



**NAPERVILLE PLANNING AND ZONING COMMISSION
DRAFT MINUTES OF OCTOBER 29, 2014**

**UNOFFICIAL PRIOR TO PZC APPROVAL
APPROVED BY THE PZC ON DECEMBER 3, 2014**

Call to Order

7:00 p.m.

A. Roll Call

Present: Coyne, Frost, Gustin, Hastings, Martinez, Messer, Meyer, Williams
Absent: None
Student Members: None
Staff Present: Planning Team – Derek Rockwell, Kasey Evans, Ying Liu
Engineer – Andy Hynes

B. Minutes

Approve the minutes of the October 8, 2014 Planning and Zoning Commission meeting.

Motion by: Williams
Second by: Meyer

Approved
(8 to 0)

C. Old Business

**C1.
PZC 14-1-113
Greenway Herbal
Care**

The petitioner requests continuance of the public hearing to consider a conditional use for a medical cannabis dispensing facility in B3 (General Commercial District) for Unit 103 of the property located at 424 Fort Hill Drive to November 19, 2014 in order to allow the petitioner additional time to meet with the condo association of the Fort Hill Business Center.

Planning and Zoning Commission continued the case to November 19, 2014.

D. Public Hearings

**D4.
PZC 14-1-063
Motor Vehicle Sales
Amendment**

City of Naperville staff requests an amendment to Title 6 (Zoning Ordinance) of the Naperville Municipal Code to add regulations related to motor vehicle sales in the I (Industrial) District.

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

Planning and Zoning Commission inquired about:

- Why this didn't come up last year (when Iron Gate Motor Condos was

before the PZC)? Rockwell – Staff was not fully aware of the petitioner’s intent to have motor vehicle sales as part of Iron Gate Motor Condos at that time.

- Is the intent of the petitioner to allow the condo owners to sell their luxury cars or to allow a typical dealership such as Carmax in Iron Gate? Rockwell – Staff is in the processing of reviewing the petitioner’s development plans for Phase 2 of Iron Gate which will include a commercial building facing Ferry Road. A motor vehicle sale business would be included in the commercial building.
- Meyer – Would the screening requirement for storage area in the I district have to be amended in order to accommodate inventory vehicles? Rockwell –The petitioner’s plan is to store the vehicles inside the building.
- Williams – Iron Gate was intended to be a high-end car condo development. This proposed use would convert the development into something entirely different.
- Coyne – If this text amendment is approved, can a motor vehicle sale business be allowed as of right in the I district? Rockwell – No, a motor vehicle sale business would need a conditional use and a planned unit development approval in the I district.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Frost – Because of the protection afforded by the conditional use and PUD requirements, Frost was okay with this text amendment.
- Coyne – Wished that possibility of this use was brought up in the original hearing for Iron Gate. However, given the required conditional use and PUD review, Coyne would support the text amendment.
- Hastings – Comfortable with this because there are a couple layers of review.
- Williams – This would change Iron Gate into something entirely different from what the Commission approved in 2013. Was not clear on how this text amendment would be applied generally. Will not support this.
- Martinez – Was not on the commission when Iron Gate was reviewed. Did not feel having enough information to vote on the text amendment.
- Messer – There will be additional review for this use (based on the conditional use requirement). Saw it as adding another component in the front to Iron Gate. Will support it.
- Meyer – Will support it, but would suggest staff amending the screening requirement.
- Gustin – Concurs with other commissioners. Comfortable with the text amendment with the conditional use requirement.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-063, an amendment to Title 6 (Zoning Ordinance) of the Naperville Municipal Code to add regulations related to motor vehicle sales in the I (Industrial) District.

Motion by: Coyne
Seconded by: Williams

Approved
(6 to 1)

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

**D1.
PZC 14-1-101
1077 Challdon Ct.**

The petitioner, Amias Turman, is requesting a variance to Section 6-6A-7:1 (R1A District Yard Requirements) to construct a sunroom addition in the required rear yard at the property located at 1077 Challdon Court.

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

Planning and Zoning Commission inquired about:

- Williams – Are there other similar structures in this neighborhood? Rockwell – No, but we expect to see more of this type of requests in the future.
- Martinez – Are there any neighbor support or opposition? Rockwell – Staff has not received any feedback from the neighbors.

