



Meeting Minutes

Planning and Zoning Commission

Wednesday, April 21, 2021

7:00 PM

Held on Zoom due to COVID-19

CITY OF NAPERVILLE PUBLIC MEETINGS UPDATE:

Pursuant to Section 120/7(e) of the Illinois Open Meetings Act, the continuation of the Governor's disaster proclamation, and a determination that in-person public meetings are not currently practical or prudent because of the Covid-19 pandemic, we are holding the April 21, 2021 Planning and Zoning Commission meeting remotely.

The commissioners and staff participating in the meeting are all in different locations in accordance with social distancing guidelines, and steps have been taken to ensure that the Commissioners can hear one another and all discussion and testimony. All votes shall be taken by roll call. The means by which the public may watch, listen, and/or participate in the meeting are described below.

IMPORTANT NOTE: You do not need to create a Zoom account or download software to participate or listen to a Zoom meeting. Registered speakers and participants will receive instructions on how to access the meeting and may use the "join from your browser" link to access the meeting.

TO WATCH OR LISTEN TO THE PZC MEETING LIVE:

1. Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T);
2. Watch online at <https://naperville.legistar.com/calendar.aspx>; or
3. Listen by telephone (audio only) – register to receive a dial-in phone number by calling the Planning Services Team, (630) 420-6694, before 5 p.m. on April 21, 2021. If a staff member is unavailable, please leave a voicemail.

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

1. Register by 5 p.m. on Wednesday April 21, 2021 at: www.naperville.il.us/pzcspeaker. After the sign-up time has ended, you will receive an email with information about how to join the Zoom meeting. Questions regarding online sign-up may be directed to the Planning Services Team via email at planning@naperville.il.us; or
2. Participate by telephone. Register with the Planning Services Team before 5 p.m. on Wednesday, April 21, 2021 to receive a dial-in phone number by calling (630)-420-6694. If a staff member is unavailable, please leave a voicemail.

TO SUBMIT WRITTEN COMMENTS OR MATERIALS:

1. Submit a written comment to planning@naperville.il.us in advance of the meeting. (Please note, since emailed written comments are available for advance review by the PZC, they will not be read into the record during the PZC hearing.)
 - 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.
2. If you register to speak on one of these cases and would like to share a presentation, please contact Planning at planning@naperville.il.us by 10 p.m. on the Friday before the meeting. Written materials which are relevant to a public comment or public hearing before the Planning and Zoning Commission (e.g. a PowerPoint, photographs, reports) should be sent electronically to planning@naperville.il.us by 10 p.m. on the Friday before the meeting.

NOTE: All submissions should be sent by the dates and times indicated above to:
planning@naperville.il.us.

PUBLIC ACCOMMODATION:

Any individual who may require an accommodation to submit comments or materials, or to view materials for the Planning and Zoning Commission meeting, should contact the City Clerk at (630) 305-5300 or napervilleclerks@naperville.il.us as soon as possible, but not later than by 5 p.m. on Wednesday, April 21.

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,** staff 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 and then 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, Brett Fessler, Bruce Hanson, Anthony Losurdo, Bill Habel, Whitney Robbins, and Carl Richelia
- Absent** 2 - Krishna Bansal, and Oriana Van Someren

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

1. Conduct the public hearing to consider a variance to allow a sunroom to encroach into the rear yard setback at 1163 Timberlane Court - PZC #21-1-024

Kathleen Russell, City of Naperville Planning Services Team, provided an overview of the request.

George Murphy, spoke as the petitioner on behalf of the applicant, providing additional details on the proposal.

Chairman Hanson asked if anything exists in the location of the proposed sunroom. Mr. Murphy stated a paver patio, which a portion of the sunroom will go over. Chairman Hanson asked if there is any conflict with the easements and if the petitioner had any issue with the condition proposed by staff. Ms. Russell stated the sunroom will not conflict with easements. Mr. Murphy stated his client did not have any issues with the condition proposed by staff.

Public Testimony: None

A motion was made by Commissioner Robbins, seconded by Commissioner Athanikar to close the public hearing.

Aye: Athanikar, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins

Commissioner Robbins stated support for the project.

A motion was made by Chairman Hanson, seconded by Commissioner Robbins to adopt the findings of fact as presented by the petitioner and approve PZC 21-1-024, a variance to Section 6-6A-7:1 to permit a sunroom to be setback 17' from the rear property line, subject to the condition noted in the staff report, for the property located at 1163 Timberlane Court.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

2. Conduct the public hearing to consider a variance to allow a deck to encroach into the rear yard setback at 1126 Starlite Court - PZC 21-1-030

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

Anthony Amodeo, on behalf of the owner, remained available for questions only.

Chairman Hanson sees the hardship given the location of the home on the lot and asked if the deck would be located in any easements. Ms. Mattingly clarified the deck will be located 11' from the rear property, out of the 10' rear yard easement.

Public Testimony: None

A motion was made by Commissioner Athanikar, seconded by Commissioner Richelia to close the public hearing.

Aye: Athanikar, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins

A motion was made by Commissioner Habel, seconded by Commissioner Robbins to adopt the findings of fact as presented by the petitioner and approve PZC 21-1-030, a variance to Section 6-6C-7:1 and Section 6-2-3:3.2 to allow for construction of a deck which encroaches into the required rear yard setback for the property located at 1126 Starlite Court.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

3. Conduct the public hearing to consider a major change to the Bradford Commons PUD to grant a conditional use to permit a daycare center and a final PUD plat with deviations for parking, stacking, and the setback for a monument sign for the subject property located at 2719 Beebe Drive (KLA School) - PZC 21-1-034

Erin Venard, City of Naperville Project Manager, provided an overview of the request.

