



Meeting Minutes

Planning and Zoning Commission

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Wednesday, April 17, 2019

7:00 PM

Council Chambers

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**A. CALL TO ORDER:**

*A motion to allow Commissioner Bansal to attend via teleconference was made by Commissioner Hanson, seconded by Commissioner Losurdo. The motion carried (8-0).*

**B. ROLL CALL:**

*Commissioner Bansal in attendance via teleconference.*

**Present** 9 - Manas Athanikar, Krishna Bansal, Brett Fessler, Bruce Hanson, Anthony Losurdo, Andrew Margulies, Chairperson Kamala Martinez, Bianca Morin, and Bill Habel

**C. PUBLIC FORUM:**

**D. PUBLIC HEARINGS:**

1. Conduct the public hearing to consider a request for a conditional use for a massage establishment for the subject property located at 1112 S. Washington Street (Soma Sage Health and Healing) - PZC 19-1-025

Scott Williams, Planning Services Team, gave an overview of the request.

Nikole Clay, owner of Soma Sage, spoke as the petitioner.

Public Testimony:

Gerald Giudice and his wife are clients of the petitioner; they support the request.

PZC closed the public hearing.

PZC found the use was compatible with surrounding uses and supported the request for a conditional use.

**A motion was made by Hanson, seconded by Losurdo to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-025, a conditional use for a massage establishment on the subject property located at 1112 S. Washington Street, Naperville.**

**Aye:** 9 - Athanikar, Bansal, Fessler, Hanson, Losurdo, Margulies, Chairperson Martinez, Morin, and Habel

2. Conduct the public hearing to consider a variance to allow an enclosed porch to encroach into the rear yard setback at 1331 N. Webster -PZC 19-1-028

Scott Williams, Planning Services Team, gave an overview of the request.

Len Monson, attorney with Kuhn, Heap, & Monson, spoke on behalf of the petitioner.

The PZC inquired about the proposed porch. Monson responded that there is an entrance from the home to the porch. The porch is not heated and will be used in the summer.

Public Testimony:

Linda Kuhn is a neighboring resident and requested the PZC deny the variance because there is no unique condition or physical hardship.

The petitioner responded to the public testimony.

PZC closed the public hearing.

Chairperson Martinez and Commissioners Athanikar, Fessler, Habel, Hanson, Margulies and Morin recommended approval of the variance request, noting that a deck could be built in the same location without a variance.

Commissioners Bansal and Losurdo cast the dissenting votes, finding there to be no hardship on the subject property.

**A motion was made by Losurdo, seconded by Habel to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-028, a variance to allow an enclosed porch to encroach in the rear yard setback on the subject property located at 1331 N. Webster, Naperville subject to the following condition: the 108 square feet of the enclosed porch encroaching into the rear yard setback shall be included when calculating the percentage of the required yard that may be occupied by detached accessory structures, such that the total detached accessory structures plus the proposed enclosed porch shall not exceed 480 square feet in size per Section 6-2-10.5.**

**Aye:** 7 - Athanikar, Fessler, Hanson, Margulies, Chairperson Martinez, Morin, and Habel

**Nay:** 2 - Bansal, and Losurdo

**3. Conduct the public hearing to consider a variance to permit a 6' tall privacy fence in the required corner side yard at the subject property located at 1214 Needham Road - PZC 19-1-036**

Erin Venard, Planning Services Team, gave an overview of the request. The PZC inquired about sight lines. Venard responded that the fence has been reviewed by the City's Engineering Team; there are no sight distance issues.

Robert DeAngeles spoke as the petitioner.

Public Testimony: None

PZC closed the public hearing.

PZC supported the request, finding that the proposed fence did not interfere with

neighboring sight lines.

**A motion was made by Hanson, seconded by Losurdo to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-036, a variance to permit a 6' tall privacy fence in the required corner side yard at the subject property located at 1214 Needham Rd, Naperville.**

**Aye:** 9 - Athanikar, Bansal, Fessler, Hanson, Losurdo, Margulies, Chairperson Martinez, Morin, and Habel

4. Conduct the public hearing to consider rezoning of the properties bounded by School Street, Wright Street, Columbia Street, and Franklin Avenue to the CU Zoning District (Little Friends)- PZC 19-1-18

*Commissioner Losurdo recused himself from the dais.*

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

Kathleen West, attorney with Dommermuth Cobine West Gensler Philipchuck Corrigan and Bernhard, Ltd, spoke on behalf of the petitioner.