Amias Turman, Builder, Lance A. Shalzi, Architect, and Theresa Hohe, property owner, spoke on behalf of the petitioner:

- Looked for other alternative, but was not able to find one that would yield a reasonable return for the homeowner.
- The neighbors have provided positive responses to the proposed project.

Planning and Zoning Commission inquired about:

- Meyer – You got approval from the Homeowner Association, did you? Hohe – Yes.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – This is a small variance. Will support this.
- Frost – Will support this.
- Gustin – The house is built at a 40' building line which takes away the buildable area in the backyard. The addition will be a plus to the area.
- Hastings – Will support it.
- Martinez – The proposed sunroom will enhance the home value. The setback variance is small.

- Messer – The request is reasonable. Will support.
- Meyer – The homeowners association supports this project and the addition blends in well with the house. Will support this.
- Williams – Hardship is obvious. Will support this.

Planning and Zoning Commission moved to recommend approval of PZC #14-1-101, a variance to Section 6-6A-7:1 (R1A District Yard Requirements) to construct a sunroom addition in the required rear yard at the property located at 1077 Challdon Court.

Motion by: Williams
Seconded by: Coyne

Approved
(8 to 0)

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

D2.
PZC 14-1-112
Weekley
Subdivision

The petitioner requests approval of PZC 14-1-112, which includes:

1. Rezoning to R1A (Low Density Single-Family Residence District) zoning upon annexation; and
2. A Preliminary/Final Subdivision Plat; and
3. A Variance from Section 6-6A-6 to permit existing lot widths of 65' and 60' in lieu of the required 70'.

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

Abigail Freissler, Attorney with Rosanova and Whitaker, spoke on behalf of the petitioner:

- Gave an overview of the request.
- Two single-family homes are currently located on the properties. The petitioner intends to demolish the existing homes and construct two new single-family homes on the property.

Planning and Zoning Commission inquired about:

- Gustin - The impact of the project on stormwater in the area. Freissler – The two parcels will be connected to the City's stormsewer system.

Public Testimony:

Jordan Calloway, a Naperville resident.

- Historically this area has flooding issues because it is the lower point of the City.
- Coyne – Do you live in the area? Caloway – I do not. I look at the area as an investment opportunity.
- Williams – The proposed two lots would not have too much of a stormwater impact on the area. Encouraged the speaker to attend the City Council meeting.

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – Minor variance. There are no neighbor oppositions. Will support.
- Frost – The two parcels are existing. Bringing them to the City will alleviate the flooding issue.
- Gustin – The variance is small. Annexation of the parcels will help bring them into compliance with stormwater code.
- Hastings – Will support it. They are existing lots. There are no neighbor oppositions.
- Martinez – Will support it.
- Messer – The parcels are existing.
- Meyer – The parcels are existing. Combining the parcels would create a hardship. The future houses will have to meet the setback requirements.
- Williams – Will support it.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-112, which includes:

1. Rezoning to R1A (Low Density Single-Family Residence District) zoning upon annexation; and
2. A Preliminary/Final Subdivision Plat; and
3. A Variance from Section 6-6A-6 to permit existing lot widths of 65' and 60' in lieu of the required 70'.

Motion by: Meyer
Seconded by: Coyne

Approved
(8 to 0)

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

**D3.
PZC 14-1-082
Atwater Subdivision**

The petitioner, Pulte Home Corporation, requests approval of PZC 14-1-082, which includes:

1. A major change to the Country Lakes Planned Unit Development (PUD) to revoke the existing PUD as it applies to the subject property;
2. A Preliminary PUD Plat;
3. A Preliminary Subdivision Plat;
4. Rezoning to R2 (Single-Family and Low Density Multiple-Family Residence District);
5. A Deviation from Section 6-6C-7 (R2: Yard Requirements) to permit interior side yard setbacks of 6' per side in lieu of 16' total for 2 side yards with each side yard a minimum of 6'; and
6. A Deviation from the maximum length of a cul-de-sac to permit a cul-de-sac approximately 1,375' in length in lieu of 1,000'.

