



**NAPERVILLE PLANNING AND ZONING COMMISSION  
MINUTES OF OCTOBER 5, 2016**

**UNOFFICIAL PRIOR TO PZC APPROVAL  
APPROVED BY THE PZC ON OCTOBER 19, 2016**

**Call to Order**

**7:00 p.m.**

**A. Roll Call**

Present: Crawford, Hajek, Hastings, Martinez, Williams  
Absent: Bansal, Fessler, Hansen, Peterson  
Student Members: None  
Staff Present: Planning Team – Kasey Evans, Sara Kopinski, Erin Venard  
Engineering Team – Chris Nichols

**B. Minutes**

Approve the minutes of the September 21, 2016 Planning and Zoning Commission meeting.

Motion by: Williams

Approved

Second by: Crawford

(5 to 0)

**C. Old Business**

**C1.  
PZC 16-1-093  
Riverwalk Dental**

The petitioner requests approval of a rezoning from TU (Transitional Use District) to B5 (Secondary Downtown District), a variance to Section 6-2-10 of the Municipal Code to permit a trash enclosure to be located less than 5' from the interior side lot line, and a variance to Section 6-9-2 of the Municipal Code to permit parking facilities to be located less than 5' from the rear property line.

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

Judd Lofchie, spoke on behalf of the petitioner:

- Were asked to modify the site plan; did as much as possible to move the building north from Jefferson.
- One of the dentists met with the chiropractor to the west.
- By moving the building and cutting down the trees, the visibility of the chiropractor's sign will be as good or better.
- Have not heard back from Dr. Hunter, so we assume he is happy.

Ken Price, Watermark Engineering, spoke on behalf of the petitioner:

- Last meeting we discussed the visibility issues with the sign; did a physical study of the sign and what it would take to restore the existing condition.

- Reviewed the existing condition, the previously proposed condition, and what it would take to return to the existing condition.

Ferdinand Dimailig, BOX Architects, spoke on behalf of the petitioner:

- Reviewed a photo exhibit of the street view with the building and sign.

Judd Lofchie

- Know the neighbors to the north have objections; have called several times but have not heard back.
- Proposed building is further away from the neighbor to north's building than the current building.
- An existing fence that was on the property to north has now disappeared.

Planning and Zoning Commission inquired about:

- Martinez – The existing building today is 50' from the property to the north, the proposed building is 58'? Lofchie – Correct.

### **Public Testimony:**

Dr. Justin Hunter

- Appreciates Riverwalk Dental moving the building north; also appreciate them offering to pay for the sign variance.
- Still opposing the B5 zoning.
- Believes the projecting bay will block the view of his sign from the other side of the sidewalk.
- If the sign is permitted to be moved forward between 2.5' to 5', it becomes a safety issue due to ingress/egress.
- Showed photographs and video of the sign to demonstrate the safety issue.
- 50% of my business comes from the sign.
- Martinez – Are the 2 trees shown in your photo the trees that will be removed? Dr. Hunter – Yes.
- Martinez – In the pictures shown by the petitioner, I could see the sign. Dr. Hunter – We are not in the same location. I was standing in the driveway in the video.

Kay Kellogg

- Daughter is a patient of Dr. Hunter.
- Pulling out of his driveway is very congested; intersection at Webster and Jefferson is dangerous.
- Proposed building is 60% larger than current building and will block views at the intersection.
- Concerned that the new building will affect the look of the block.
- Williams – Orient me to Dr. Hunter's parking arrangement. Is the parking in the back? Kellogg – Yes.
- Williams – Do you pull in forward and pull out forward? Kellogg – Yes.

Charles Borso & Honora Borso

- Owned the property to the north for 25 years.
- Showed a plat of survey of the petitioner's property and their property.
- Main concern is the sidewalk on our property which is used to access our building (showed picture); concerned with safety.
- Suggested flipping the parking stalls and the drive aisle.
- The fence on our property was hit and had to be removed.
- Martinez – If we have the petitioner flip the parking lot layout, would you be in agreement with the project? Borso – It is not black and white. I would love to say yes and no. Trash location is an eyesore. Our plan is to retire in downtown Naperville and live here.
- Concerned with the dumpster screening and drainage.
- We attended the Council meeting last night and the Council said to tell you everything tonight.
- Martinez – Why didn't you return the petitioner's calls? Borso – My husband works full time and does not answer phone calls from numbers that he does not know. I take care of my grandkids.
- Williams – Is this your residence, as well as your business? Borso – No.
- Williams – Your testimony is that you did not receive the notice? Borso – Yes. Williams – Is your name on the public record as the owner of record? Borso – We don't know.

