



**NAPERVILLE PLANNING AND ZONING COMMISSION
APPROVED MINUTES OF MAY 7, 2014**

**UNOFFICIAL PRIOR TO PZC APPROVAL
APPROVED BY THE PZC ON MAY 21, 2014**

Call to Order

7:00 p.m.

A. Roll Call

Present: Coyne, Dabareiner (excused at 8:42 p.m.), Gustin, Hastings, Messer, Meyer, Williams, Frost (arrived at 7:05 p.m.)
Absent: Bruno
Student Members:
Staff Present: Planning Team – Ying Liu, Derek Rockwell, Timothy Felstrup
Engineer – Kimberly Schmidt

B. Minutes

Approve the minutes of the April 16, 2014 Planning and Zoning Commission meeting.

Motion by: Gustin
Second by: Williams

Approved
(7 to 0)

Commissioners Frost arrived at 7:05 p.m.

C. Old Business

D. Public Hearings

**D1.
PZC Case 14-1-032
Life Storage Sign
Variance**

The petitioner, LSC Development, LLC, requests approval of a variance from Section 5-4-3:5 (Prohibited Signs, Off premises signs) of the Naperville Municipal Code to allow for the construction of a 19.3' tall 120 square foot ground sign along the I-88 Tollway Corridor on Lot 2 of the Life Storage of Naperville, LLC Subdivision.

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

Planning and Zoning Commission inquired about:

- Frost – Should we add a condition that Lots 1 and 2 remain in the same property ownership? Felstrup – A condition can be added if the commission feels appropriate.
- Gustin - Is Lot 2 unbuildable? Felstrup – Lot 2 is covered by a

stormwater management easement, which would render it unbuildable.

- Williams - Is the petitioner required to subdivide the stormwater area to be on its own lot?

Steve Osborne, with Life Storage, and Mark Sullivan, Architect with Sullivan Goulette & Wilson, spoke on behalf of the petitioner:

- The plat of subdivision is required by the City in order to bring the property into compliance with the Municipal Code.

Planning and Zoning Commission inquired about:

- Do you plan to sell Lot 2 and allow development on it? Osborne - No. Lot 2 is bigger than the actual stormwater detention pond in order to allow an expansion of the detention pond in the future in case the Life Storage building is expanded.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Frost – This looks like a housekeeping matter. I will be in favor.
- Coyne – I will be supporting it.
- Dabareiner – The petitioner is required to subdivide which constitutes a hardship.
- Gustin – The presence of the water retention area is a hardship for the lot.
- Hastings – There is no public dissent. The petitioner’s request makes sense.
- Messer – This is a technical issue. I will be supporting it.
- Meyer – I will be supporting it.
- Williams – In essence, the subdivision doesn’t change the situation on the property. This is worthy to be passed.

Planning and Zoning Commission moved to recommend approval of PZC Case 14-1-032, a variance from Section 5-4-3:5 (Prohibited Signs, Off premises signs) of the Naperville Municipal Code to allow for the construction of a 19.3’ tall 120 square foot ground sign along the I-88 Tollway Corridor on Lot 2 of the Life Storage of Naperville, LLC Subdivision.

Motion by: Williams
Seconded by: Meyer

Approved
(8 to 0)

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

D2.
PZC 14-1-030

The petitioner, Louis Gilberto, is requesting a variance to Section 6-6B-7:1 (R1B Medium Density Single-Family Residence District; Yard Requirements) to

1232 N. Eagle Street Front Yard Setback reduce the required front yard on the subject property to construct a covered porch at 1232 N. Eagle Street.

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

Planning and Zoning Commission inquired about:

- Hastings – How far the proposed encroachment will go? Felstrup clarified the extent of the encroachment.

Louis Gilberto, owner of the property, spoke on behalf of the petitioner:

- My neighbors around me are all in support of the proposal.

Planning and Zoning Commission inquired about:

- Meyer and Williams commented that the proposed addition is a great improvement to the property.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Dabareiner – The front porch variance is consistent with a number of other properties in the same neighborhood, which also encroach into the required front yard.
- Hastings – I will be supporting this. This is a great addition to the property and the neighborhood. The neighbors have no problem with it.
- Messer – This is a great addition to the property.
- Gustin – I agrees with the previous comments. It is a great addition to the property and is in keeping with the character of the community.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-030, a variance to Section 6-6B-7:1 (R1B Medium Density Single-Family Residence District; Yard Requirements) to reduce the required front yard on the subject property to construct a covered porch at 1232 N. Eagle Street.

Motion by: Meyer
Seconded by: Williams

Approved
(8 to 0)

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

**D3.
PZC 14-1-037
214 N. Julian Street
Variance**

The petitioner, Steve Fitzgerald, requests approval of a variance from Section 6-6C-7 (R2: Yard Requirements) to reduce the 25' front yard setback requirement in order to construct a front porch and dormer addition at 21' from the front lot line on the property located at 214 N. Julian Street.

