



**NAPERVILLE PLANNING AND ZONING COMMISSION
MINUTES OF MARCH 7, 2011**

Call to Order

7:05 p.m.

A. Roll Call

Present: Frost, Coyne, Trowbridge, Herzog, Meyer, Messer, Williams
Absent: Bruno, Gustin,
Student Members:
Staff Present: Planning Team – Ying Liu, Allison Laff

Chairman Herzog announced that PCS #12-1-019 and PCZ #12-1-015 have been withdrawn.

B. Minutes None

C. Old Business None

D. Public Hearings

**D1. Case #PZC 12-1-017
Autumn Run
Setback**

The petitioner requests a major change to the Autumn Run PUD and deviation from Section 6-6F-7 (R4: Yard Requirements) to reduce the required 25' front yard setback along Diehl to reflect new conditions resulting from an IDOT right-of-way taking along Diehl Road adjacent to the subject property.

Allison Laff, Planning Services Team, gave an overview of the request.

Kathy West, Attorney, Dommermuth, Brestal, Cobine & West, Ltd., spoke on behalf of the petitioner, Autumn Run Apartments, LLC.

- Surrounding land uses consists of a multifamily development, single family homes and a golf course.
- As part of the Route 59 widening project, IDOT is taking a strip of land along the south side of Diehl Road.
- The IDOT taking will reduce the setbacks of one building adjacent Diehl Road and the parking lot.
- The purpose of the variance request is to eliminate the non-conforming setbacks and bring the development into compliance with the zoning regulations.
- The petitioner would like to clear potential title issues during any future refinancing process.
- No modifications to the site or building are proposed.

Planning and Zoning Commission inquired about:

- Whether the Planning and Zoning Commission could see more cases of the same nature resulted from the Route 59 improvement project.
- Whether staff could approve similar variances administratively given that the variances would not impact the existing improvement on the properties.

Staff responded:

- Properties impacted by the Route 59 improvement project are not required to seek a variance if their setbacks become non-conforming as a result of the IDOT right-of-way taking. They can continue to be utilized in their current conditions. Even if a variance is granted for the existing conditions, the improvement cannot be rebuilt in the same footprint once demolished.
- The properties along Route 59 generally have parking facilities adjacent to Route 59. The non-conformities resulted from the IDOT right-of-way taking are typically associated with the parking lot (not the building), which may not have the same implications on refinancing as a non-conforming building.
- Therefore, staff doesn't anticipate a lot of additional applications of the same nature.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion: None

Planning and Zoning Commission moved to recommend approval of PC 12-1-017, a major change to the Autumn Run PUD and deviation from Section 6-6F-7 (R4: Yard Requirements) to reduce the required 25' front yard setback along Diehl to reflect new conditions resulting from an IDOT right-of-way taking along Diehl Road adjacent to the subject property.

Motion by: Meyer
Seconded by: Frost

Approved
(7 to 0)

**D2. Case #PCZ 12-1-014
1116 Catherine Ave.**

The petitioner requests a variance from Section 6-6A-7 (R1A, Yard Requirements) of the Naperville Municipal Code to allow for construction of a garage addition that encroaches 5' into the required 30' corner side setback for the property located at 1116 Catherine Avenue, PCZ 12-1-14.

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

Bret Richter, Architect, spoke on behalf of the petitioner

- The existing home was built before the adoption of the Zoning Ordinance and is currently non-conforming. A recent addition complies with the corner side yard setback requirement.
- The petitioner recently bought the home and would like to build a garage addition for storage of a personal boat.
- The garage addition will have an attractive appearance.

Sara Connelly, owner and petitioner, spoke:

- She already talked to the neighbors and is not aware of any objection to the project.

Planning and Zoning Commission inquired about:

- Which portion of the garage will be extended. Richter clarified that just the two-car portion of the garage will be extended.
- Architectural changes to the rest of the home in order to accommodate the garage extension.
- Whether there is any opposition from the surrounding properties.
- The proposed garage addition would extend no further into the side yard than the existing garage of the neighboring house (to the east).