Petitioner responded to the testimony:

- Disappointed that Dr. Hunter is here opposing the project; disagree with his assessment that the bay window blocks the sign.
- We exit on Webster, not Jefferson; have limited hours that will not affect traffic on Jefferson.
- The Borsos' testified that they received a letter referencing Eagle Street, which is the address of the Municipal Center. I confirmed with staff that no other information on other hearings would have been mailed to them.
- Discussed flipping the parking lot layout, staff did not support this.
- My clients will install a fence if required.
- Martinez – Will you also put up landscaping? Lofchie – Yes.
- The trash will be 100% enclosed; the trash enclosure had to be located in the rear for pick up access.
- The property is scheduled for B5 in the Comprehensive Plan.
- Martinez – Can staff concur regarding the parking lot layout? Nichols – Typically parking stalls face the building directly, so pedestrians, especially those with disabilities, do not have to cross ingress/egress paths.

Borso

- Doesn't understand why flipping the parking lot layout is a safety issue.
- Handicapped people come out of our building as well, so it is a wash.
- Some consideration should be given to legacy (residents who have been in Naperville for many years).

- Hastings - Can staff explain the difference between TU and B5? Kopinski – The TU district has larger setback requirements.
- Hastings - By right, what could they have in TU? Kopinski – In TU, the front yard setback is 15', a corner side yard of 10', a rear yard of 25' and an interior yard of 6'. The B5 district allows 5' in the front, 5' on the corner, 0' on the interior and the rear.
- Hastings – Where are they with the variance? Kopinski – The proposed building placement is at 7.5'. If the B5 rezoning is supported, no variances are required for the building. The parking has a separate setback requirement of 5' from the property line. With the new design, the parking is 3' from the rear property; they are requesting a 2' variance.
- Martinez – The building is within code, the parking is 3' from the rear property line versus 5'.
- Hastings – Would the building need setback variances if the property remained zoned TU? That is the concern; the building is too big. Kopinski – If it remained TU, they would need at 7.5' front yard variance.
- Hastings – Anything else? Elevations would fit? Kopinski – Elevations would fit. Parking issue would remain the same; it is 5' regardless of the zoning district. Would also be requesting a 5' corner side yard setback variance.
- Williams – I totally agree regarding the size of the building. Last meeting, we were told if the size of the building increased upward, we would need an elevator? If so, can this requirement be removed or amended? Kopinski – That would be governed by the building code.
- Williams – The building is too big; I have some thoughts and concerns about the neighbors, jurisdiction, etc. On the other side of the coin, the present building is a rat trap and I do not want to lose your project.
- Hajek – In the middle; looking at the size of the building and I am sympathetic with the neighbors. Seems like you are trying to squeeze too much on the property. My sense is there is a compromise that can be reached. Right now my vote is no, but I would like to continue the discussion.
- Crawford – At the last meeting, I thought there had not been enough conversation with the adjacent property owners. I think we have more evidence now. I do not have a problem with the change in zoning; it matches the 2030 plan and is appropriate along the Webster corridor. It is a lot of building right now, but I do not think it will be in the future. The pocket parking will relieve some parking issues. Looked at sight lines and I think the concerns with the sign have been met. I am supporting.
- Hastings – Agree with all three fellow Commissioners that have previously spoken, so I am clearly on the fence. As you look at the building, it has a larger footprint on the lot. Even though it is a part of the 2030 plan, I am not sure we are ready for it.
- Martinez – In agreement with Commission Crawford, the zoning is in agreement with the 2030 plan. I see the B5 plan going this way. Do not

want to hurt Dr. Hunter's business, but do not want to hurt Riverwalk Dental either.

