



**NAPERVILLE PLAN COMMISSION
DRAFT MINUTES OF SEPTEMBER 15, 2010**

Call to Order

7:00 p.m.

A. Roll Call

Present: Bruno, Messer, Meyer, Sterlin, Trowbridge, Gustin, Herzog, Edmonds
Absent: Meschino
Student Members: Stancey
Staff Present: Planning Team – Thorsen, Emery, Forystek, Zawila
Department of Public Utilities -- Ritter

B. Minutes

Approve the minutes of the September 1, 2010 Plan Commission Meeting subject to modification on page 4 to reflect intent of location for ROLC.

Motion by: Gustin
Second by: Meyer

Approved
(8 to 0)

Chairman Edmonds moved consideration of Mayfair Resubdivision, PC#10-1-111 to the second item on the agenda.

C. Old Business

None

D. Public Hearings

**D1. PC 10-1-112
School of Rock**

Conduct the public hearing and recommend that the City Council approve the Conditional Use for a training studio in the TU District at 220 N. Washington Street

Suzanne Thorsen, Planning Services Team, gave an overview of the request.

- Staff has reviewed the proposal and has no concerns with the use.
- Sound will be regulated by the city's performance standards.

Plan Commission inquired about:

- Traffic circulation
- Noise
- How parking is shared with the adjoining property
- Whether the petitioner would commit to limiting the hours of operation

Denise Dills, 114 E. 6th Street, Hinsdale IL (petitioner) responded to Plan Commission questions:

- Traffic may access parking located at the rear of the property from two

access and is primarily drop-off/pick-up in nature.

- At most, five to eight students would be on the site at a given time.
- Sound attenuation between the rooms will be provided in order to avoid conflicting noise. This will also minimize exterior noise impacts.
- A proposed attic dormer addition has been removed from the proposal.
- The petitioner would not object to limitations on Sunday or late Saturday evening music lessons but opposes any other restriction on hours of operation.

Plan Commission closed the public hearing.

Plan Commission Discussion:

- Bruno – Feels that a restriction on hours of operation is unnecessary as long as the business owner complies with the noise ordinance.
- Meyer – Agrees with Bruno and Herzog, but has concerns about left-hand turns to access the property during rush hour. Requested that staff look into traffic restrictions prior to Council consideration
- Herzog – If noise is not an issue then there should be no restriction on hours of operation.

Plan Commission moved to recommend approval of PC#10-112 a conditional use for a training studio in the TU District at 220 N. Washington Street.

Motion by: Meyer
Seconded by: Herzog

Approved
(8 to 0)

E1. 10-1-111
Mayfair
Resubdivision

Recommend that City Council approve the final plat of subdivision for Mayfair Resubdivision.

Jason Zawila, Planning Services Team, gave an overview of the proposed subdivision plat.

- The subdivision is requested to allow for fee-simple ownership in lieu of condominium ownership.
- No site or density modifications are proposed. Site and building configuration will remain consistent with what was approved for Mayfair.

Bob Meiborg of M/I Homes, the petitioner, responded to questions and clarified the request for the subdivision plat.

- The current mortgage environment precludes condominium ownership of the townhome units.
- Building modifications are very similar to the existing product and will comply with the city's masonry requirements. They will be considered a minor change.
- The townhome association will manage the property in cooperation with the condominium association.

Plan Commission inquired about:

- The nature of building elevations for new units
- Changes to the HOA responsibilities

Plan Commission moved to recommend approval of PC#10-1-111, Mayfair Resubdivision, all in accordance with staff's memorandum and presentation of September 15, 2010.

Motion by: Trowbridge
Seconded by: Messer

Approved
(8 to 0)

D2. 10-1-113
Renewable Energy
Text Amendment

Conduct the public hearing on the Small Wind and Solar Renewable Energy text amendment and continue to the meeting of October 6, 2010.

Suzanne Thorsen, Planning Services Team, gave an overview of the proposed Small Wind and Solar Renewable Energy zoning amendment.

- This amendment is initiated in accordance with the City of Naperville Environmental Sustainability Plan (2010) and associated work program.
- Scope of the ordinance is limited to wind and solar energy production.
- Overview of purpose, definitions, and regulations provided in the ordinance including illustrations for height, setback, and location. Proposed height limitations are consistent with the Telecommunications Ordinance.
- Additional language can be added similar to Accessory Structure Regulations in regards to the amount of area that the wind and solar technologies could occupy in a rear or interior side yard.
- Certain solar systems are exempt from the ordinance and building permits requirements as noted in the proposed ordinance. Staff will revise the language so that it is clearer.
- Shadow impacts were researched as part of this text amendment and data could not be found to substantiate concerns about smaller applications.
- Environmental impact studies are not proposed as a requirement with the text amendment and have not been required for telecommunication facilities.