Public Testimony: none

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion: none

Planning and Zoning Commission moved to recommend approval of PCZ 12-1-014, a variance from Section 6-6A-7 (R1A, Yard Requirements) of the Naperville Municipal Code to allow for construction of a garage addition that encroaches 5' into the required 30' corner side setback for the property located at 1116 Catherine Avenue.

Motion by: Trowbridge
Seconded by: Williams

Approved
(7 to 0)

D3. Case #PCS 12-1-019
Mobile Gas Station
Petition has been withdrawn.

D4. Case #PCZ 12-1-015
2275 W. Diehl Rd.
Petition has been withdrawn.

**D5. Case #PCZ 12-1-004
Kittilsen Estates**

The petitioner requests rezoning to R1A (Low Density Single-Family Residence District) upon annexation, approval of a Preliminary/Final Subdivision Plat for Kittilsen Estates, and a conditional use for solar renewable energy systems in accordance with Section 6-15 of the Municipal Code.

Laff, Planning Services Team, gave an overview of the request.

- Staff doesn't typically support flag lot configuration. However, in this case, the petitioner has agreed to place a restriction upon the property to prevent future development of the proposed flag lot.
- They are also seeking a temporary use to allow the existing stable use to continue until 2013.

Patti Bernhard, Attorney, Dommermuth, Brestal, Cobine & West, Ltd., spoke on behalf of the petitioner.

- Sanitary sewer is currently available at the property line. However, water currently exists on the other side of Knoch Knolls Road.
- Needs to extend the water line to the property before Knoch Knolls is resurfaced in the summer 2012. Therefore, the petitioner is requesting annexation now.
- The owner purchased this property for himself and his children, who are currently in school. He won't build on it until 2013.
- Agrees to restrict further subdivision of the flag lot.
- Will build on the flag lot and the western front lot first. The remaining lot will stay vacant until a use is determined in the future.

Dan Kittilsen, owner and petitioner, spoke on behalf of the petitioner

- The proposed homes will include approximately 3,000-3,500 square feet.
- Intends to construct high quality energy efficient homes as close to "net zero" as possible.
- Will use a combination of solar panels and shingles. As solar panels produce more energy than shingles, will install panels on the south façade of the homes. The panels will be raised 4" off the roof. However, they will be of the same pitch as the roof.
- Shingles will be installed where panels are not possible to install (such as the ridges and valleys of the roofs).

Planning and Zoning Commission inquired about

- Whether the code currently allows horses on R1A properties. Staff responded that the code does allow fowls and livestock on residential properties subject to certain setback requirements.
- The difference between solar panels and shingles.
- The pitch of the proposed solar panels.
- Whether the proposed conditional use for solar panels would apply to all three lots. Staff indicated that the current request is just for two of the three lots. However, staff has suggested the petitioner include all three lots in the request.

- The number of tree to be removed.

Public Testimony: None

Planning and Zoning Commission inquired about

- Whether the requested zoning is the default zoning upon annexation. Staff responded that R1 is the default zoning district upon annexation. However R1A is consistent with the future land use designation of the Comprehensive Master Plan.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Coyne: The proposal is reasonable. Likes the low-density use of the property. Will support it.
- Meyer: The development is a wonderful project. Appreciates the information on the arising solar energy technology.
- Messer: Initially concerned about the flag lot, but the concern was alleviated by the restriction on the flag lot.
- Williams: The proposed development is within the rights of the petitioner.
- Herzog: Maintaining some horses on the property would fit the character of the area. The proposed project would also fill in a gap in the sidewalk along Knoch Knolls Road.

Planning and Zoning Commission moved to recommend approval of PC 12-1-004, a request for annexation, rezoning to R1A (Low Density Single-Family Residence District) upon annexation, approval of a Preliminary/Final Subdivision Plat for Kittilsen Estates, and a conditional use for solar renewable energy systems in accordance with Section 6-15 of the Municipal Code.

Motion by: Williams
Seconded by: Meyer

Approved
(7 to 0)

E. Reports and Recommendations

Chairman Herzog announced that the March 21, 2012 Planning and Zoning Commission meeting is cancelled due to a lack of agenda items. The next Planning and Zoning Commission meeting will be held on April 4, 2012.

F. Correspondence

G. New Business

H. Adjournment

7:45 p.m.