



**NAPERVILLE PLANNING AND ZONING COMMISSION
APPROVED MINUTES OF AUGUST 6, 2014**

**UNOFFICIAL PRIOR TO PZC APPROVAL
APPROVED BY THE PZC ON AUGUST 20, 2014**

Call to Order

7:00 p.m.

A. Roll Call

Present: Coyne, Dabareiner, Frost, Gustin, Hastings, Messer, Meyer, Williams
Absent: Bruno
Student Members:
Staff Present: Planning Team – Ying Liu, Derek Rockwell
Engineer – Rahat Bari

B. Minutes

Approve the minutes of the July 23, 2014 Planning and Zoning Commission meeting.

Motion by: Williams
Second by: Coyne

Approved
(8 to 0)

C. Old Business

D. Public Hearings

**D1.
PZC 14-1-068
Hartmann Woods**

The petitioner, KHP, Inc., requests rezoning from E1 (Low Density Estate District) to R1A (Low Density Single-family Residence District) and approval of a preliminary/final plat of subdivision for Hartmann Woods and a subdivision variance to Section 7-4-4:2.4 (Ninety Percent Rule) of the Municipal Code for the properties located at 2701 and 2717 S. Washington Street.

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

Planning and Zoning Commission inquired about:

- Meyer – Is the stub street part of this petition? Liu – Yes. The petitioner has agreed to place language on the subdivision plat to require provision of a stub street to the north property line at the time of development of Lots 11 and 12.
- Gustin – How will Lots 11 and 12 be accessed? Liu – Through Ford Lane.

Russ Whitaker, 30 W. Jefferson Street Suite 200, Attorney, spoke on behalf of the petitioner:

- Gave an overview of the development history of the subject properties and the surrounding area.
- Lot lines of Lots 11 and 12 will be reconfigured to include all improvements on each lot as a cleanup.
- Average lot size of the proposed subdivision is slightly larger than Washington Woods.
- Language has been negotiated and included on the Plat of Subdivision so that a cross-access easement will be dedicated upon redevelopment of Lots 11 and 12 in the future to provide access to the adjacent parcel to the north.
- Will only remove trees necessary to accommodate subdivision infrastructure.
- The proposed lot sizes and configurations are consistent with the adjacent Washington Woods subdivision.
- The subdivision is consistent with the character of the adjacent subdivisions.
- The 90% Rule's application to this petition creates a hardship that would not allow the subdivision to be developed in a manner consistent with the Comprehensive Plan.

Planning and Zoning Commission inquired about:

- Meyer – Will be ash trees on the site be removed? Whitaker - Many of the ash trees would be removed because they are not of desirable species. The petitioner intends to allow the builder to decide whether additional tree removal is needed on a lot-by-lot basis.
- Coyne – Has the landscape plan been presented to neighbors? Whitaker – No.
- Frost – Can the petitioner speak to the traffic issue on Ford Lane in light of the future development of Lots 11, 12 and the north parcel? Whitaker – Only one lot in the Washington Woods subdivision would be impacted by the traffic from the proposed new subdivision. Even with the future development of Lots 11, 12 and the north parcel, the traffic impact of those future developments would be minimal given the limited number of lots to be added.
- Gustin – Could the northern parcel have access off of Washington Street upon redevelopment? Whitaker – The petitioner cannot control how the northern parcel be developed in the future. However, we have agreed to provide a cross access to facilitate future access of the north parcel to be off of Ford Lane.
- Messer – Would the private driveway parallel to Ford Lane be removed when Hartmann Woods is constructed? Liu – The private driveway will be removed and Lots 11 and 12 will then be accessed from Ford Lane.
- Messer – Would stormwater easements on the residential lots affect development of these lots? Whitaker - We have demonstrated that each

lot has sufficient room for a sizable house. The detention area on those lots will be a slightly depressed area that would be dry most of the time and can be utilized for open space by the individual homeowners.

- Meyer – Is there a plan for the subdivision sign? Whitaker – That will be determined by the future builder.