- Williams – Seriously appreciate Commissioner Crawford's comments. I want this project, but I do not know what the rush is to get to 2030 today. I do not want to inconvenience the neighbors. I am leaning more towards this than against it. I see a lot of issues on both sides.
- Martinez – What trends has staff seen in this particular area related to this issue? Do we see larger projects? Kopinski – We have not had any formalized proposals in this general area recently. Overall when we see new proposals, they are generally bigger than what was there previously. This particular block of Webster is called out specifically in the 2030 Plan as a possible area to be rezoned to B5, given that it does directly abut B4 zoning. Also, the surrounding properties have zero setback. In seeing gradual redevelopment on that block, we would anticipate this project to be in line with other future projects.
- Martinez – Willing to keep the public hearing open, but we need to see work on both sides. I do not want to keep the public hearing open and not see progress and compromise from both sides.
- Hastings – I would echo that. I did see the petitioner come forward with changes and I did not see the residents giving them any credit.
- Williams – Commend the petitioner. You have done an outstanding job on returning quickly and making substantial plan changes. I would also like to be a cheerleader for continually working together. However, I personally do not see that happening. Maybe the better thing to do would be to vote tonight.
- Lofchie – Per the Naperville Code anything over 1,000 feet requires an elevator and sprinklers. The lot is very expensive. The building envelope is not that big. I honestly do not think we can move the building.
- Williams – I think we agree. We just feel it is too much. I think we have the time; apparently you do not have the time.
- Lofchie – If we continue it, we would have to withdraw.

Planning and Zoning Commission closed the public hearing.

**Planning and Zoning Commission Discussion:**

- Williams – Voting yes, but I would like to see a scaled down building and an exception for the elevators.

Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 16-1-093, a rezoning from TU (Transitional Use District) to B5 (Secondary Downtown District), a variance to Section 6-2-10 of the Municipal Code to permit a trash enclosure to be located less than 5' from the interior side lot line, and a variance to Section 6-9-2 of the Municipal Code to permit parking facilities to be located less 5' from the rear property line.

Motion by: Williams  
Seconded by: Hastings

Approved  
(4 to 1)

Ayes: Williams, Crawford, Hastings, Martinez  
Nays: Hajek  
Absent: Bansal, Fessler, Hansen, Peterson

## D. Public Hearings

### D1. PZC 16-1-114 225 N. Julian Street

The petitioner requests approval of a variance to Section 6-6C-7 (R2: Yard Requirements) to reduce the required corner side yard on the subject property to construct a detached garage at 225 N Julian Street.

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

William Dutton, spoke as the petitioner:

- Resident of the property for 25 years; just now fixing the garage.
- Available for questions.

Planning and Zoning Commission inquired about:

- Williams – Are you the property owner? Dutton – Yes.
- Martinez – Can you clarify the encroachment? Evans – 10’.

### Public Testimony: NONE

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 16-1-114, a variance to Section 6-6C-7 (R2: Yard Requirements) to reduce the required corner side yard on the subject property to construct a detached garage at 225 N Julian Street.

Motion by: Williams  
Seconded by: Crawford

Approved  
(5 to 0)

Ayes: Crawford, Hajek, Hastings, Martinez, Williams  
Nays: None  
Absent: Bansal, Fessler, Hansen, Peterson

### D2. PZC 16-1-119 Calamos Corporate Center

The petitioner requests approval of a major change to a planned unit development in order to permit a conditional use for a daycare center in accordance with Section 6-8B-3 (ORI District: Conditional Uses) of the Naperville Municipal Code for the subject property located at 2075 Calamos Court, Naperville.

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

Planning and Zoning Commission inquired about:

- Williams - Just changing a label? Venard - Need a major change to the PUD due to the conditional use.

Tracey Miller, Calamos, spoke on behalf of the petitioner:

- Great use for our community; will support the development.

**Public Testimony: NONE**

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 16-1-119, a major change to a planned unit development in order to permit a conditional use for a daycare center in accordance with Section 6-8B-3 (ORI District: Conditional Uses) of the Naperville Municipal Code for the subject property located at 2075 Calamos Court.

Motion by: Williams  
Seconded by: Hajek

Approved  
(5 to 0)

Ayes: Crawford, Hajek, Hastings, Martinez, Williams  
Nays: None  
Absent: Bansal, Fessler, Hansen, Peterson

**E. Reports and  
Recommendations**

**F. Correspondence**

**H. Adjournment**

**8:18 p.m.**