



Meeting Minutes

Planning and Zoning Commission

Wednesday, April 17, 2024

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:**B. ROLL CALL:**

- Present** 7 - Manas Athanikar, Meghna Bansal, Tom Castagnoli, Derek McDaniel, Carl Richelia, Oriana Van Someren, and Mark S. Wright
- Absent** 2 - Stasha King, and Whitney Robbins

C. PUBLIC FORUM:**D. PUBLIC HEARINGS:**

1. Conduct the public hearing to consider the requested variances to the Naperville Municipal Code for the property located at 1019 E Ogden Avenue PZC 23-1-126

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

Dan McGue, Petitioner, presented the case.

Jeanne Armando, Architect for the petitioner, provided additional details on the request.

Joseph Mayer, Engineer for the petitioner, provided additional details on the request.

Commissioner Athanikar asked Mayer how the comparable Taco Bell locations were selected for the parking study. Mayer responded that the chosen locations are also owned by the petitioner and are located on roads with similar traffic levels to predict the demand on the site.

Commissioner Wright asked Armando about the exit only drive lane. Armando stated that the site restricts the ability to use directional signs and stop bars and directional arrows will be painted on the ground. Mayer stated that there will be standard "do not enter" traffic signs along the west entrance to the property. Commissioner Wright stated he has concerns about people crossing Ogden Ave into the wrong entrance, Armando noted that there is a bypass lane that goes across the front of the building where someone could turn into in the event that occurs.

Commissioner McDaniel stated that he originally had concerns about the number of variances being requested and thanked staff for the clarifications on the requests. Commissioner McDaniel stated that typically the Commission sees two to three variance requests and confirmed that the number of variances being requested is due to the uniqueness of the property. Commissioner McDaniel asked the petitioner if they will be providing a privacy fence, Armando confirmed that they will be putting up a six-foot-tall privacy fence.

Commissioner VanSomeren asked the petitioner what the hours of operations for the business will be. McGue stated that the hours will be 7am to 12am and can be extended as traffic dictates.

Commissioner Athanikar commented on staff's work, noting that it was well done with the condition regarding taking prompt action if there are any complaints registered to the City. Commissioner Athanikar asked the petitioner if they have reviewed the conditions. McGue stated that he has been in contact with staff for nine months regarding the project and is satisfied moving forward.

Commissioner VanSomeren asked staff who would follow up with the petitioner if there was an issue and who would enforce the conditions. Beaver responded that any complaints would come through the City's Code Enforcement department and staff would work with the Zoning Administrator and the petitioner directly to create a plan to address any issues.

Public Testimony: none.

The PZC closed the public hearing.

Commissioner McDaniel made a motion, seconded by Commissioner Castagnoli to adopt the findings of fact as presented by the petitioner and approve PZC 23-1-126, a variance to Section 6-9-3:5 to reduce the required number of drive through stacking spaces, a variance to Section 6-9-3 to reduce the number of required parking spaces, a variance to Section 5-10-3:5.2 to reduce the required parking lot perimeter landscaping, a variance to Section 6-9-6:2.1.1 to reduce the

required drive through setback adjacent to residential, and a variance to Section 6-2-10:1 to reduce the required setback for an accessory structure for the property located at 1019 E Ogden Avenue (Taco Bell) with the conditions noted in the staff report.

Aye: 7 - Athanikar, Bansal, Castagnoli, McDaniel, Richelia, Van Someren, and Wright

Absent: 2 - King, and Robbins

2. Conduct the public hearing to consider a variance to Section 6-2-3:3.2 (Yard Requirements) for a covered front porch to encroach the required front yard by more than five feet at 19 N. Main St - PZC 23-1-127

John Scopelliti, City of Naperville Planning Services Team, provided an overview of the request.

Jared Heglin, Petitioner, presented the case.

Commissioner Athanikar stated that the improvement is consistent with the neighborhood.

Commissioner Bansal stated that she visited the property and met with the owner and thinks that the proposal is appropriate.

Public Testimony: none.

The PZC closed the public hearing.

Commissioner McDaniel made a motion, seconded by Commissioner Wright to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 23-1-127, a variance request pursuant to Section 6-2-3:3.2 to allow a covered front porch to encroach approximately 14.5 feet into the front yard setback for the property located at 19 N. Main St.

Aye: 7 - Athanikar, Bansal, Castagnoli, McDaniel, Richelia, Van Someren, and Wright

Absent: 2 - King, and Robbins

3. Conduct the public hearing for 231 & 241 N. West Street (West St. Executive Homes) - PZC 23-1-132

Erin Venard, City of Naperville Development Review Team, provided an overview of the request.

Vince Rosanova, attorney for petitioner, presented the case.

Public Testimony:

William Colvin, a nearby resident, stated that the existing fence along the rear property line is from 2006 and that he has concerns regarding the maintenance of the fence. Colvin asked for confirmation on the

subdivision and asked if the duplexes are on one lot or two. Rosanova clarified lot 1 of the subdivision will have the two proposed duplexes and lot 2 has an existing home that will remain. Colvin stated that he was under the impression that the lots were being combined, Rosanova clarified that a portion of lot 2 is being subdivided to be part of lot 1 and they will remain two separate lots. Mike Jones, property owner stated that the original lot 1 was shaped like a trapezoid and they modified the lot lines to straighten them out. Jones stated that he can work together with the owner of the fence on potential issues.

Commissioner Van Someren asked about garbage pickup and if the bins would be taken to the street. Rosanova confirmed that each tenant will bring their trash bins to the street.

Commissioner Bansal asked if there were other neighbor concerns. Rosanova stated that they held a neighborhood meeting that did include a few concerns about the detached garage location, however moving the location of the garage is not feasible due to existing utilities.

Commissioner Athanikar stated that he initially had concerns about the lot coverage however after discussing with staff and hearing the petitioner's presentation he acknowledges that the coverage is the driveway and not a larger type of structure and no longer has concerns.

Commissioner McDaniel stated that he is supportive of the proposal. Commissioner McDaniel also stated that in the future he would like the Commission to be aware of neighboring resident's concerns when lots with single family homes on them are redeveloped with multi-family dwellings.

The PZC closed the public hearing.

Commissioner McDaniel made a motion, seconded by Commissioner Richelia to make a motion to adopt the findings of fact as presented by the petitioner and approve PZC 23-1-132, variances to eliminate the required fence along the rear property line and permit a rear yard lot coverage of approximately 64% for the property located at 231 & 241 N. West Street (West Street Executive Homes).

Aye: 7 - Athanikar, Bansal, Castagnoli, McDaniel, Richelia, Van Someren, and Wright

Absent: 2 - King, and Robbins

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the April 3, 2024 Planning and Zoning Commission meeting

The PZC approved the minutes of the April 3, 2024 Planning and Zoning Commission meeting.

F. OLD BUSINESS:

G. NEW BUSINESS:

H. ADJOURNMENT:

Adjourned: 7:56 PM