Public Testimony:

Dave E. Zajicek, 7 Baker Lane:

- President of the Homeowners' Association.
- In accordance with a letter submitted to the PZC, there are concerns regarding the removal of the existing trees and inadequate screening proposed along Ford Lane.
- Placing stormwater detention on individual lots instead on an outlot could result in trees to be removed along the perimeter of the site in order to accommodate grading changes necessary to build the stormwater facilities.
- Lots 11, 12 and the north parcel will likely be redeveloped as subdivisions. The stub street will not alleviate traffic concerns. On the contrary, it will aggravate the Ford Lane access onto Washington Street, which is already difficult during peak vehicular hours.
- Proposes alternatives to site access, layout and engineering.
- Proposes that the access for the Hartmann Woods subdivision be directly off of Washington Street. Rahat Bari, Project Engineer with the City - An additional curb cut along Washington Street creates safety concerns and makes the turning movements on Washington Street even more difficult. By consolidating all traffic of the area to Ford Lane, the City has the option of signaling the intersection of Ford Lane and Washington Street if warrants are met for a traffic signal.
- Frost – Does the burden of planning for the future stub street fall on the current petitioner? Liu – Provision of interconnectivity is a requirement of the City. As such, the petitioner has agreed to add language to the plat to mandate that a stub street be provided with the development of Lots 11 and 12.
- Meyer – Is the petitioner the owner or the developer? Liu - The petitioner is the developer and has been working with the current owner of the land.
- Frost – What is the impact of additional traffic from future development on Ford Lane? Bari – Given that the property owner to the north not included in the petition, the stub street is the best option currently available. We are comfortable with directing all the traffic of this area to Ford Lane. The City will do a stop sign study after the proposed subdivision is constructed and can do a signal study for the Washington/Ford intersection in the future if needed.
- Dabareiner – Has the Fire Department voiced any concern? Bari – The Fire Department has reviewed the plans and has not raised any issue.
- Frost - Is the intersection of Ford and Washington far enough away from the intersection of Naper and Washington to provide a signal? Bari -

Yes, but traffic signal warrants would have to be met.

Don Sun, 60 Ford Lane

- The proposed development would create a subdivision within the Washington Woods subdivision, which will be confusing.
- Concerned about the layout of the homes with rear yards facing Ford Lane. This layout will disrupt the unity of the Washington Woods subdivision.
- Concerned about uncertainty of future development.
- Concerned about the new subdivision being subject to a separate by-law as the Washington Woods subdivision.

Atul Akhand, 44 Ford Lane

- Concerned about lack of comprehensive planning and patchwork development of subdivisions in the area as well as the orientation of the homes with their backs on Ford Lane.
- Concerned that turning left onto Washington Street would become more difficult with the new development.

Whitaker responded to testimony:

- All notification requirements have been followed.
- Having an additional access point on Washington Street are counter to sound planning principles.
- The proposal is the most efficient and safest design available. All traffic and engineering issues have been thought through.
- This subdivision will be very comparable in design and aesthetics to Washington Woods.
- The owners have agreed and will sign the plat of subdivision that creates the requirement for the cross-access easement to the north.
- A single stormwater basin didn't make sense for this development and wasn't necessary.
- The focus tonight should be the 10-lot proposal that is before the PZC, not the future developments.

Planning and Zoning Commission inquired about:

- Williams – Do the petitioner agree with continuing the case in order to have time to better communicate with the neighborhood. Whitaker – Based on our schedule, we don't want to continue the case. However, we will be happy to talk to the neighbors before the City Council meeting.
- Williams – Would you agree to a condition that you would meet with the concerned residents on providing additional screening along Ford Lane prior to the City Council meeting? Whitaker – Yes.
- Meyer – What are the setback and height limits for a fence in the rear yards along Ford Lane? Liu – The homes will be allowed to install a 6' solid fence along the rear lot line.

