



**NAPERVILLE PLANNING AND ZONING COMMISSION  
APPROVED MINUTES OF JULY 9, 2014**

**UNOFFICIAL PRIOR TO PZC APPROVAL  
APPROVED BY THE PZC ON JULY 23, 2014**

**Call to Order**

**7:00 p.m.**

**A. Roll Call**

Present: Bruno, Coyne, Dabareiner, Frost, Gustin, Hastings, Messer, Meyer, Williams  
Absent:  
Student Members:  
Staff Present: Planning Team – Derek Rockwell, Ying Liu, Kasey Evans  
Engineer – Andy Hynes

**B. Minutes**

Approve the minutes of the June 18, 2014 Planning and Zoning Commission meeting.

Motion by: Williams  
Second by: Meyer

Approved  
(9 to 0)

**C. Old Business**

**C1.  
PZC 13-1-153  
Solana of Naperville**

The petitioner, Formation Shelbourne Senior Living Services, LLC., requests approval of the following in order to allow for the development of a nursing home, known as The Solana of Naperville, on Lot 9 of Naperville Crossings:

1. A rezoning from B2 (Community Shopping Center District) to R3 (Medium Density Multi-family District);
2. A conditional use for a nursing home in the R3 district; and
3. A major change to the Naperville Crossings Planned Unit Development (PUD) and approval of a preliminary PUD plat for Lot 9.

Ying Liu, Planning Services Team, gave an overview of the request.

Planning and Zoning Commission inquired about:

- None

Len Monson, Attorney with Kuhn, Heap & Monson, spoke on behalf of the petitioner:

- Site plan modifications include increased open space in compliance with City Code and the elimination of monument signage.

Planning and Zoning Commission inquired about:

- Meyer – Inquired about the demarcation of street lights on the plan.

**Public Testimony:**

Ari Rosenthal, 3135 Brossman, Naperville:

- Currently serves as the president of the Ashbury HOA and as the Ashbury liaison to the South Homeowners of Wheatland (SHOW).
- Appreciate the neighborhood meeting with the developer that occurred early in the process.
- This project is needed but in the wrong location.
- The existing businesses in the shopping center are looking for daytime consumers to be added to the site. This project will not supply such daytime customers and aren't designed for interaction with the shopping center. The employees and residents will not frequent the shopping center.
- Office, amusement and entertainment uses are appropriate on the subject property. The commission should not allow a change to the original plan.

Kamala Martinez, 4312 Camelot Circle

- Represents South Homeowners of Wheatland (SHOW), which consists of approximately 25,000 residents and 16 homeowners associations around Naperville Crossings.
- Residents feel that the use is warranted, but not at the proposed location. Would prefer a retail use at this location.
- There is a need for additional commercial space in the area.

Petitioner responded to testimony:

- Monson - Only 25% of the beds are memory care. The development will not be a locked-down facility.

Planning and Zoning Commission closed the public hearing.

**Planning and Zoning Commission Discussion:**

- Bruno – Not a complementary use with the retail character of the surrounding development. Cannot support the project.
- Coyne – Not ready to give up a commercial use at this location, given the development that has occurred around it.
- Dabareiner – Concurs with the members of the public that spoke. The use is warranted, but this is not the proper location.
- Frost – Nice project, but at an inappropriate location.
- Gustin – Appreciates the increased open space, but this proposal does not fit within the scope of the vision at the location.
- Hastings – Agrees with fellow commissioners. The space has ample opportunity to be utilized as B2.
- Messer – Appreciates the petitioner's changes to comply with open

space, but still does not support the proposed use. This property will appear as a large gap in the commercial area. Does not meet the standards for rezoning.

- Meyer – Appropriates the proposed use but this is not an appropriate location.
- Williams – Opposed to the use. Will not support it at this location. Appreciates the changes made to the plans since the last meeting.

Planning and Zoning Commission moved to recommend approval of PZC 13-1-153, a rezoning from B2 to R3, a conditional use for a nursing home in the R3 district, and a major change to the Naperville Crossings Planned Unit Development (PUD) and approval of a preliminary PUD plat for Lot 9.

Motion by: Williams  
Seconded by: Messer

Not Approved  
(0 to 9)

Ayes: None

Nays: Bruno, Coyner, Dabareiner, Frost, Hastings, Messer, Meyer, Williams, Gustin

## **D. Public Hearings**

### **D1. PZC #14-1-051 Ogden Addition Fence Variance**

The petitioner, Joseph Herron, requests approval of a variance from Section 6-2-12 (Fences) of the Municipal Code to allow for the construction of an 8' tall fence at the properties located at 25 W. 8<sup>th</sup> Avenue and 826-846 N. Main Street.

Derek Rockwell, Planning Services Team, gave an overview of the request.

Planning and Zoning Commission inquired about:

- The material of the proposed fence.

