



**NAPERVILLE PLANNING AND ZONING COMMISSION
FINAL MINUTES OF MAY 1, 2013**

**UNOFFICIAL PRIOR TO PZC APPROVAL
APPROVED BY PZC ON MAY 15, 2013**

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 – Ying Liu, Timothy Felstrup
Engineer – Pete Zibble

B. Minutes

Approve the minutes of the April 17, 2013 Planning and Zoning Commission meeting.

Motion by: Meyer

Approved

Second by: Williams

(9 to 0)

C. Old Business

D. Public Hearings

**D1. 13-1-015
PZC Case
Goldfish Swim
School Sign**

The petitioner, Randall Barba, requests approval of a variance from Section 5-4-5:2.1 (Commercial Signs; Monument Signs) of the Naperville Municipal Code to allow construction of a second monument sign, 5.7' tall and 27.5 square feet in area, on the property located at 1688 Quincy Avenue.

Tim Felstrup, Planning Services Team, gave an overview of the request.

Planning and Zoning Commission inquired about:

- Can the existing non-conforming sign be changed to accommodate an additional panel for Goldfish Swim School? Felstrup responded that a variance would be required to modify the existing non-conforming sign.
- Has any adjacent businesses contacted staff? Felstrup indicated no.
- Will changing out an existing panel on the existing non-conforming sign trigger a variance? Felstrup indicated that no; however, the current sign doesn't have a vacant panel left for the petitioner's use.
- Is a wall sign allowed for the business? Felstrup confirmed yes.
- The history of the existing sign. Felstrup indicated that the existing sign

was installed in the 90s prior to the current sign code.

- How does the proposed sign compared to the existing sign in size? Felstrup indicated that the proposed sign is considerably smaller than the existing sign.

Jacklyn Michael, the Naperville Goldfish Swim School Manager, spoke on behalf of the petitioner:

- The adjacent businesses don't have any issues with the additional sign.

Planning and Zoning Commission inquired about:

- Whether the petitioner has any contractual obligation to keep the existing sign on the property. Michael indicated that she doesn't have the information.
- Did staff discuss with the petitioner about allowing the proposed monument sign subject to the condition that no wall signage be allowed. Felstrup responded that staff discussed a condition of approval with the petitioner that they forgo adding a panel on the existing sign. The petitioner is permitted to have wall signage under the sign code.
- Do other training studios in the area have monument signs? Felstrup indicated that Kidz Kabaret has a monument sign across street.
- What is the hardship of the sign variance? Felstrup responded that the hardship with this case is that the existing sign advertises businesses not on the subject property. Without the existing sign, the petitioner is permitted to have a monument sign on the property.
- Williams stated that he would prefer that the petitioner be permitted to install a wall sign and add a panel to the existing sign.

Planning and Zoning Commission Discussion: None

Planning and Zoning Commission moved to table the case to May 15, 2013 and requested the owner to be present at the meeting to answer questions.

Motion by: William
Seconded by: Meyer

Approved
(8 to 1)

Ayes: Bruno, Coyne, Frost, Gustin, Hastings, Messer,
Meyer, Williams

Nays: Dabareiner

D2.
PZC 12-1-154
Mayfair Phase 2

The petitioner, M/I Homes, requests approval of a variance from Section 5-4-5:2.1 (Commercial Signs; Monument Signs) of the Naperville Municipal Code to allow construction of a second monument sign, 5.7' tall and 27.5 square feet in area, on the property located at 1688 Quincy Avenue.

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

Planning and Zoning Commission inquired about:

- How viable is this area for commercial? Liu responded almost all commercial buildings in this area are entirely occupied.
- What are the main differences between this proposal and The Oaks at Naperville Crossings? Liu responded that the property for The Oaks was initially designated for residential uses and there was not a request to convert commercial land to residential. In addition, the commercial frontage in front of The Oaks is already well-established and therefore the multifamily development didn't have any negative impact on the commercial land.
- Does staff not object to the townhomes but to the density? Liu responded that staff is not against townhomes on a portion of the property, but want to see a better design and more considerations given to protect the commercial frontage along Route 59.
- Is it staff's desire to keep the strip land on the south of the Urbanek property B2? Liu responded yes.
- Is it staff's desire to keep the south corner of the property as commercial? Staff responded yes. Liu indicated that staff is not proposing an arbitrary line, but would like the opportunity to work with the petitioner to keep a portion the land as commercial while still having a viable townhome project.
- Is staff suggesting a greater depth for the remaining commercial land than the Penny Mustard store? Liu responded yes. When the Penny Mustard store was developed, it had substantially limited the visibility of the subject property and negatively impacted on the commercial viability of it. Staff wants to prevent the same from happening again and recommends that the impacts of the rezoning proposal on adjacent properties be addressed now.
- Can commercial development still happen on the remaining commercial land without the subject property? Liu responded that the remaining land would have very limited commercial opportunities without partnering with adjacent property owners.
- Due to the segmented ownerships of the area, is staff being presumptuous to wait for a consolidated commercial development to happen at the corner? Liu indicated the City's vision is to have commercial development at this location. The properties' commercial opportunities should be protected.

