th Avenue (ICN) - PZC 20-1-052

A motion was made by Commissioner Bansal, seconded by Commissioner Van Someren, to continue the public hearing for PZC 20-1-052 to the February 17th PZC meeting.

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

Absent: 1 - Fessler

G. NEW BUSINESS:

H. ADJOURNMENT:

11:52 P.M.

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

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

Absent: 1 - Fessler