



**NAPERVILLE PLANNING AND ZONING COMMISSION
FINAL MINUTES OF FEBRUARY 20, 2013**

Call to Order

7:00 p.m.

A. Roll Call

Present: Dabareiner, Frost, Coyne, Bruno (Chairman pro tem), Meyer, Messer,
Absent: Williams, Gustin
Student Members: Heavener, Bhatti
Staff Present: Planning Team – Allison Laff, Clint Smith, Ying Liu

B. Minutes

Approve the minutes of the December 19, 2012 Planning & Zoning Commission meeting.

Motion by: Coyne
Second by: Meyer

Approved
(6 to 0)

C. Old Business

D. Public Hearings

**D1.
PZC #13-1-003
Midwest Badminton
Club**

The petitioner, Midwest Badminton Club, requests approval of a conditional use for an athletic training facility in ORI (Office, Research, & Light Industry District) to operate Midwest Badminton Club at 2019 Corporate Lane.

Clint Smith, Planning Services Team, gave an overview of the request.

John Benson, with IDI property management, spoke on behalf of the petitioner:

- Benson gave an overview of the proposed business.
- There is only one other tenant in the building. The property manager understands the parking needs of the proposed facility and will market the vacant spaces accordingly.

Planning and Zoning Commission inquired about:

- Meyer: Whether the petitioner will be utilizing the drive-in as shown on the site plan. Benson indicated that the petitioner will not utilize the drive-in.
- Frost: How many employees and customers will be on the property? Sandy Lang, owner of the business, responded that it is estimated that five employees and two coaches will be working at the facility. During tournament events (which occur once or twice a year), it is estimated that a maximum of 90 people will be on site.
- Dabareiner: Will summer camps or weekday activities for kids be hosted

at the facility? Lang noted that their plan is to work with Naperville schools to host such events in the future.

- Coyne: How often the tournament will be held? Lang indicated Chicago Open will be the biggest tournament to be held at the facility. There will also be a couple minor tournaments to be held there but attendance to those events is much lower than 90.
- Bruno: Will the tournaments be attended by fans? Lange responded that badminton competitions don't usually attract a lot of speculators. The estimate for a maximum of 90 people on site includes both participants and family members.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Bruno – The proposed business is a wonderful idea.

Planning and Zoning Commission moved to recommend approval of PZC 13-1-003.

Motion by: Coyne
Seconded by: Messer

Approved
(6 to 0)

**D2.
PZC #12-1-152
Solar Energy
Amendment**

Consider amendments to Section 6-15-5:1 (Solar Energy Systems: Authorization of Use) to eliminate the current requirement for a conditional use for building-mounted solar energy systems in residential districts.

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

Planning and Zoning Commission inquired about:

- Bruno asked for clarification if the text amendment only pertains to building-mounted solar panel systems. Laff confirmed yes.
- Bruno asked about previous conditional use approvals for solar panels. Laff responded that there had been two approvals for solar panel installation on residential properties in the past.
- Bruno: What would be the recourse for someone who may have concerns about a solar panel system on the neighboring lot? Laff responded that the code requires that the system does not to exceed the peak of the roof. The proposed text amendment is intended to encourage installation of solar panel systems.
- Meyer: Will there be a permitting process? Do we require a certified contractor to install it? Laff indicated that a building permit will be still required for installation of solar panels.
- Coyne: Is there any complaint about the existing solar panel systems? Laff indicated no.

- Bruno was concerned about turning over the oversight function to staff after only two previous conditional uses had been approved and the lack of recourse for neighbors who object.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Bruno – Supports the change. However, is concerned that neighbors won't be notified. Recommends that neighbors get a notification letter before the installation work actually happens.
- Coyne – Supports the change, which encourages renewable energy and removes encumbrance for homeowners.
- Dabareiner – Concurs with Coyne. As long as building and zoning requirements are met, a solar energy system on the roof won't be much different from other minor additions to the home. Dabareiner supports the technology.

Planning and Zoning Commission moved to recommend approval of PZC 12-1-152, amendments to Section 6-15-5:1 (Solar Energy Systems: Authorization of Use) to eliminate the current requirement for a conditional use for building-mounted solar energy systems in residential districts.

Motion by: Dabareiner
Seconded by: Coyne

Approved
(6 to 0)

**D3.
PZC #12-1-139
Notice Amendment**

Conduct the public hearing to consider amendments to Titles 6 (Zoning) and 7 (Subdivision) in order to clarify notice and processing requirements for all zoning and subdivision cases.

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

Planning and Zoning Commission inquired about:

- Meyer: What triggered changing the threshold for major changes to the conditional use from 10% to 20%? Laff indicated that the proposed process for conditional uses will match the existing process in place for PUDs. The 20% threshold only applies when there is no variance being created by the change. If there is a variance associated with the proposed change, it will always be a major change subject to the Planning and Zoning Commission's review. Staff is comfortable with the 20% threshold based on the past administration of PUDs.
- Meyer: Are the provisions in Section 6-3-3:2.2 (re: process for modifications made after PZC) new? Laff indicated that the provisions were added to formalize our past practices and clarify when PZC review is required. The question came up during the recent McDonald's and

Water Street cases.

- Meyer: Is the requirement for removing the public hearing sign within 7 days of the meeting after the PZC meeting or CC meeting? Laff confirmed that the requirement is in place today that the sign has to be removed 7 days after the PZC public hearing.
- Meyer: There should be a requirement for notifications to properties within 300' for City-initiated rezoning. Laff noted that staff concurs.
- Messer: Supports most the changes. The proposed procedure section is an excellent addition. Is the \$50 fine for failing to remove a public hearing sign consistent with other typical code violations? Laff confirmed yes.
- Messer: Can council still direct anything they want back to the PZC? Laff confirmed yes.
- Coyne liked the idea of removing the certified mail requirement. Coyne asked if there are other municipalities doing the same thing. Laff indicated that staff has not reviewed other cities' policies, but there is no concern from the Legal department to do first class mail.
- Frost was comfortable with the first class mail requirement. Frost recommended that the City post public hearing notifications on the website. Messer concurs with the recommendation.
- Dabareiner noted that regardless the 10% to 20% change, such change will still receive the City Council's review.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Bruno: Supports the changes made to the conditional use process. Appreciates that PUDs in the downtown area are be subject to a 10% threshold.
- Coyne: Supports the changes as they streamline process and remove inconsistency. Supports requiring notification to neighbors for City-initiated rezoning.
- Dabareiner: Supports the changes.
- Messer: Supports the changes including those made to the conditional use process.

Planning and Zoning Commission moved to recommend approval of PZC 12-1-139, amendments to Titles 6 (Zoning) and 7 (Subdivision) in order to clarify notice and processing requirements for all zoning and subdivision cases, subject to two changes:

- Require written notice be given to surrounding properties located within 300' of the subject property at least 15 days prior to the public hearing for City-initiated rezoning.
- Require public hearing notices be published on the City's website.

Motion by: Meyer
Seconded by: Messer

Approved
(6 to 0)

**E. Reports and
Recommendations**

F. Correspondence

G. New Business

H. Adjournment

8:20 p.m.