



Meeting Minutes

Planning and Zoning Commission

Wednesday, June 19, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER:

B. ROLL CALL:

Present: 9 - Athanikar, Bansal, Fessler, Habel, Hanson, Losurdo, Margulies,
Morin, Van Someren

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

1. Conduct the public hearing to consider a sign variance from Section 6-16-5:2.1 to permit wall signage on the west façade for the property located at 111 E. Ogden Avenue - PZC 19-1-060

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

Tracey Diehl, Expedite the Diehl, spoke on behalf of the petitioner.
The PZC inquired about the signs and staff's required condition to restrict the size. Ms. Diehl responded that the signs will be illuminated but will be turned off when the businesses are closed. Ms. Diehl stated the condition restricting sign size was acceptable.

Public Testimony: None

The PZC closed the public hearing.

A motion was made by Commissioner Athanikar and seconded by Commissioner Fessler to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-060, a variance to install signage on the west façade of the building located at 111 E. Ogden, Naperville subject to the condition in the staff report.

**Aye: 9 - Athanikar, Bansal, Fessler, Habel, Hanson, Losurdo, Margulies,
Morin, Van Someren**

2. Conduct the public hearing to consider a conditional use in the B4 (Downtown Core) District to establish the Main Street Promenade Phase III PUD, and approve a Preliminary PUD Plat with deviations to reduce the parking requirements for multiple-family residential dwelling units, increase the maximum permitted FAR, and increase the maximum permitted setbacks (Main Street Promenade Phase III) - PZC

19-1-040

Commissioner Losurdo recused himself from the dais.

Sara Kopinski, Planning Services Team, gave an overview of the request.

Vince Rosanova (attorney with Rosanova & Whitaker), Scott Miller (Vice President of Development for RPAI), Chris Payne (architect with Sullivan, Goulette, and Wilson Architects), Jim Caneff (Civil and Environmental Consultants), and Rory Fancier (Kimley Horn) spoke on behalf of the petitioner.

The PZC inquired about the FAR deviation. Rosanova responded that the proposed FAR allows for the most efficient use of the property; the average FAR of all 3 phases of the Main Street Promenade is less than the maximum 2.5. The PZC also inquired about parking. Rosanova responded that RPAI will control the parking based upon the supply. Retail spaces were not included in the parking study or building layout because they are included in the SSA. The PZC inquired about the B4 district and setbacks. Kopinski noted that B4 allows for most intense development in downtown; a maximum setback of 6' from the property line is permitted.

Public Testimony:

Norm Mandel is a long-term resident of Naperville and an owner at Benton Terrace. Mr. Mandel stated that he purchased his property with the understanding that there would be a significant setback between Benton Terrace and the subject property.

Dwight Yackley is the developer of the Main Street Promenade and a resident of Benton Terrace. The intent was a large setback between Benton Terrace and the subject property. Mr. Yackley also expressed concern with the building bulk and height.

Paul Junkroski is a resident of Benton Terrace. Mr. Junkroski requested PZC deny the project and found that the previous PUD was more compatible with the neighborhood.

Greg Lernahan is a resident of Benton Terrace and purchased his condo based upon the previous PUD.

Gaye Justice lives in Benton Terrace and expressed concern with 2 way traffic in the alley.

Mike Justice is a resident of Benton Terrace and stated that the proposed development will affect his property value.

Bob Para is a resident of Benton Terrace and voiced concern with the proposed parking deviation.

Marilyn Schweitzer stated that the project is too dense for the zoning district. Ms. Schweitzer noted that the height, density, and lack of parking will place undue burden on the municipal parking structures.

Kathy Benson was active in the original PUD approval and the development of the Downtown 2030 Plan. Ms. Benson raised concern with the effect of the proposed building on Benton Terrace.

Don Ziniger requested that the PZC deny the project. Mr Ziniger stated that the proposal was best for the developer and not the overall block.

Jim Hill is a member of the Senior Task Force. Mr. Hill noted that the plan does nothing to increase affordable housing in the City.

Mary Lou Wehrli stated that the original PUD should not be revoked because so much input went into the approval.

The PZC inquired about the previous PUD. Kopinski responded that the Municipal Code has an effective period for PUDs. Given the inactivity and the changes in development trends since the original approval, a new PUD is required. City Council has the right to revoke the original PUD; PZC is focusing on establishing the new PUD.

The PZC inquired about parking. Fancier responded that the parking supply would be managed through the lease and there would be some flexibility. 1 bedroom units would only be offered 1 parking space, 2 bedrooms would be offered 2 parking spaces. If the spaces are not needed by the tenant, they could be utilized by other tenants as managed by RPAI. Rosanova added that the proposed project has the same parking supply as the Ellsworth condos and the parking there is functioning properly.

The PZC inquired about the intent of the original PUD. Payne responded that record of the PUD did not appear on a title search. Payne stated that RPAI has worked diligently with staff to provide the best product given the constraints of the zoning ordinance.

The PZC inquired about owner occupied units versus renter occupied units. Rosanova responded that the units are proposed as renter owned; conversion to a condo would require a condo plat and compliance with Code.

The PZC inquired about stacking cars in the parking garage. Payne stated there are systems available and this is a potential solution if parking becomes a problem in the future.

The PZC inquired about the height of other structures in the Main Street Promenade. Rosanova responded that the tallest building is 53'. The proposed building height is consistent with the zoning ordinance, downtown plan, and surrounding area.

The petitioner responded to the public testimony.

PZC closed the public hearing.

Commissioner Bansal voted in favor of the project, finding that the parking had been reviewed by staff and that the setback from Benton Terrace was acceptable.

Chairman Hanson was not in favor of the project, finding the proposal was not harmonious with the rest of the neighborhood.

A motion was made by Commissioner Fessler, seconded by Commissioner Bansal to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-040, a conditional use to establish the Main Street Promenade Phase III PUD, with deviations to the permissible floor area ratio, required setbacks along the west property line, and required parking for the subject property located at the southwest corner of Main Street and Benton Avenue, Naperville.

**Aye: 4 - Bansal, Fessler, Habel, Margulies
Nay: 4 - Athanikar, Hanson, Morin, Van Somern
Recused: 1 - Losurdo**

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the June 5, 2019 Planning and Zoning Commission meeting.

F. OLD BUSINESS:

G. NEW BUSINESS:

Commissioner Bansal congratulated Chairman Hanson on his new role as Chairman of the Planning and Zoning Commission. PZC also thanked outgoing Chair Martinez for her service.

H. ADJOURNMENT:

9:28PM

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: JUNE 19TH 19-640

Name: ANTHONY LOSURDO

Position with City: PZC.

Name of entity contracting with City: _____

Proposed contract, business, or transaction: _____

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

Dated: 6/19/19

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.