Kasey Evans, Planning Services Team, gave an overview of the request.

Planning and Zoning Commission inquired about:

- Frost – Is there an alternative to having a cul-de-sac (at the southern end)? Evans – Given the neighborhood surrounding the cul-de-sac, a connection would not be possible without tearing down existing homes. The petitioner intends to provide an emergency access to the cul-de-sac based on Fire Department requirement.
- Frost – Would stormwater be adversely impacted by the proposed project? Hynes – This project has to comply with the DuPage County Stormwater Ordinance. There are some wetland and floodplain on the subject property. The property is subject to review by City and County staff.
- Coyne – Would it possible that the development could worsen stormwater in the area even if it complies with the Stormwater Ordinance? Hynes – I do not think so. If in compliance with the code, the project would not have a negative impact on the surrounding land.
- Frost – Clarification on how the development can be accessed from nearby major roads. Hynes – The majority of the traffic generated from this development will be dispersed through the Diehl & Country Club as well as North Aurora & Fairway intersections.
- Meyer – Should the proposed roadways be widened given the level of traffic anticipated? Hynes – The roadway dimensions comply with the City's roadway standards for local streets and cul-de-sacs.

Kathleen C. West, Attorney with Dommermuth, Cobine, West, Gensler, Philipchuck, Corrigan & Bernhard, Ltd., spoke on behalf of the petitioner:

- The petitioner is the contract purchaser.
- Gave an overview of the subject property and surrounding properties.
- The petitioner held two neighborhood meetings and received many favorable comments from the residents as well as some concerns.

Peter Pluskwa, with Cemcon, Ltd. spoke on behalf of the petitioner:

- Gave an overview of the site layout.
- The petitioner is proposing a cluster development in order to maintain natural features on the site.
- The development will include three product types, including the 50' series, 40' series, and age-targeted series.
- Will preserve 98% of existing wetland on the site.
- The development will utilize existing ponds but will add additional stormwater storage area.
- Will install an extensive trail system connected to the IL Prairie Path, which can be used by future residents of Atwater as well as the surrounding residents.

Bruce Talbot, with Cemcon, Ltd. spoke on behalf of the petitioner:

- Gave an overview of the traffic study and its methodology.

- Was not able to do new traffic counts because of the Route 59 construction project. The traffic study utilized the traffic counts conducted by the City a couple years ago.
- The trip generation assumptions per Naperville requirements are much higher than other places.
- At the neighborhood meetings, the residents requested an access on Shore Road be created. The petitioner did not comply with the request in order to keep residential traffic separate from truck traffic on Shore Road.
- Reviewed the projected level of services for three major intersections including Fairway & Diehl, Country Club & Diehl, and Fairway & North Aurora.
- The traffic study recommended widening the corner radius at Fairway & Diehl, re-stripping to provide more left turn storage at Fairway & North Aurora and adding a traffic signal at Country Club & Diehl as warrants would have been met with the development.

Matt Worline, Vice president of Cemcon, LTd. spoke on the behalf of the petitioner:

- Gave an overview of the existing stormwater conditions of the area and the proposed stormwater facilities and their impacts.
- The development will provide additional stormwater storage exceeding the required capacity by 10%.
- The stormwater flow from this site will be reduced by an average of 20%.

Greg Sagen, Signature Design Group, spoke on behalf of the petitioner:

- Will work with the City in an effort to preserve trees on the site.
- Will comply with DuPage County Forest Preserve District's request to exclude invasive species.
- Reviewed the proposed berming, landscaping, fencing around the perimeter of the development.
- Berming is not proposed adjacent to the Enclave at Country Lakes because of drainage issues. However, Pulte will provide future homeowners a landscaping package so that a landscaping buffer can be established between the proposed development and the Enclave.
- Reviewed the benefit of naturalized basins.
- Reviewed the amenities provided around the trails and basins on the site.

Mark Mastrococco, with Pulte Homes, spoke on behalf of the petitioner:

- Will have 81 lots where ranch homes will be built. These homes will be maintenance-free and age-targeted. Price of these homes will be in the \$400s.
- The 54 wide products will range between 2,600 and 4,000 square feet and will sell in the \$500s.
- The 44 wide products will range between 2,200-2,700 square feet and will sell in the 400s.