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

Planning and Zoning Commission inquired about:

- Meyer - Is staff recommending a condition to require no livable space in the dormers? Liu – No, staff is not recommending such condition. The petitioner proposed to add two decorative dormers without adding any livable space to the home. However, the variance would apply regardless of whether the dormers are decorative or livable.
- Meyer - Would a new variance be required to build out the dormers in the future? Liu - No. The variance would not prohibit future build out of the dormers.

Steve Fitzgerald and Melinda Creasy, owners of the property, spoke on behalf of the petitioner:

- We intend to add the dormers for decorative purpose only. This is an older home and there are already two rooflines on the house. We have to cut through two rooflines to add living space in the dormers. It would be cost-prohibitive for us to do that.
- The proposed porch won't be much closer to the street than the neighbor's porch.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – This is an upgrade to the existing home. I will be supporting it.
- Frost – This is an upgrade and is consistent with the neighborhood. I will be supporting it.
- Dabareiner – There are some homes in the neighborhood that already encroach into the front yard setback area.
- Gustin – Great addition.
- Hastings – Looks great.
- Messer – This is a great addition to the neighborhood.
- Williams – Looks great.
- Meyer – I concurs.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-037 a variance from Section 6-6C-7 (R2: Yard Requirements) to reduce the 25' front yard setback requirement in order to construct a front porch and dormer addition at 21' from the front lot line on the property located at 214 N. Julian Street.

Motion by: Williams
Seconded by: Meyer

Approved
(8 to 0)

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

D4.
PZC Case 13-1-153
The Solana of
Naperville

The petitioner, Formation Shelbourne Senior Living Services, LLC, requests approval of the following for 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;
3. A major change to the Naperville Crossings Planned Unit Development (PUD) and approval of a preliminary PUD plat to allow for the development of a nursing home, known as The Solana of Naperville, on Lot 9;
4. A deviation from Section 6-4-3:3 (Outdoor Common Area and Site Amenities Requirements) to reduce the 20% outdoor common area requirement for non-residential PUD's; and
5. A deviation from Section 5-4-5:2 (Commercial Signs: Monument Signs) to allow two monument signs to be located on Lot 9.

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

Planning and Zoning Commission inquired about:

- Coyne – The petitioner asserts that elements of the original PUD would not comply with the guidelines staff has outlined. Is this the case? – Liu: The PUD for this development has been revised several times. However, the most current site plan shows Lot 9 as commercial and the residential portion of the development had always been at the northwest corner of the site.
- Meyer – I remember when the Oaks apartment proposal was before this commission, the petitioner of the Oaks testified that the senior living facility was not needed as originally proposed. Is senior housing mandated in this area under the Southwest Community Area Plan? Liu – The Southwest Community Area Plan clearly delineates potential sites for senior living developments, which do not include the Naperville Crossings site. The originally approved senior facility was proposed by the owner of that time, but was not a requirement of the City.
- Williams – Does staff want a continuance to June 4th? Liu – If the commission agrees with staff, our recommendation is for the PZC to vote on this matter tonight. However, if the PZC agrees with the petitioner's requests, we recommend continuance to June 4th so that staff can work on several outstanding technical issues with the petitioner.

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

- The petitioner has developed over 100 senior facilities across the

country.

- 70% of the residents at the proposed facility will be in the assisted-living units and the remaining 30% in the memory care units.
- The petitioner held a neighborhood meeting at the 95th Street library to discuss the use with the neighbors and received generally positive feedback.
- The previous PUD approvals have already compromised the PUD design guidelines and eroded the original intent of the PUD.
- Commercial development on the subject property is not viable because of a lack of visibility and frontage on Route 59.
- The originally planned multi-story buildings cannot be constructed on Lot 9 while still meeting the City's off-street parking requirements.
- The highest and best use of the land is senior living. It will have minimal parking and traffic impacts on the surrounding uses.

Planning and Zoning Commission inquired about:

- Dabareiner – How would residents of the nursing home contribute to the overall vitality of the shopping center? Monson – The residents and visitors of the proposed facility would be customers of the commercial facilities in the shopping center.
- Dabareiner – How would residents and visitors of the facility park? Monson – We have provided sufficient parking on site to meet city code requirement. In addition, the development has a shared parking agreement in place which allows overflow parking on the neighboring parcels.
- Gustin – The intent of the PUD is to provide residents on the south side a meeting place or “a second downtown”. The development of the last parcels is going to be the most difficult.
- Coyne – Have you received feedback from neighboring businesses? Monson – No.