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Hastings – Understands the neighbors’ concerns, but those do not outweigh the right of the property owner to develop his property within reasons. Will be supporting the case.
- Dabareiner – The proposal is consistent with the Comprehensive Plan. The cross-access provision is a reasonable attempt to address future access concern. The 90% Rule variance has been addressed in a reasonable manner. Will be supporting it.
- Frost – Was disappointed that the developer and neighbors had not worked more closely. Would like to see increased buffering along Ford Lane. Had traffic concerns which have been addressed by staff. Does not want to condition the request on the exclusion of a fence along Ford Lane. Will be supporting the case.
- Coyne – The issues regarding access are outside of the PZC’s purview. Cannot speculate on future development. Would like developer and neighbors to meet with each other prior to Council. Leaning toward supporting.
- Messer – Cannot speculate on future development. Would like to see developer and neighbors to work with each other. Is supportive of additional landscaping along Ford Lane. The provision of a cross-access to the north is a must. Will be supporting it.
- Gustin – Thanks to residents for voicing concerns. Zoning standards have been met. Requested land use complies with the Future Land Use plan. The proposed access point is the safest option. It is not under PZC’s purview to regulate possibilities of future land development. Would like to see additional berming along Ford Lane in the development.
- Meyer – Rezoning and 90% Rule variance standards have been met. The landscape plan exceeds City requirements. Will be supporting the case.
- Williams – PZC cannot address speculation regarding future development. The proposed lot sizes are rather large. Cannot interfere with property owner’s right to construct a fence. To put stormwater facilities in an outlot would result in the sizes of the lots getting smaller, which is not consistent with the adjacent Washington Woods subdivision. Agrees that there are traffic concerns, but that is not within PZC purview. Recommended the petitioner to work with the neighbors.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-068, rezoning from E1 (Low Density Estate District) to R1A (Low Density Single-family Residence District) and approval of a preliminary/final plat of subdivision for Hartmann Woods and a subdivision variance to Section 7-4-4:2.4 (Ninety Percent Rule) of the Municipal Code for the properties located at 2701 and 2717 S. Washington Street, subject to the condition that the petitioner work with the neighbors on providing additional landscaping along Ford Lane.

Motion by: Williams
Seconded by: Coyne

Approved
(8 to 0)

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

D2.
PZC 14-1-075
20 E. Jefferson

The petitioner, Jon Pusateri, requests approval of the rezoning of the property located at 20 E. Jefferson Avenue to B4 (Downtown Core District) zoning.

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

Planning and Zoning Commission inquired about:

- Gustin – Would the rezoning from B5 to B4 change the signage requirements for the property? Derek – The property would be subject to the special downtown signage requirements.
- Messer – Would the rezoning permit any additional uses by right? Rockwell – Yes.
- Gustin – What are the permitted uses in the B5 district? Rockwell clarified the permitted uses in the B5 district.

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

- Monson agreed with staff's presentation and was available for questions.

Planning and Zoning Commission inquired about:

- What triggered this rezoning request? Monson - The property is listed for lease and the property owner intends to lease it for a retail user.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Dabareiner – This is a housekeeping matter.
- Gustin – This is a housekeeping matter and is in accordance with the Naperville Downtown2030 plan.

Planning and Zoning Commission moved to recommend approval PZC 14-1-075, rezoning of the property located at 20 E. Jefferson Avenue to B4 (Downtown Core District).

Motion by: Williams
Seconded by: Messer

Approved
(8 to 0)

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

Nays: None

**D3.
PZC 14-1-095
603 Harlowe Court**

The petitioner, Kevin McInerney, is requesting a variance to Section 6-2-12 (Fences) to construct a 6 foot tall solid fence in the required corner side yard at the property located at 603 Harlowe Court.

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

Planning and Zoning Commission inquired about:

- Is the fence located against the sidewalk? Rockwell – The fence will be setback 10' from the western property line. There is an existing fence on the property that is against the sidewalk.

Kevin McInerney, petitioner and property owner, was available for questions.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Dabareiner – The standards for variance have been met. The fence is consistent with the existing fences in this area.
- Gustin – The property has a physical hardship being adjacent to Naper Boulevard. The fence is needed for safety and privacy of the property owner.
- Williams – The proposed fence is consistent with other fences in the area. The request is reasonable.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-095, a variance to Section 6-2-12 (Fences) to construct a 6 foot tall solid fence in the required corner side yard at the property located at 603 Harlowe Court.

Motion by: Williams
Seconded by: Messer

Approved
(8 to 0)

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

**E. Reports and
Recommendations**

F. Correspondence

G. New Business

H. Adjournment

9:53 p.m.