Abigail Preissler, with Rosanova and Whitaker, LLC, spoke on behalf of the petitioner:

- We are intended to get the fence height variance and allow each homeowner to make its own decision about the material of the fence.
- The 8' fence would help screen the homes from the adjacent commercial uses and the major arterial road, Washington Street.

Planning and Zoning Commission inquired about:

- Height of a house that is under construction on one of the subject properties. Preissler – Less than 38'.
- What the subject properties include? Rockwell – The subject properties include six lots starting from 8th Avenue.
- Whether a restriction should be placed to require a solid wood or vinyl fence to ensure that the desired privacy and protection is afforded.
- Would the petitioner prefer a 9' fence in lieu of the requested 8' fence? Vince Rosanova, attorney with Rosanova and Whitaker, LLC, spoke on

behalf of the petitioner – 9’ is not a standard height in fences and may cost more to install. Would prefer an 8’ tall height.

**Public Testimony: None**

Planning and Zoning Commission closed the public hearing.

**Planning and Zoning Commission Discussion:**

- Dabareiner – The presentation is complete. The standards for variances are met. Will support the project with the condition.
- Frost – Would recommend adding a condition to require a solid fence made of wood or vinyl material.
- Coyne – In favor of the project with the condition.
- Gustin – In favor of the project with the condition.
- Hastings – In favor of the variance as is. But will go along with the suggested condition.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-051, a variance from Section 6-2-12 (Fences) of the Municipal Code to allow for the construction of an 8’ tall fence at the properties located at 25 W. 8<sup>th</sup> Avenue and 826-846 N. Main Street, with the condition that the fence shall be a solid wood or vinyl fence.

Motion by: Williams  
Seconded by: Meyer

Approved  
(9 to 0)

Ayes: Bruno, Coyne, Dabareiner, Frost, Hastings, Messer,  
Meyer, Williams, Gustin  
Nays: None

**D2.  
PZC 14-1-064  
600 N. Washington**

The petitioner, 600 Washington Street LLC, requests approval of a variance from Section 6-7F-7 (OCI: Yard Requirements) of the Naperville Municipal Code in order to reduce the 20’ corner side yard setback requirement to allow for construction of an open porch and balcony addition at a distance of 10’-10” from the corner side property line for the property located at 600 N Washington Street.

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

Planning and Zoning Commission inquired about:

- Any changes to the sidewalk or other areas of the site? Evans – Don’t believe so.

Abigail Preissler, with Rosanova and Whitaker, LLC, spoke on behalf of the petitioner:

- The existing trees on the property would stay in order to provide a buffer for the proposed patio/balcony.
- A variance was approved for an 8’ setback on the subject property. But

no exhibit was attached to the variance ordinance to show the exact encroachment approved. The house currently is 10' from the side lot line, already encroaching into the required corner setback.

- The new patio/balcony will not extend beyond the existing house, and will be located also 10' from the corner side lot line.

Planning and Zoning Commission inquired about:

- Location of the proposed patio/balcony.
- Will be existing bump out be removed to accommodate the patio/balcony? Preissler - Yes.
- Whether the proposed patio/balcony will be flush with the front door facing 6<sup>th</sup>? Preissler - Yes.

**Public Testimony: None**

Planning and Zoning Commission closed the public hearing.

**Planning and Zoning Commission Discussion:**

- Dabareiner – This is in line with the existing structure. The variance meets the standards for granting variances.
- Frost – It is consistent with the existing structure to the west of the improvement.
- Gustin – The pre-existing home is not in compliance with the setback requirement. The proposed patio/balcony will add to the residential feel of the house.
- Messer – The site has an existing encroachment. What is proposed is an improvement to the property.
- Williams – The requested variance is reasonable and meets the hardship standard. The addition of the patio/balcony would make the building look modern.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-064, a variance from Section 6-7F-7 (OCI: Yard Requirements) of the Naperville Municipal Code in order to reduce the 20' corner side yard setback requirement to allow for construction of an open porch and balcony addition at a distance of 10'-10" from the corner side property line for the property located at 600 N Washington Street.

Motion by: Williams  
Seconded by: Messer

Approved  
(9 to 0)

Ayes: Bruno, Coyner, Dabareiner, Frost, Hastings, Messer,  
Meyer, Williams, Gustin  
Nays: None

**D3.  
PZC #14-1-033**

The petitioner, requests approval of PZC 14-1-033, which includes:  
Approval of a Preliminary/Final Plat of Subdivision for The Mayor Estate; and

**Mayor Estate**

Approval of a variance from Section 6-2-12 (Fences) of the Municipal Code in order to increase the maximum fence height from six feet (6') to a maximum of eight feet seven inches (8.7').

The petitioner requested continuance of the case to July 23, 2014.

Planning and Zoning Commission opened the public hearing and continued the case to July 23, 2014.

**E. Reports and  
Recommendations**

**F. Correspondence**

**G. New Business**

**H. Adjournment**

8:10 p.m.