Public Testimony:

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.
- The residents support the concept of a senior care center, but not on the subject property.
- Gave an overview of the history of Naperville Crossings.
- Currently been working with City staff and City Council members to realize the original vision of this area.
- Based on the Washington Post and the last Census, the average household income for the 60564 zip code is \$138,000 and the average age is 36.8, a little younger than other areas of Naperville. Average household size is 3.4 which indicates the presence of children and teens.

Why would we want the teens to go somewhere else to shop? Let's keep the spending here in Naperville. Please vote no to this proposal.

- Hastings – Could another area serve as a south side downtown? Martinez – No.
- Meyer – Is your membership aware that you are speaking for them? Martinez – Yes.

Dabareiner noted that he is not in support of the proposed use at the subject property and excused himself from the meeting at 8:42 p.m.

Audrey Claire, 4159 Easy Circle:

- Naperville Crossings had five different owners when the PUD was initially approved. That was part of the reasons for many subsequent changes to the PUD. Mr. Monson brought up that the residents originally were in favor of senior housing when the apartment complex was proposed. The concern of the residents was school-age children generation.
- Mr. Monson indicated that there would be very few visitors to the site, except for holidays. I have major concerns that overflow parking from the nursing home would take up the parking supply of the commercial uses, especially during the holidays.

Monson responded to testimony on behalf of the petitioner:

- The petitioner has no issue with providing more gathering places. We can also provide 20% of the open space as required.
- Economic changes must be recognized. The development of Lot 9 has limited commercial potential. Lots 10 and 11 are more appropriate places for retail and restaurants.
- Surprised at the thought that senior living does not fit in this development when it was an original component of the plan for the area.

Mark Mayberry with Formation Shelbourne Senior Living Services:

- We specifically sought after locations like this for many of our facilities. Open space is being provided. Our facility will be open to the public. We will provide shuttles from schools or churches during holidays and will not create any overflow parking on our neighbors. Half of our residents come from the community, the other half move to the community because their adult children live in the community.

Planning and Zoning Commission inquired about:

- Meyer – Does the City require parking to be provided onsite for future commercial developments? Liu – With the development of the day care center, a parking deck was eliminated that was intended to provide parking for the remaining vacant parcels in the area of Lot 9. At the time that the day care was developed, we required sufficient parking to be provided on site to at least support the daycare use so that no additional burden would be placed on future development of the vacant parcels. If

the remaining vacant parcels are to be developed on a lot by lot basis, we would require them to provide parking on site to support the proposed uses. However, it doesn't prevent a consolidated development from being proposed on several parcels with shared parking on one lot and buildings on the other lots.

- Hastings – The petitioner has considerable local public dissent. Have you considered other properties in south Naperville for this use? The vacant site directly across Route 59 from Naperville Crossings appears to be able to accommodate the proposed use. Regarding the commercial viability of Lot 9, Streets of Woodsfield and Bolingbrook Promenade have similar setup as Naperville Crossings but are successful. Mayberry gave the reasons why the subject property was selected.
- Gustin – I would like to see something more user friendly and more of a gathering place on Lot 9.

Gustin called for a straw poll on the rezoning/conditional use requests to allow the proposed nursing home:

- Hastings – No.
- Williams – No on the land use. But would appreciate another hearing. I would also vote no on the sign deviation.
- Messer – No.
- Meyer – No on the use and on the sign deviation.
- Coyne – No. But the petitioner could possibly sway me to present some degree of support from the neighboring residents and businesses.
- Frost – No.
- Gustin – I am on the fence. I would love to see additional assisted-living facilities at the southwest part of the City. I am struggling with the fit. If the proposal doesn't fit with the Naperville Crossings vision for a pedestrian friendly gathering place, I won't support it.

Planning and Zoning Commission discussed continuing the public hearing.

- Frost – Continuing the public hearing is to allow due process for the petitioner to make a complete presentation on the requests. Tonight's presentation is focused on land use.
- Williams – I don't see there is any due process issue.
- Liu – The due process has been followed for this case. All public notifications (sign, notification letter, and newspaper publication) included all of the petitioner's requests, not just the land use issue. The staff report and staff's opening presentation addressed all requests as well.
- Monson – I am not prepared to talk about the two deviations at this meeting. My engineer is not here. I would ask the PZC to continue the case.
- Williams – The PZC's job is to make a complete record for the City Council. I will favor continuing the case.

Planning and Zoning Commission moved to continue the public hearing to the June 4, 2014 Planning and Zoning Commission meeting.

Motion by: Williams
Seconded by: Frost

Approved
(4 to 3)

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

**D5.
PZC Case 14-1-038
World of Children
Montessori**

The petitioner, Mirtha Craff and Sergey Taitler, requests approval of PZC 14-1-038, which includes:

1. Revocation of the Planned Unit Development on the subject property;
2. Rezoning to B1 (Neighborhood Convenience Shopping Center District) zoning; and
3. A conditional use in the B1 District for a daycare center, in accordance with 6-7A-3 of the Naperville Municipal Code.

