



Meeting Minutes

Planning and Zoning Commission

Wednesday, December 6, 2017

7:00 PM

Council Chambers

A. CALL TO ORDER:

B. ROLL CALL:

Present 8 - Brett Fessler, Vice Chair Carrie Hansen, Bruce Hanson, Vice Chair Sean Hastings, Anthony Losurdo, Chairperson Kamala Martinez, Robert Williams, and Veer Kaushik (Student Member)

Absent 3 - Krishna Bansal, Andrew Margulies, and Rajveer Sokhey (Student member)

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

1. Conduct the public hearing for Auburn Manor (PZC 17-1-101) located at 9s364 Naper Boulevard, to consider rezoning to R3A upon annexation.

Commissioner C. Hansen recused herself from the dais.

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

Debbie Beaver, DR Horton Homes (Emerald Brand), spoke on behalf of the petitioner.

Public Testimony: None

PZC closed the public hearing.

The Planning and Zoning Commission supported the project, finding it to be a great addition to the neighborhood.

A motion was made by Hastings and seconded by Fessler to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-101, rezoning the subject property located at 9S364 Naper Boulevard to R3A (Medium Density Multiple-Family Residence District) upon annexation

Aye: 6 - Fessler, Hanson, Vice Chair Hastings, Losurdo, Chairperson Martinez, Williams, and Kaushik (Student Member)

Absent: 2 - Bansal, Margulies, and Sokhey (Student member)

Recused: 1 - Vice Chair Hansen

3. Conduct the public hearing for Best Buy Carpet & Granite located at 9S065, 9S080, and

9S081 S. Route 59, Naperville - PZC 17-1-093 (Item 2 of 4).

Commissioner C. Hansen returned to the dais.

Chairwomen Martinez stated that agenda item D.2 (PZC 17-1-094) will be moved to after agenda D.5 (PZC 17-1-093) at the request of the petitioner.

Erin Venard, Planning Services Team, gave an overview of the request. The PZC inquired about permitted uses in the B2 district, specifically warehouses. Venard responded that warehouses are not permitted in B2.

Kevin M. Carrara, Attorney with Rathje & Woodward, spoke on behalf of the petitioner.

The PZC inquired about the proposed drive-through. Carrara responded that one owner controls all three properties to the east; he is comfortable with the setback variance. An end user is not in place for the drive-through tenant space. PZC also inquired about the parking requirements. Carrara responded that the parking was calculated based upon both the retail use and the restaurant use.

Public Testimony:

James Caray is a resident of Aero Estates. He is concerned with traffic and the future plans for the church. Mr. Caray stated that Aero Estates is a very special place; development will destroy the community.

Christine Greenstreet lives on Aero Drive and voiced concern with traffic on Aero Drive, safety, and the abundance of vacant retail space on Route 59. Ms. Greenstreet stated that the City and residents need to come together to plan for the area.

Joseph Battoe stated the subject property is not within the City of Naperville and does not have to be annexed. He voiced concern regarding traffic on Aero Drive and retail vacancies.

Suzette Selig is a long time resident of Naper Aero. Ms. Selig presented a notarized petition of residents opposed to PZC 17-1-093 and PZC 17-1-094. Ms. Selig suggested the homes be converted to businesses similar to those located on Washington Street.

Laura Wisnow lives on Aero Drive and has invested her life savings in remodeling her home. This proposal will be financially devastating to her; she will be left with no option but to sell her home.

George Johnson wishes to speak about security; residents have no one to enforce the speed limit on Aero Drive.

Dave Read lives at the southeast corner of the subject property; feels there are really two communities in Aero Estates (the airport community and the west side of Aero Drive). The Comprehensive Plan references this area as medium density residential; Naperville should have a better plan for this area.

Gary Grant lives in the unique residential community of Aero Estates and is opposed to the request. His quality of life is in jeopardy and the petitioner should have to demonstrate the need for the project.

Doug Engel lives in Aero Estates and is concerned with the impact of the project because this is piecemeal development. Mr. Engel voiced concern about drainage and flooding.

Stuart Glenn bought his property about 14 years ago and lives directly across the street from the church. Mr. Glenn raised concern with drainage and flooding.

Roberta Priz has lived in Aero Estates since 2000. Ms. Priz discussed the lack of a loading dock, the drive-through bypass lane, and the sidewalks.

Erica Selig stated that her father built one of the first homes in Aero Estates and the proposed plan will completely destroy the community.

Mary Kate Baer stated that the petitioner bought the property and then stated it could not be used as it was zoned. Ms. Baer feels the property can be used as principal arterial in the County (similar to home to office).

Daryl Bettler is a resident of Naper Aero. Mr. Bettler stated that the petitioner's purchase was made in anticipation of the zoning being granted; it is not the right use at the right time.

Nicole Greenstreet stated that Naper Aero is her safe place and the proposal will destroy the feeling of home.

Adrienne Battoe lives in Aero Estates and would like to work with the City on a plan for the area.

Don Shuman inquired as to the proposed access for the subject property.

Mike Pastore stated that this proposal is intended to benefit the tax base and it will impact the lives of many in Naperville Township. Many in Aero Estates view this as almost a hostile takeover.

Brad Subsics lives on Aero Drive and feels the community seems to be eroding. Mr. Subsics stated that the project is about Naperville and Naperville making money.

PZC inquired about access, drainage, and the proposed drive-through tenant. Venard responded that cross access is platted to the north, south, and east. The connection to the church will be made upon redevelopment of the property. Caneff responded that the County is not requiring a decel lane and that the proposed stormwater/drainage meets all requirements. Carrara stated that the drive-through user has not yet been determined but the site plan has been proposed to accommodate all City requirements.