Chairman Hanson inquired about future business model changes with the pickup/drop off. Ms. Venard responded the Commission can include that concern as a condition of approval, however, staff has noticed a policy change with more recent daycares that require kids to be escorted into the school.

Patti Bernhard, Rosanova & Whitaker Ltd, attorney for petitioner, and Selvei Rajkumar, petitioner, provided a presentation on the request.

Public Testimony:

Heather Fugate spoke in support.

George Shea spoke in support.

A motion was made by Commissioner Losurdo, seconded by Commissioner Richelia to close the public hearing.

Aye: Athanikar, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins

Chairman Hanson expressed support.

A motion was made by Commissioner Robbins, seconded by Chairman Hanson to adopt the findings of fact as presented by the petitioner and approve PZC 21-1-034, a major change to a PUD and final PUD plat in order to grant approval of a conditional use for a daycare and approval of deviations to reduce the required number of off street parking spaces, eliminate the required number of stacking spaces, and reduce the interior yard setback for a monument sign for the property located at 2719 Beebe Drive (KLA School) subject to the condition in the staff report.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

4. Conduct the public hearing to consider a variance to permit a wall sign to be located on an accessory structure on the property located at 1515 N. Naper Blvd. - PZC 21-1-035

Sara Kopinski, City of Naperville Planning Services Team, provided an overview of the request.

Caitlin Paloian, Rosanova & Whitaker Ltd, attorney for petitioner, remained available for questions.

Public Testimony: None

A motion was made by Commissioner Robbins, seconded by Commissioner Athanikar to close the public hearing.

Aye: Athanikar, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins

A motion was made by Commissioner Losurdo, seconded by Commissioner Fessler to adopt the findings of fact as presented by the petitioner and approve PZC 21-1-035, a variance to Section 6-16-5:2 to permit a wall sign to be located on an accessory structure for the property located at 1515 N. Naper Boulevard.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the April 8, 2021 Planning and Zoning Commission meeting

A motion was made by Commissioner Robbins, seconded by Commissioner Losurdo to approve the minutes of the April 8, 2021 Planning and Zoning Commission meeting.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

2. Reschedule the May 19, 2021 Planning and Zoning Commission meeting to May 20, 2021

A motion was made by Commissioner Losurdo, seconded by Commissioner Robbins to reschedule the May 19, 2021 meeting to May 20, 2021.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

3. Concur with staff’s recommendations regarding allocation of speaker time at PZC public hearings for the ICN case beginning April 21, 2021 as set forth in this memo.

A motion was made by Commissioner Athanikar, seconded by Commissioner Fessler to approve staff’s recommended options regarding allocation of speaker time at PZC public hearings for the ICN case beginning April 21, 2021 as noted in the staff report.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

F. OLD BUSINESS:

1. Reconvene the public hearing for the Islamic Center of Naperville located at 3540 248th Avenue (ICN) - PZC 20-1-052

A motion was made by Commissioner Losurdo, seconded by Commissioner Fessler to resume the public hearing for PZC 20-1-052.

Aye: Athanikar, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins

Len Monson, Kuhn, Heap & Monson, attorney for petitioner, provided an overview of the changes to the plans made since the case was last heard on April 8, 2021.

Commissioner Losurdo asked if the availability of funding will impact the

timing of construction. Mr. Monson responded yes, it will be built more quickly if funding is provided. Chairman Hanson asked for clarification on the building capacity.

Sara Kopinski, City of Naperville Planning Services Team, stated the total number of names in support or opposition that were received through the online speaker signup prior to the April 21, 2021 meeting. The names are attached to the minutes.

Solly Kurian spoke in opposition.

Paridhi Ranjan was called and requested to speak after 9 pm.

Kumar Kadiyam spoke in opposition.

Vinay spoke in opposition.

Mohit Saigal spoke in opposition.

Vasudevan asked staff questions regarding the roadway improvements and the Commission's review of the request. Vasudevan spoke in opposition.

The Commission took a recess. 9:00 PM.

The Commission reconvened. 9:05 PM.

Paridhi Ranjan was called again after 9 pm and spoke in opposition.

Sharad Choudhary spoke in opposition.

Kenn Miller spoke in opposition.

Anatha Kallae spoke out of order from speaker signup list, speaker missed name when called upon. Anatha Kallae spoke in opposition.

Ryan Clinton spoke in opposition.

Kajal Pal asked staff questions about the roadway improvements and spoke in opposition.

Bagu Shetty spoke in opposition.

Nagender Prasad Jaiswal spoke in opposition.

Santosh Murthy spoke in opposition.

Deepak Mehta spoke out of order from speaker signup list, speaker missed name when called upon. Deepak Mehta spoke in opposition.

Asim Gaffar, Heba, Moin Haque provided a group presentation in support.

Rajeev Sharma spoke in opposition.

Shazia Ali spoke in support.

Mahesh Sundaram spoke in opposition.

Syed Hoda spoke in support.

Asjad Nasir spoke in support.

Nipa Shah spoke in opposition.

Joy Duce spoke in opposition.

Sridhar Akella spoke in opposition.

Harpartap Parmar spoke in opposition.

A motion was made by Commissioner Robbins, seconded by Commissioner Fessler to continue the public hearing for PZC 20-1-052 to May 5, 2021.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren

G. NEW BUSINESS:

H. ADJOURNMENT:

10:57 PM

A motion was made by Commissioner Robbins, seconded by Commissioner Richelia to adjourn the meeting.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Habel, Robbins, and Richelia

Absent: 2 - Bansal, and Van Someren