Greg Collins, Land Acquisition Manager with M/I Homes, spoke on behalf of the petitioner:

- M/I Homes is the contract purchaser of the subject property.
- Collins gave an overview of the history of the existing Mayfair development.
- Rich Olson, with Gary R. Weber Associations, Inc., gave an overview of the site layout and landscaping improvements for the project.
- Dan Stevens with Spaceco Inc. discussed the transportation system and stormwater facilities associated with the development.

Planning and Zoning Commission inquired about:

- How would people traveling southbound of Route 59 access the site? Olson responded that they would be accessed from Audrey Lane or Fort Hill Drive.
- Clarification of the density calculations for Mayfair and Mayfair Phase 2.
- Whether the development meets the open space requirement? Liu confirmed yes.
- How many dwelling units are in each building? Collins responded that in Phase 1, they have 4 and 6 unit buildings. Phase 2 has 4-7 unit buildings.
- What area does the detention pond serve? Staff indicated that the pond appears to be only serving the Mayfair and Mayfair Phase 2.
- Why the property should be rezoned to residential? Collins responded that the proposed townhome development is the best and highest use of the property. The existing conditions are difficult for commercial development and townhome is the trend of the development in the area.
- Would the development allow future connection of adjacent properties to Henley Lane? Collins confirmed that Henley Lane will be dedicated as a public right-of-way and future connection will be allowed.
- What is the justification for the R3 zoning instead of R3A? Collins responded that the R3 zoning serves as a transition between the existing R3A properties and commercial uses.
- Can the density and the number of dwelling units be reduced? Collins responded that they are amiable to work with staff, but doesn't agree with staff on fundamental issues such as land use and provision of the private road.

Public Testimony:

Joe Barbarotta, property owner to the south of the subject property, spoke against the petition:

- The proposed development would negatively impact the adjacent commercially zoned land.
- If the property is rezoned to residential, it will promote individual development of the remaining properties, which will take more time and be less successful.
- We support staff's assessment of the project.
- We are opposing to the proposed density.
- We have met with M/I Homes several times. While the meetings have been generally agreeable, it seems that M/I Homes wanted to wait for the outcome of this meeting first.
- We recommend leaving land south of the proposed Henley Lane commercial.
- Bruno asked whether the new setback requirement would affect the

Barbarotta's property. Barbarotta responded that yes, his property would have a less viable commercial area.

- Coyne asked whether staff agrees with the Barbarotta's suggestion to leave the land south of Henley Lane commercial. Liu responded that staff will have to further evaluate the Barbarotta's proposal, but it is definitely more consistent with staff's recommendation.

Rosalyn Urbanek, property owner to west of the subject property spoke against the petition:

- Changing the existing B2 zoning to R3 would change the character of this area.
- The Urbanek family has a vested interest in the commercial development of this land.
- Recommends that this case be continued so that more communication can be done with the surrounding property owners to discuss a viable option for commercial development.
- A water main is being proposed along the strip land south of the Urbanek's property, which would prevent location of any future building or parking on top of the line.
- Is open to discuss rezoning a portion of the site to residential, but the south portion of the site should be kept commercial.

Sameer Handa, at 2765 Blakely Lane, spoke against the petition:

- Traffic on Blakely Lane will be significantly increased.
- It will have a negative impact on my HOA fees.
- The developer is proposing to change the detention pond. I paid a premium to have a view of detention pond, which will be lost with the proposed construction.
- The proposed higher density will have a negative impact on my property value.
- I would prefer commercial development on the site. Many other existing commercial developments in the area do not have visibility from Route 59 and they are still viable.

