



Meeting Minutes

Planning and Zoning Commission

Wednesday, January 18, 2023

7:00 PM

Council Chambers

TO WATCH OR LISTEN TO THE PZC MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-Astound, Ch. 10 - Comcast, Ch. 99 - AT&T)
- Watch online at <https://naperville.legistar.com>

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

To address the Planning and Zoning Commission in-person during the meeting in City Council Chambers, members of the public must sign up in-person on the day of the meeting outside of City Council Chambers between 6:30 and 6:50 p.m.

TO SUBMIT WRITTEN COMMENTS OR MATERIALS:

1. You may submit written comments to planning@naperville.il.us in advance of the meeting. (Please note, because emailed written comments are available for advance review by the PZC, they will not be read into the record during the PZC hearing). Below are the deadlines for written comments provided in advance of the meeting:
 - Written comments received by 5 p.m. the Wednesday before the meeting will be included in the meeting packet sent to the PZC. This meeting packet is also posted on the City's website.
 - Written comments received after 5 p.m. the Wednesday before the meeting through 5 p.m. the day before the meeting will be emailed directly to the PZC, but will not be included in the PZC packet or posted online.
 - Written comments received after 5 p.m. the day before the meeting will be added to the case file.

PUBLIC ACCOMMODATION:

Any individual who may require an accommodation to listen to or participate in the meeting should contact the Community Services Department at (630) 305-5300 as soon as possible, but no later than by 5 p.m. on the day of the meeting.

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,** the PZC 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. Once you have been sworn in, then you may 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:

Vice Chair Athanikar was the acting Chairman for the meeting.

B. ROLL CALL:

- Present** 6 - Manas Athanikar, Tom Castagnoli, Stasha King, Derek McDaniel, Oriana Van Someren, and Mark S. Wright
- Absent** 3 - Anthony Losurdo, Carl Richelia, and Whitney Robbins

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

1. Conduct the public hearing to consider a variance from Section 6-2-10:5 to permit an auxiliary parking space at the property located at 203 S Columbia Street - PZC 22-1-118

Gabrielle Mattingly, Planning Services Team, provided an overview of the request.

Francis Edward Simon Hunt and Reyna Trevino, Property Owners, provided details on their request.

Commissioner Van Someren asked what type of material would be used for the parking area. The Owners responded that they will be installing brick pavers.

Commissioner Mcdaniel asked why staff is only generally supportive of the request. Mattingly clarified the statement noting staff acknowledges the proposed lot coverage is well over the maximum permitted amount, but the proposed brick pavers will not add any perceived bulk to the rear yard.

Commissioner McDaniel asked if any homes within the neighborhood have improved the rear yard similar to what is proposed and if the project has already been completed. The Owners described several other homes in the area which have similar parking areas and confirmed the work is not completed and that they were badly informed by a landscaping company that a permit was not required.

Commissioner Mcdaniel asked staff if the City keeps track of times when owners are provided bad information or any similar scenarios. Mattingly responded no, not that she is aware of.

Commissioner Wright expressed support for the request.

Public Testimony: none

The PZC closed the public hearing.

A motion was made by Chairman Athanikar, seconded by Commissioner Van Someren to adopt the findings of fact as presented by the petitioner and approve PZC 22-1-118, a variance to Section 6-2-10:5 to permit the existing detached garage and an auxiliary parking space to occupy approximately 855 square feet of the required rear yard at 203 S. Columbia Street.

Aye: 5 - Athanikar, Castagnoli, King, Van Someren, and Wright

Nay: 1 - McDaniel

Absent: 3 - Losurdo, Richelia, and Robbins

2. Conduct the public hearing for 1701 Quincy Ave Suite 17 - 19 (Align Ministries) - PZC 22-1-121

Adam Beaver, Planning Services Team, provided an overview of the request.

Robert Carden, spoke on behalf of the petitioner, providing details on the request.

Public Testimony: none

Chairman Athanikar expressed support noting this request is consistent with the existing use and the hours of operations seem to be consistent with what is expected for the use.

The PZC closed the public hearing.