Planning and Zoning Commission inquired about:

- Messer – Based on my personal experience, the west bound traffic on Diehl turning onto Fairway is fairly difficult. Would you consider installing a signal there? Talbot – No. A signal is recommended for Country Club and Diehl.
- Frost – Would it be faster for cars from this development to cut through the Country Lakes Apartment on Fairway Drive? Talbot – We anticipate that it will take about the same amount of time to go through the apartment community and to go through the internal roads in Atwater.
- Williams – Most letters the PZC received outlined concerns related to stormwater. Is the DuPage County Forest Preserve’s letter accurate in saying that the smaller lot width will decrease the land’s ability to absorb stormwater? Worline – No, sufficient stormwater storage will be provided on site to contain the stormwater.
- Gustin – What kind of pavement would the trails be constructed of? Sagen - Mostly concrete.
- Gustin – Will you work with Forest Preserve District on seeding in the basins? Sagen – Yes, we will work with them.
- Frost – Do you foresee any mosquito problems with the naturalized basins? Sagen – The naturalized basins will support predators such as dragonflies and studies have shown no increase in mosquitoes as a result of naturalized basins.
- Meyer – School bus route within the development? Mastrococco – We have met with School District 204, but have not discussed the school bus route details.

Public Testimony:

Heather Bejda, 30W304 Argyll Lane.

- Requests that an additional entrance for this development be created on Shore Road in order to alleviate the traffic on Fairway Drive. Such access can also serve the construction traffic, garbage trucks and school buses.
- Concerned about additional cut through traffic on Campbell Drive and Bruce Lane and its impact on the safety of the children walking to school.
- Frost – Is a traffic light warranted at Country Club and Diehl? Andy – Yes, staff would recommend a traffic signal at Country Club and Diehl.
- Frost – Would a traffic light alleviate the speaker’s concern about traffic? Bejda – No. An additional access on Shore Road would.
- Coyne – Why staff does not support a Shore Road access? Andy – It is because of the concern with mixing industrial traffic and residential traffic. Does not see an issue with having a construction access on Shore Road.
- Mastrococco – Does not believe mixing Atwater traffic with Shore Road

truck traffic would be appropriate. Pulte will contribute to the traffic signal at Country Club and Diehl, which will be the most efficient way to address traffic problems.

Wander Wohead, 2019 Maple Wood Circle.

- Requests adding an entrance on Shore Road.
- The Fairway and North Aurora intersection is a busy intersection especially during commuter peak hours.
- Concerned about future maintenance of the trails being expensive to future homeowners.

Russ Minnik, 1598 Fairway Drive.

- Representing the owner of Country Lakes Apartments.
- The biggest concern is cut-through traffic on Fairway Drive.
- Concerned that the habitat supported by the basins could create a pest problem.
- Concerned about maintenance of the open space and trails after Pulte leaves.
- How the maintenance easement on our property going to be impacted?

Nancy Chandler, 970 Fairway Drive.

- Property manager of Fairway Park Apartment.
- Why the entrance on Fairway Drive couldn't be moved to somewhere else. Currently it is adjacent to the Fairway Apartments. Pluskwa – The proposed entrance is the only place where the subject property is adjacent to Fairway Drive.
- Not in support of the side yard setback variance.

Pete Ritenin, 922 Genesee Court.

- Concerns have been addressed.

Ryan Ralambo, 30W110 Bruce Lane

- Bruce Lane is a major cut-through to Route 59. The proposed development will make the situation worse.
- There have been many accidents on Bruce Lane.
- Talbot – Based on the traffic study, the majority of the traffic will go to the major arterials rather than Bruce Lane.
- Williams – The petitioner should investigate the traffic on Bruce Lane.

Ernie Karras, 1250 Shore Road.

- CEO of Tekno Telecom located on Shore Road.
- There is a flooding issue on Shore Road.
- The City should require developer to retain their own stormwater and not to flood Shore Road.
- Objects to directing any traffic to Shore Road. Trailers backing into docks often block traffic on Shore Road.