Srivatsan Jayaramason Darma, at 2756 Blakely Lane, spoke against the petition:

- I am concerned with the additional traffic on Blakely Lane and its impact on the safety of the kids in Mayfair.
- The design and setbacks of the new Phase 2 appear too crowded and would negatively impact my property value.

Erich Vora, 2768 Blakely Lane, spoke against the petition:

- I am concerned with the additional traffic through Phase 1 and the proposed density of Phase 2.

Naga SS Yerra, at 2753 Blakely Lane, spoke against the petition:

- M/I Homes has proposed a number of options for the existing pond. Is changing the pond the City's requirement? Collins responded that in

order to meet the DuPage County BMP requirement for Phase 2, the pond will have to be changed to provide for stormwater treatment.

- I am concerned with the lost of my pond view.
- I am also concerned about the proposed density and its negative impact on my property value.
- I would like to see commercial development on the site.

Collins responded to testimony on behalf of the petitioner:

- We met with the Urbanek family to address her concerns. The water main along the strip adjacent to the Urbanek's property is proposed to meet the City's requirement for looping the water main. We agree to keep the strip land south of the Urbanek's property as B2.
- The proposed street layout is the best plan for connectivity and access.
- The proposed townhomes meet the 50% brick requirement.
- We would like the Planning and Zoning Commission's direction on the lane use issue.

Planning and Zoning Commission Discussion:

- Bruno – The strip south of the Urbanek's property should stay B2 and additional buffer should be provided from the existing commercial uses. I agree with the proposed street layout. However, this proposal doesn't meet the requirement for a PUD to be innovative and creative, as Phase 2 as proposed is of a less quality than Phase 1 due to the increased density. I would also prefer that B2 zoning south of Henley Lane be kept commercial if all parties can work together.
- Meyer – I am in favor of keeping the B2 zoning on Route59. If a residential zoning is to be approved, a R3A zoning should be approved with a less density. The 6' fence should be placed around all perimeter of the development. The issues brought up by the adjacent commercial property owners should be addressed. I would like to more closely look at the increased traffic in the existing Mayfair. I also don't think that this development has met the PUD design criteria.
- Williams – I agree with Bruno and Meyer except that I think the entire parcel should remain commercial. The proposed development is way too dense, and not consistent with the criteria of a PUD. There are still many questions yet to be answered.
- Hastings – I understand the land has been vacant for some time and I applaud the petitioner's effort to develop the land. However, all of City staff's comments are very valid and I would ask the petitioner to address them.
- Dabareiner – The City's land use plan should not be changed unless it is for something really desirable and I don't think the desire exists for this project. I think the entire parcel should be kept commercial. Part of the reasons for planning and zoning is to set expectations for the future and I think the surrounding property owners have valid concerns.
- Frost – B2 zoning should remain on the strip land south of the Urbanek's property. However, I agree with the townhome development as long as

the setbacks of adjacent B2 land are addressed.

- Coyne – I believe the property south of Henley should remain B2. The residential use north of Henley is fine; however, the density should be reduced.
- Messer – I do not believe the request meets the standards for a zoning change. The request for R3 is not consistent with the existing R3A zoning in the surrounding. There will be a substantial detriment to the surrounding properties. The PUD standards have not been fully met. I agree with the previous comments that the property south of Henley Lane should remain B2. I agree with the street system as proposed.
- Gustin – The land south of Henley Lane should remain B2. The density should be reduced to be consistent with Phase 1. The access on Route 59 should be eliminated in order to help the traffic situation. There is a lack of buffer between the townhomes at the northwest corner of the development and the existing commercial uses. I would recommend continuing this public hearing to allow the petitioner the time to work with staff to address the issues raised.

Planning and Zoning Commission continued the public hearing and directed the petitioner to work with staff to resolve the issues raised.

D3.
PZC 13-1-004
Freedom Plaza

The petitioner, Lakhany Group Investments, LLC, requests revocation of the existing Freedom Plaza Planned Unit Development (Ordinances 11-187 and 11-190) and approval of a preliminary plat of subdivision, a conditional use for a full service hotel/conference center, a conditional use to establish a planned unit development for Freedom Plaza, a preliminary planned unit development plat, and associated zoning, landscape, subdivision and sign variances/deviations for the property located on Abriter Court north of Diehl Road and south of Interstate 88.