Plan Commission inquired about:

- Limitations that the text amendment may create for residents that want to install wind energy technologies
- Where the technologies may be permitted by right or as a conditional use
- Clarification of conditional use versus variance process
- Coverage requirements in addition to the height requirements for freestanding solar energy systems
- A restriction on the number of building-mounted wind energy systems in residential areas
- Whether an environmental impact study should be required when reviewing these types of technologies

- Clarification of whether consumer-grade solar systems (e.g., solar – powered landscape lights) are exempt from the proposed ordinance.
- Net metering and requirements
- Impact to property values, shadow flicker
- How the text amendment could apply to future technologies
- Quantity of energy that wind and solar technologies can produce and the energy an average home needs
- Ordinances in comparable communities
- How the ordinance would affect a property such as Brighton Car Wash that was previously considered by the City Council

Public Testimony:

Barbra Brady, PO BOX 499, Naperville IL 60566:

- Building Inspector for twenty years with a master's degree in construction technology and has worked for the past 30 years with the electrical industry in development of National Electric Code and International Green Construction Code.
- Supportive of the proposed ordinance. Naperville is on the leading edge of this issue.
- On August 17, 2010 Governor Quinn signed two bills supporting energy independence.
- Homeowners associations cannot prohibit installation of solar panels.
- Suggested that the ordinance be titled "Renewable Power Energy Systems" to get away from individual solar lights.
- Believes the setback should be 1.5 times the tip height as opposed to the 1.1 setback, as the current setback gives clearance but does not account for the depth of the base.
- Rooftop setbacks in International Green Construction Code are two times the tip height.

Jonathan Nieuwsma, 1508 Dempster Street Evanston IL, spoke on behalf of the Small Wind Committee of the Illinois Wind Energy Association:

- Net metering applies only to small systems but the rate at which this occurs depends on numerous factors.
- Shadow flicker is an issue for utility scale turbines that spin at 20-30 RPM but smaller turbines spin more rapidly and there is more blur. Shadow flicker is not an issue for small systems.
- Wind speed – power of system increases with cube of wind speed. There is not a direct relationship between height and power generation. Taller towers access higher wind speeds where there are fewer obstructions.
- Location of turbine is site-specific and important as it depends on location of obstructions and the prevailing wind direction.
- Setback is of concern as there is state law that limits setback to 1.1 times the total system height. The Naperville ordinance

reflects the state law.

- A setback for building-mounted turbines would be reasonable.
- A homeowner will not profit from these types of systems but may be able to offset a fraction of their energy bill. However, for a commercial or industrial customer there is an opportunity to make a greater offset in energy consumption.

Michelle Hickey, 1360 W. Jefferson Avenue, Naperville IL, spoke on behalf of Illinois Solar Energy Association and as the manager of the City of Naperville's Renewable Energy Program.

- Setbacks – trees also can impose structural or property impacts due to branches or falling.
- Multiple systems would be cost prohibitive to install on a home. Net metering also creates additional limitations because there is no revenue to be generated.
- Solar systems are pitched towards the sun. For most systems, solar panels would not come far off the roof either due to solar access or wind shear. Building codes typically limit mounting at a rate that would not exceed 5'.

Plan Commission inquired about:

- The proposed setback of 1.1 times the height of freestanding wind energy systems and whether a similar requirement should be in place for roof-mounted wind energy systems
- How many communities have code for this type of technology
- State law that limits setbacks to 1.1 times the total system height
- The cost of installation and return of investment for wind energy systems

Plan Commission Discussion:

- Bruno – proposed to divide the ordinance into two components - one for wind, one for solar - for the purposes of voting. Believes that the main issue is how wind systems affect the individuals who live around them (noise, visual). Does not support wind applications in residential areas and expressed concern about setbacks for freestanding solar energy systems in residential areas.
- Messer – does not have many issues with what is proposed and believes that the ordinance does not restrict potential future technology. The setbacks are going to prevent a freestanding turbine on the great majority of residential lots. Building-mounted turbine restrictions are not unlike the television antenna restrictions. Net metering also effectively imposes limits on the size and capability of a turbine, in addition to the financial constraints of the technology. Agrees that there should be a lot coverage limit for solar panels.
- Gustin – agrees with Commissioner Messer. Believes that property owners will also express a right to install systems and the city's role is to ensure that they are safe, sound and within the character of the community, and this should be expressed in the intent.