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

Planning and Zoning Commission inquired about:

- Is the property owner the owner of the vet office? Rockwell – The vet office is a tenant of the property owner. The owner has informed us that the vet office will be informed of the impact of the proposed rezoning.
- Will the proposed day care center change the traffic pattern of the area? Rockwell – No.
- Is a dog wash permitted on this site? Rockwell – No.

Mirtha Craff, owner of the proposed business, spoke on behalf of the petitioner:

- The proposed business doesn't need an outdoor playground. There will be an indoor playground.
- The ages of the children are toddler and kindergartner.

Planning and Zoning Commission inquired about:

- Is this associated with the Montessori Association? Craff – Yes.
- How would the children be dropped at the facility? Craff – The children will be dropped off from the rear alley behind the building.
- Hours of operation? Craff – The facility will open between 7:30 and 8 a.m. We have an outside vendor cater to our site.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- All commissioners indicated their support for the case.

Planning and Zoning Commission moved to recommend approval of PZC Case 14-1-038, revocation of the Planned Unit Development on the subject property; rezoning to B1 (Neighborhood Convenience Shopping Center District) zoning; and a conditional use in the B1 District for a daycare center, in accordance with 6-7A-3 of the Naperville Municipal Code.

Motion by: Williams
Seconded by: Meyer

Approved
(7 to 0)

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

**D6.
PZC Case 14-1-013
Pebblewood Plaza
Variance**

The petitioner, 1550 State Route 59, LLC, requests approval of a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Municipal Code for the property located 1550 N. Route 59.

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

Planning and Zoning Commission inquired about:

- Will there be a condition to control where Avis Rent-a-Car can park?
Rockwell - Based on the previously approved variances, Avis was allowed to park inventory vehicles on the south end of the site. However, the current variance proposal will relieve Avis from this condition.
- How many spaces Avis is using for inventory parking?

George Lattas, with COMAR Properties, spoke on behalf of the petitioner:

- Based on the parking study, there is more than sufficient evidence to support the requested parking variance.

Planning and Zoning Commission inquired about:

- How many times the petitioner had to seek parking variances? Lattas - Three times in the last 24 months.
- What is the economic benefit of this parking variance to the petitioner? Lattas - The variance would allow the petitioner to occupy the remainder vacant tenant spaces.
- Does the petitioner understand that some carry-out restaurants have a 4.5 space per 1,000 sf² parking requirement, not a 10 spaces per 1,000 sf² parking requirement? Lattas – Yes.
- Lattas – Avis currently utilizes 8-10 parking spaces on the south side for inventory parking. We would agree to a condition to limit Avis inventory parking to the south side.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – I frequent this site. I hope our code would distinguish sit-down restaurants and fast-food restaurants.
- Frost – The parking requirement for fast-food restaurants probably is excessive of what is actually needed. I will support it. We don't have a lot of complaints about this shopping center.
- Gustin – Was concerned about the reduction but there is always parking on the site. I will be supporting it with the conditions.
- Hastings – Will support as this variance is specific to the subject property.
- Messer – I have visited the site frequently but have never experienced a shortage of parking on the site. I am in support of it.
- Meyer – Was concerned that it is a significant reduction. But this appears to be the best solution we have.
- Williams – It does appear that the petitioner does not need more parking.

Planning and Zoning Commission moved to recommend approval of PZC Case 14-1-013, a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Municipal Code for the property located 1550 N. Route 59, subject to the conditions for a 5% administrative approval allowance and limitation of Avis inventory parking on the south side of the site.

Motion by: Williams
Seconded by: Messer

Approved
(7 to 0)

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

**E. Reports and
Recommendations**

F. Correspondence

G. New Business

Gustin – Can we look into the parking requirements for fast-food restaurants vs. dine-in restaurants? Liu – The municipal code distinguishes a fast-food restaurant from a dine-in restaurant. But a fast-food restaurant actually requires a higher parking ratio (17 spaces per 1,000 sf²). A sit-down restaurant requires 10 spaces per 1,000 sf². This is an area we can look into in the future.

Meyer inquired about the difference between a deli and a sit-down restaurant. Liu – A deli typically sells pre-prepared food and has limited seats inside. A sit-down restaurant prepares and sells food on site and requires more parking spaces.

Gustin inquired about the Harter Financial sign on Washington Street. Felstrup – The sign was approved by the City Council as a temporary use. The property owner plans to redevelop the property in a couple years. The temporary use approval allows the sign to be there temporarily.

H. Adjournment

10:35 p.m.