The petitioner responded to the public testimony.

PZC closed the public hearing.

Commissioners Fessler, C. Hansen, Hastings, and Martinez found that commercial zoning was appropriate for the area due to the location of the property along Route 59. However, the Commissioners did not find the proposed variances met the standards for granting a variance.

Commissioners B. Hanson and Losurdo also found commercial zoning to be appropriate for the subject property; the Commissioners supported the proposed variances for the property.

Commissioner Williams found that the request did not meet the standards for granting a rezoning or variance.

4. Consider rezoning of the subject property located at 9S065, 9S080, and 9S081 S. Route 59, Naperville to B2 (Community Shopping Center District) upon annexation (Best Buy Carpet and Granite) - PZC 17-1-093 (Item 3 of 4).

A motion was made by B. Hanson and seconded by Fessler to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-093, rezoning of the subject property located at 9S065, 9S080, and 9S081 S. Route 59, Naperville to B2 (Community Shopping Center District) upon annexation

Aye: 6 - Fessler, Vice Chair Hansen, Hanson, Vice Chair Hastings, Losurdo, Chairperson Martinez, and Kaushik (Student Member)

Nay: 1 - Williams

Absent: 2 - Bansal, Margulies, and Sokhey (Student member)

5. Consider a variance to reduce the minimum setback of a drive-through from a residential area, a variance to allow a drive-through stacking lane that blocks access to a parking space, and a variance to reduce the loading berth requirement for the property located at 9S065, 9S080, and 9S081 S. Route 59, Naperville (Best Buy Carpet and Granite) - PZC 17-1-093 (Item 4 of 4).

A motion was made by B. Hanson and seconded by Fessler to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-093, a variance to reduce the minimum setback of a drive-through from a residential area, a variance to allow a drive-through stacking lane that blocks access to a parking space, and a variance to reduce the loading berth requirement for the property located at 9S065, 9S080, and 9S081 S. Route 59, Naperville - PZC 17-1-093.

Aye: 2 - Hanson, and Losurdo

Nay: 5 - Fessler, Vice Chair Hansen, Vice Chair Hastings, Chairperson Martinez, Williams, and Kaushik (Student Member)

Absent: 2 - Bansal, Margulies, and Sokhey (Student member)

2. Conduct the public hearing to consider rezoning the subject property located at 29W771

79th Street (World Missions Society Church of God) to B2 (Community Shopping Center District) upon annexation - PZC 17-1-094 (Item 1 of 4).

Erin Venard, Planning Services Team, gave an overview of the request.

Kevin M. Carrara, Attorney with Rathje & Woodward, spoke on behalf of the petitioner.

Public Testimony:

Suzette Selig has lived on Aero Drive for 50 years and requested that property on Aero Drive is not rezoned to commercial.

Roberta Priz received a letter from the Attorney regarding the hearing; however, she noted that the sign should have been placed on 79th Street.

Dave Read stated that Aero Drive is a major traffic cut through.

Tom Priz voiced concern regarding traffic on Aero Drive.

Fred Foss is a resident on Aero Drive and is against rezoning the lots fronting Aero Drive.

James Caray stated that the proposal is a land grab. Mr. Caray stated that the Church is in close proximity to the approach end of the runway; any future buildings might infringe on the runway.

Mike Pastore stated the proposal is a shell game; he questioned as to why it is necessary to rezone the property if it is staying a church.

Dennis Lindal is the attorney for the church and stated that B2 is consistent with the trend of the development on Route 59. Mr. Lindal noted that the church wants the flexibility of B2 zoning because it the church may redevelop in the future.

Brett Subsics lives on Aero Drive and is opposed to the rezoning. He recommended the developer buy out all the homeowners on Aero Drive.

Erica Selig stated that the church was not developed when her parents built a home in Aero Estates. Ms. Selig stated the PZC should not give deference to the project over her home; the project is not equal to Aero Estates.

Stuart Glenn live across from the church; he conceded that commercial is what everyone wants. Mr. Glenn suggested that Aero Drive end in a cul-de-sac.

Elaine Foss lives across the street from church and inquired if the east and the west sides of the church property can be zoned differently.

Christine Greenstreet stated she believes in good neighbors; the church and developer have not been good neighbors.

The petitioner responded to the public testimony.

PZC closed the public hearing.

The Planning and Zoning Commission raised concern regarding the potential future development of the church property and suggested the annexation agreement contain a provision requiring any future development on the subject property be required to be reviewed by the PZC and CC prior to approval. The PZC found that the property met the standards for rezoning and supported the request.

Commissioner Hastings cast the dissenting vote, stating that he was uncomfortable voting for the rezoning when the future plans for the subject property were unknown.

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 17-1-094, rezoning the subject property located at 29W771 to B2 (Community Shopping Center District) upon annexation.

Aye: 6 - Fessler, Vice Chair Hansen, Hanson, Losurdo, Chairperson Martinez, Williams, and Kaushik (Student Member)

Nay: 1 - Vice Chair Hastings

Absent: 2 - Bansal, Margulies, and Sokhey (Student member)

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the November 15, 2017 Planning and Zoning Commission meeting.

A motion was made by Fessler and seconded by B. Hanson to approve the regular meeting minutes of November 15, 2017.

Aye: 7 - Fessler, Vice Chair Hansen, Hanson, Vice Chair Hastings, Losurdo, Chairperson Martinez, Williams, and Kaushik (Student Member)

Absent: 2 - Bansal, Margulies, and Sokhey (Student member)

F. OLD BUSINESS:

G. NEW BUSINESS:

Chairwomen Martinez announced that the City is conducted a partial Special Census in early 2018 and is hiring workers for the temporary project.

H. ADJOURNMENT:

10:42PM