

MINUTES
NAPERVILLE PLAN COMMISSION
October 7, 2009 - 7:00 P.M. – COUNCIL CHAMBERS

Call to Order		<u>Time:</u> (7:00pm)
A. Roll Call Commissioners:	<u>Present:</u> Mike Brown, Chairman Ann Edmonds, Vice Chairman Patty Gustin, Secretary John Herzog Paul Meschino Timothy Messer Patricia Meyer Reynold Sterlin Janet Trowbridge Michael Alber Amit Walia	<u>Yes</u> X X X X X X X X X X X X X
Student Members:		X X
Staff Present:	Community Planners – Amy Emery , Katie Forystek and Jason Zawila Project Engineer – Andy Hynes IT Manager – Dave Buwick Project Assistant – Dina Hagen	
	Vice Chair Edmonds welcomed Janet Trowbridge to the Plan Commission. She was appointed by the City Council on October 6, 2009.	
B. Approve Minutes 9/02/09	Motion to approve by: Meyers Seconded by: Gustin	Approved (7 to 0)
C. Old Business	None	
D. Public Hearings		
PC # 1739 Eganhouse	<u>Petitioner:</u> Cobalt Partners, L.L.C., 135 West Wells Street Suite 200, Milwaukee, Wisconsin 53203 <u>Location:</u> 445 Aurora Avenue <u>Request:</u> Conditional use for multiple-family residences in the OCI District and approval of a preliminary/final plat of subdivision to allow an 8-story, 14-unit condo building with an underground parking garage. In conjunction with this request, the petitioner seeks approval of the following variances: <ul style="list-style-type: none"> • Section 6-7F-5:2 (OCI, Area Requirements) to reduce the required lot area for multiple family dwellings. • Section 6-7F-8:1 (OCI, Bulk Regulations) to increase the maximum allowable floor area ratio (FAR) requirement from 1.5 to 2.48. • Section 6-7F-8:1 (OCI, Height Limitations) to increase the maximum allowable height for multi-family dwellings in the OCI District from 43 feet to 87 feet. 	

	<p>Attorney Willard F. Brestal of Dommermuth, Brestal, Cobine & West, Ltd. (123 Water Street, Naperville, Illinois 60540) acting on behalf of the petitioner approached the podium prior to the staff presentation and announced he was officially withdrawing the application.</p>	
	<p>Plan Commission Questions / Discussion</p> <ul style="list-style-type: none">• Commissioner Edmonds inquired as to the reason for the case withdrawal. Mr. Brestal stated that there were issues outside the proposed zoning on the property which had to be resolved, namely the access situation. Mr. Brestal indicated the petitioner would refile the case and repeat required notification once a final determination has been made regarding access.• Commissioner Gustin inquired about the means by which the petitioner would be seeking to resolve the access issue. Specifically, she asked if there will be significant modifications to the current plans. Mr. Brestal stated that the petitioner desires to talk first with the City as the owner of the property. He would also like to continue conversations with the Park District and the Riverwalk Commission. He adding that if the plans move forward the petitioner intends on notifying the neighbors to discuss the issues as well.• Commissioner Edmonds questioned whether or not the petitioner planned to take the access issue directly to City Council prior to Plan Commission review. Mr. Brestal stated that it would depend upon the Park District and the Riverwalk Commission's discussion with the petitioner.• Commissioner Edmonds stated for the record that the Plan Commission received a request from the petitioner to continue the case earlier in the day. Given the limited notification for the continuance, the Plan Commission intended to hear public testimony and then continue the case, but the petitioner has since decided to completely withdraw the application.• Commissioner Edmonds indicated it may be helpful to City Council for the Plan Commissioners to voice their opinion with respect to whether or not they feel the issue of access should be separated from the balance of the petitioner's application. Ms. Edmonds stated that she felt access is just one of several other issues (height and FAR not in compliance with the area) that were identified by staff. She felt that the case should be looked at in its entirety by the Plan Commission, including the issue and questions surrounding access. Furthermore, she believes it is inappropriate to handle this in a piece meal basis. Commissioner Gustin concurred.	

E. Reports	Proposed Amendments to Section 5-10-5 (Tree Preservation)	
	<p>Plan Commission Questions / Discussion</p> <ul style="list-style-type: none">• Commissioner Gustin asked about the availability of a tree species resource list for interested property owners.• Commissioner Meyer expressed concern about the potential costs of tree permitting for homeowners. She also questioned how accurate the staff assessment would be given the potential for low building permit activity in the next year.• Commissioner Edmonds received clarification of current code requirements from staff. She also asked that if a text amendment is proposed that will broaden the scope of the permit process will a balancing effort be made to increase the tree size requirement before a permit would be applicable. Ms. Forystek stated that a specific size has not yet been determined.• Commissioner Gustin asked about the potential to give special consideration for trees that are also animal habitats as part of any permit process.• Commissioner Messer suggested staff consider special standards for mass tree clearing and increased penalties for violations.• Commissioners Messer and Edmonds voiced concerns regarding the length of time this process has been taking and the potential for additional tree losses during the review period. Ms. Forystek indicated that the year is necessary to accurately assess the trees that are successfully protected with respect to their size, location on a property, species type, health, and the nature of the improvement that will impact the tree. Staff will also be monitoring the outcome in those cases when a permit is not required and the amount of staff time required for each case. Staff will use the permit information from DPW as a starting point for data collection.• Commissioner Herzog inquired if staff is looking at other tree ordinances from other communities as part of the study. Ms. Forystek confirmed that staff has reviewed ordinances from other communities and found that there is a wide variety of approaches within the Chicago area to draw from.• Mr. Herzog confirmed with staff that if a text amendment were recommended in a year a public hearing would be required.	

F. Correspondence	None	
G. New Business	For the benefit of those members of the public in attendance who had comments on tree preservation, Ms. Emery indicated staff would welcome their input and feedback. Moreover, staff will provide the Plan Commission with copies of any written correspondence received. At such time when a recommendation is made, a public hearing will be officially noticed and held. During that hearing, the public will have the opportunity to provide additional testimony.	
H. Adjournment	<u>Motion to Adjourn:</u> Motion by: Gustin Seconded by: Messer Time:	Approved (7 to 0) 7:26 pm