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

Planning and Zoning Commission inquired about:

- Clarification on the sign variances being requested.

Russ Whitaker, Rosanova & Whitaker, Ltd., spoke on behalf of the petitioner:

- Whitaker gave an overview of the request. The petitioner needs the 25' height for the Tollway sign to ensure its visibility. The petitioner doesn't agree with staff's condition to reduce the height of the sign to 20'.
- The petitioner doesn't agree with staff's condition regarding the timing of the construction but is willing to continue to work with staff on this issue. Staff's condition will prohibit financing of the project and make this project unworkable. The petitioner requests the commission eliminate the condition.
- The easement agreement will be recorded and a plat of easement should not be required.
- We agree with other conditions recommended by staff.

- Geoff Roehll, Hitchcock Design Group, gave an overview of the layout and landscaping for the development. Staff had recommended a courtyard between Restaurants 2 and 3. The details of the courtyard area have not been finalized and it may include various functions.
- Steve Carlson, Architect, gave an architectural overview of the proposed building elevations.

Planning and Zoning Commission inquired about:

- Is the petitioner willing to work with staff to address their concern regarding the building elevations? Whitaker indicated yes.

The Commission voted to continue the meeting to 11:30 p.m.

- The design of the detention pond. Brian Hager, VS Company, responded that the relocated detention pond will be much larger and they are looking at naturalizing the pond.
- Does the hotel need to be completed before the restaurants can open per staff's condition? Staff clarified that staff's recommendation is that the hotel construction shall be underway prior to issuance of a building permit for the restaurants.
- Coyne – doesn't see a problem with the sign.
- Bruno and Coyne - Staff's condition about the timing of the construction is unreasonable and could hinder the financing of the project.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Bruno – I commend the petitioner for bringing the project back.
- Coyne – I commend the petitioner. The proposal is an improvement to the previous one.
- Dabareiner – This is an exciting project. The petitioner did a great job in the overall design of the project.
- Frost – This is an excellent project.
- Gustin – This is an excellent project.
- Hastings – The project looks great.
- Messer – I am excited about this development. This is a significant improvement to the previous proposal.
- Meyer – I am excited about the project.
- Williams – The development is exciting.

The Commission voted to continue the meeting to 12:00 a.m.

Planning and Zoning Commission moved to recommend approval of PZC 13-1-004 subject to the following conditions:

- The petitioner shall work with staff on staging and timing of

construction.

- The petitioner shall be required to provide for a cross access easement over the Fairfield Inn property.
- The petitioner shall be required to establish a shared parking agreement with a surrounding property owner to provide off-site overflow parking for large events at the conference center. The petitioner shall submit a copy of the signed agreement during the final PUD plat process for Lot 5.
- The sign along the Tollway shall include an architectural feature added to be top consistent with the other two proposed signs so that the total height of the sign doesn't exceed 25'.
- No additional ground/monument signs shall be allowed within the development other than the three proposed signs.

Motion by: Williams
Seconded by: Meyer

Approved
(9 to 0)

D4.
PZC 13-1-037
Fairfield Inn

The petitioner requests a major change to the Diehl Road Campus Unit 3 Planned Unit Development and a sign variance for the Fairfield Inn property located at 1820 Abriter Court.

Russ Whitaker, Rosanova & Whitaker, Ltd., spoke on behalf of the petitioner:

- Whitaker gave an overview of the request.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion: None

Planning and Zoning Commission moved to recommend approval of PZC 13-1-037 subject to the following conditions:

- The petitioner shall be required to provide for a cross access easement over the Fairfield Inn property.
- The petitioner shall be required to submit a final PUD plat to reflect the new access and any resultant changes on the subject property, which must be processed and recorded concurrently with the final plat of subdivision for Freedom Plaza or any final PUD plat for Lots 1-5 in Freedom Plaza, whichever occurs first.

Motion by: Meyer
Seconded by: Williams

Approved
(9 to 0)

**E. Reports and
Recommendations**

F. Correspondence

F1. Request: Information Only.
PZC 13-1-039
Planning Team
Work Program

G. New Business

G1. Request: Initiate an amendment to Title 6 pertaining to training studios and
PZC 13-1-036 automotive uses.
Training Studios/
Automotive Uses The Commission continued the case to May 15, 2013.
Text Amendment

H. Adjournment

12:00 a.m.