A motion was made by Commissioner McDaniel, seconded by Commissioner Van Someren to adopt the findings of fact as presented by the petitioner and approve PZC 22-1-121, a conditional use per Section 6-8C-3:34 of the Industrial District regulations to permit a public assembly use (Align Ministries) at the property located at 1701 Quincy Avenue Suite 17-19.

Aye: 6 - Athanikar, Castagnoli, King, McDaniel, Van Someren, and Wright

Absent: 3 - Losurdo, Richelia, and Robbins

3. Conduct the public hearing to consider a variance to allow a detached garage at 2517 Lindenwood Lane - PZC 22-1-123

Gabrielle Mattingly, Planning Services Team, provided an overview of the request.

Pat Magner, Architect, and Peg Simos, Property Owner, provided details on the request.

Public Testimony: none

Commissioner Wright asked if the area between the home and road is heavily landscaped. Magner responded yes and described the slope of the property which limits available locations.

The Commission discussed if the space would be used as an accessory dwelling unit and confirmed it would be used as a garage.

Commissioner Van Someren expressed support for the request.

The PZC closed the public hearing.

A motion was made by Commissioner King, seconded by Commissioner Van Someren to adopt the findings of fact as presented by the petitioner and approve PZC 22-1-123, a variance to Section 6-2-10:1 to permit a detached garage to be located closer to the street than the principal structure at 2517 Lindenwood Lane.

Aye: 6 - Athanikar, Castagnoli, King, McDaniel, Van Someren, and Wright

Absent: 3 - Losurdo, Richelia, and Robbins

4. Conduct the public hearing to consider a variance to Section 6-6B-7 (R1B: Yard Requirements) and a deviation to Section 7-1-13 (Platted Setbacks & Building Lines) to permit a new single-family home at 525 E. Hillside Road - PZC 22-1-124

Gabrielle Mattingly, Planning Services Team, provided an overview of the request.

Caitlin Csuk, Attorney at Rosanova and Whitaker, Ltd., spoke on behalf of

the petitioner and provided details on the request.

Public Testimony:

Ernest Chamot, lives across the street from the subject property and spoke in opposition to the request finding the four foot error to be a huge error. Chamot appreciates that this would be costly to fix but found that it should be fixed since the house will remain in place for a long time. Chamot also noted that builders always construct up to the minimum setback viewing it as a target instead of a limit.

Commissioner Castagnoli inquired who made the mistake. Csuk noted the petitioner, Civil & Environmental Consultants, Inc. had made the error. Dave Kamano, Civil Engineer, noted this is a rare occurrence that he has not seen happened before and described what had occurred.

Commissioner King asked for more details about what where the original house was located versus the proposed house. Csuk showed a site plan which identified the location of the home which was demolished and the location of the proposed home.

Commissioner McDaniel noted this was another instance where poor guidance was provided by a professional and asked if the City should track this. Mattingly noted staff can look into this request and follow up with the Commission.

Commissioner Van Someren expressed support for the request stating that mistakes happen and noted the existing structure was already nonconforming with the required setback so the request is not out of character with what had previously been there.

Chairman Athanikar expressed support for the request.

Commissioner Castagnoli asked if this case was denied, what are the options moving forward and asked if approving this case is setting a precedent.

Csuk stated that if the request was denied, the foundation would need to be demolished. Mattingly responded that each case stands on its own and any future similar request would need to seek approval of a variance which would be reviewed by the Commission.

The PZC closed the public hearing

A motion was made by Commissioner Castagnoli, seconded by Commissioner

King to adopt the findings of fact as presented by the petitioner and approve PZC 22-1-124, a variance to reduce the front yard setback per Section 6-6B-7 and a deviation to reduce the platted setback per Section 7-1-13 from the required 30' to 26.12' for a portion of the new single-family home at 525 E. Hillside Road.

Aye: 6 - Athanikar, Castagnoli, King, McDaniel, Van Someren, and Wright

Absent: 3 - Losurdo, Richelia, and Robbins

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the December 21, 2022 Planning and Zoning Commission meeting

This Report was approved.

F. OLD BUSINESS:

G. NEW BUSINESS:

H. ADJOURNMENT:

7:47 PM