The PZC inquired about other approval required by the City. West responded that the demolition and construction will require a Certificate of Appropriateness from the Historic Preservation Commission.

Public Testimony:

Carol Schmidt is a resident of the historic district and is supportive of the rezoning. However, Ms. Schmidt noted that the future use, as well as issues such as parking and traffic, should be thoroughly reviewed.

Mike Briggs is the President and CEO of Little Friends. Mr. Briggs is supportive of the proposed zoning and stated it is a win win for both Little Friends and North Central College.

Susan Fitch is a resident of the historic district and noted that the College is a good neighbor. Ms. Fitch raised concern with student parking and stated that parking and traffic should be thoroughly reviewed

Angela Mundt stated that NCC's use of the property will change the dynamic. Currently the property is mostly used in the daytime; a future college use may be operating during the evening and weekend hours.

Ed Williams is a neighboring resident and also noted that NCC is a good neighbor. Mr. Williams raised concern with the future use of the property, as well as traffic and parking.

Eric House is a resident of the historic district and is in favor of the rezoning. Mr. House asked NCC to consider keeping the playlot on the property.

Matt and Jenny McNichols are residents of the historic district and are concerned with the future of the playground

Tom Coyne is neighboring resident and is against the rezoning. Mr. Coyne

noted that NCC currently does not have a plan for the property and that the property is completely surrounded by residences.

Linda Johns lives in the historic district and stated that NCC's use of the property will definitely change the character of the neighborhood.

The petitioner responded to the public testimony.

The PZC inquired about the status of the park. Jim Godo, NCC, stated that they are very aware that the park is important to the residents.

PZC closed the public hearing.

Chairperson Martinez and Commissioners Athanikar, Bansal, Fessler, Habel, Hanson, and Morin supported the rezoning request, finding the zoning to be consistent with the City's Master Plan.

Commissioner Margulies cast the dissenting vote, raising concern about the lack of a future use/site plan for the property.

**A motion was made by Hanson, seconded by Athanikar to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-018, rezoning of the properties bounded by School Street, Wright Street, Columbia Street, and Franklin Avenue to CU (College/University District).**

**Aye:** 7 - Athanikar, Bansal, Fessler, Hanson, Chairperson Martinez, Morin, and Habel

**Nay:** 1 - Margulies

**Recused:** 1 - Losurdo

## **E. REPORTS AND RECOMMENDATIONS:**

1. Approve the minutes of the March 20, 2019 Planning and Zoning Commission meeting.

## **F. OLD BUSINESS:**

## **G. NEW BUSINESS:**

## **H. ADJOURNMENT:**

**NAPERVILLE BOARD AND COMMISSION**  
**DISCLOSURE OF INTEREST IN CONTRACT, BUSINESS, OR TRANSACTION**

**1-13-6: BOARDS AND COMMISSIONS:** It shall be lawful for members of the various boards and commissions of the City, established from time to time by the ordinances of the City and the statutes of the state, to have an ownership, employment, or family interest in any contract, business, or transaction with the City, provided that said member shall file with the City Manager and with the chairman or vice chairman of the member's board or commission, the following disclosure:

Agenda Date & Item Number: April 17, 2019, Agenda item D.4

Name: Anthony Losurdo

Position with City: Planning and Zoning Commissioner

Name of entity contracting with City: Little Friends, Inc.

Proposed contract, business, or transaction: rezoning of property owned by Little Friends, Inc

I have an ☐ Ownership ☐ Employment ☐ Family ☐ Appearance of Impropriety ☒ Other  
interest in the proposed contract, business, or transaction as follows: BOARD OF DIRECTOR

Dated: 4/16/2019

Signature: Anthony Losurdo

1. Said disclosure shall be filed before any board or commission (including the member's own) or the City Council considers approval of the proposed contract, business, or transaction.
2. In the event the member's own board or commission is to review or recommend upon such contract, business, or transaction, the member shall leave the chamber where deliberations take place during the discussion and vote on the interested matter and such member shall have no vote upon the matter.
3. The disclosure form filed by said member shall be attached to and made a part of the minutes of the meeting of said board or commission and shall be attached to and made a part of the report or recommendation made by said board or commission to the City Council, the City Manager, or any other board or commission of the City to whom such report or recommendation is rendered. Such disclosure shall be included with the agenda when the matter is proposed for approval by the City Council.
4. Any member of a board or commission who knowingly fails to file a disclosure required by this Section shall be subject to immediate removal from such board or commission by the City Council.