- Herzog – requested that staff evaluate setbacks for building-mounted wind energy systems. Expressed concern about design standards for different types of systems and requested more information – ex, ridge-mounted turbine vs. a pole with blades mounted to the side of a home.
- Edmonds – believes the topics of wind and solar are distinct within the ordinance. Staff should look at coverage limitations for solar renewable energy to parallel the Accessory Structure Regulations. Agrees with Herzog regarding setbacks for building-mounted turbines.

Plan Commission continued consideration of this case to October 6, 2010.

D3. 10-1-114
Naperville
Downtown2030

Conduct the public hearing and recommend approval of Section 3: Land Use, the Land Use Action Agenda, and the Downtown Building Design Standards of *Naperville Downtown2030: Planning the Downtown Experience*.

Amy Emery, Planning Services Team, gave an overview of *Naperville Downtown2030: Planning the Downtown Experience*.

- The Planning Services Team is presenting the Land Use Section (including the Action Agenda) and Building Design Standards for the public hearing. Other sections of the draft plan are being reviewed by other boards and commissions.
- The city has worked in partnership with the Downtown Advisory Commission over a two year period to draft the plan as it stands today. This process included extensive outreach and public input.
- The future land use plan was updated to recognize the impact of institutional uses on the downtown, inclusion of an urban park and the North Downtown Special Planning Area.
- North Downtown Special Planning Area ensures that any future development has a positive impact on downtown. Key recommendations contained on page 28 of the Land Use Section were highlighted.
- Height recommendations are proposed within the plan using a total height recommendation rather than the number of stories. The Zoning Ordinance imposes a floor area restriction but does not limit the total building height. *Downtown2030* recommends FAR as the tool to limit height with additional guidance contained in the plan and recommended in the Action Agenda.
- The Downtown Advisory Commission will provide the final recommendation on *Downtown2030* to City Council in November.

Public Testimony:

Thomas Higgins, 725 N. Ellsworth Street, Naperville, IL:

- North Downtown Special Planning Area, expressed concern about land use as it impacts Washington Junior High School and an area that is currently used for parking by the school.
- Washington Junior High School is impacted by proximity to the train station and proximity to Washington Street. The potential of a new multi-level parking deck or building to intensify the area presents safety considerations.
- Illustrations of Transitional Use buildings do not reflect the realities of what the district allows in terms of bulk, size and height (e.g., recent approval of condominium structure). Representations to the public should represent full reality of what may occur in a given area.
- The North Downtown Area should account for bulk of buildings as they relate to the FAR exemption for parking decks.

Plan Commission inquired about:

- FAR as it relates to the additional height restriction and the ability to address bulk concerns
- Whether the height limitation will apply to parking structures
- The Transportation Advisory Board's recommendations on the Transportation Section
- The intent of Action Item 5, which refers to the ability of the Zoning Ordinance to anticipate new land uses
- Clarification of Action Items 11 and 12, referring to restaurant/bar mix in the downtown and mobile vending carts and Action Items 7 (urban park) and 8 (ground floor retail for parking decks)
- What future land use is intended in the vicinity of Naper School taking into consideration the Future Land Use Map and plan text regarding uses along Jefferson Avenue extending to Eagle Street (p.29 of Land Use Section)
- Methodology for how the city would evaluate a "stepped back" story

Plan Commission Discussion:

- Meyer – the spotlight box for the North Downtown Special Planning Area should reflect transportation impacts of future development. The language for ATM's should be included under discussion of financial institutions. Page 6 of the Downtown Building Design Standards should reference the height limitations proposed in the plan. An action item regarding rooftop surfaces as usable space for impact on square footage, parking, noise, lighting (reference p.35 of Land Use) should be added.
- Gustin – requested a copy of the Transportation Section.
- Herzog – a 60' height limitation may preclude innovative design on consolidated developments. Commended staff on the plan and building standards.

- Edmonds – agrees with Herzog regarding the quality of the plan document and building standards.

Plan Commission continued consideration of this case to October 20, 2010.
Written comments may be provided to staff via email through October 6, 2010.

F. Correspondence None

G. New Business None

H. Adjournment

10:33 p.m.