- Worline – We are not able to lower the water level in the ponds in order to protect properties downstream.
- Williams and Gustin encourage the speaker to speak to staff and speak before the City Council.

Jean Klassen, 886 Genesee Drive.

- Bought the townhome because it is adjacent to the golf course.
- Prefers to see the property to remain as forest land.
- There are flooding and standing water issues in the area.
- Concerned with increased traffic on Fairway Drive and Bruce Lane.
- Hastings – Forest Preserve has tried to purchase the property but was not successful. Does not know if it is possible to keep the property as open space.

Fred M. Ewin, 30W335 Pinehurst Drive.

- Showed pictures of flooding on Country Club Boulevard and Fairway Drive from two years ago.
- There is currently a flooding issue in the area.
- Williams – The storm two years ago was an extraordinary event and was not counted in the petitioner's stormwater study. Would recommend that the speaker talks to Council.

Don Lief, 30W351 Oakmont Drive.

- Owns a townhouse adjacent to the golf course in the Fairway of Country Lakes.
- Country Club Boulevard is dangerous being located next to the lake.
- Strongly encourages provision of an entrance on Shore Road.

Toni Cooper, 5S012 St Andrews Court.

- There is a flooding issue in the area.
- This builder should not be allowed to build a single house up until they check to see if there is a floodplain on the property.

Karin Knecht, 30W543 Fairway Drive.

- President of the HOA of Fairway of Country Lakes.
- Concerned about the impact of the development on flooding, traffic and Metra parking.
- Should have a traffic light at Fairway and Diehl.
- Concerned that there would be too many Atwater signs.
- Recommends having a second opinion on the stormwater study and traffic study.
- Concerned about the impact of the development on wildlife.

Janet Simmons, 30W359 Oakmont Drive.

- Lives in a townhome in the Fairway of Country Lakes.
- Solitude was one of the reasons the speaker bought the home.

- The development should have an entrance on Shore Drive.
- The trails should be covered by a public right-of-way easement in order to meet the goal of the Northwest Sector Plan.

Planning and Zoning Commission extended the meeting to 11:30 p.m.

Bronwyn Dodson, 4S783 Pinehurst Drive.

- Disagreed with the traffic study. The traffic study is not indicative of the reality.
- Requested striping improvement at the Country Club and Diehl intersection before the installation of the traffic light. Talbot – We will have to look at the space and existing utilities to see if it is feasible.
- Requested clarification on phasing. Worline – Grading will be done in both Phase 1 and Phase 2 areas along with the Phase 1 development.

Colin Gavin, 30W163 Briar Lane.

- Concerned about the time frame to redraw the FEMA map. What happens if the existing homes will have to get flood insurance as a result of the FEMA map revision? Worline – It would not be our intention to remap any property off site.
- Why the interior side yard variance? Maintaining the original zoning setbacks can help alleviate the stormwater concern.

Sherri See, 5S504 Gordon.

- Should not grant the interior side yard variance.
- Concerned with maintenance of stormwater areas. Recommends that a SSA be set up to maintain the stormwater areas.
- Concerned with the added traffic on Diehl Road and its impact on the Prairie Path crossing on Diehl Road.
- Traffic will be much worse on Campbell Drive and Bruce Lane as a result of this development.

Planning and Zoning Commission extended the meeting to midnight.

Mark Carlson, 5S570 Kirk Place.

- Strongly requests an entrance on Shore Road.
- Disagrees with the assumptions and methodology of the traffic study.

Mary Beth Patel, 912 Genesee Drive.

- Lives along the edge of the golf course, where there won't be berm.
- The developer tries to wedge houses in the middle of an apartment complex and other residential houses.
- Concerned about flooding on Fairway Drive.
- Concerned about the increased traffic in the area.
- Where the wild animals would go after the development?
- Disagrees with the interior side yard variance.

- Will the landscape buffering be installed along with construction of the house or before? Mastrorocco - Will be installed with the house construction.

Sherri Pachieono, 5S026 Spyglass Court.

- Opposed to this development.
- Recently bought her house because of the peacefulness and the adjacency to the golf course.
- Concerned about property value and the impact on wildlife.

Glen Piskey, 1001 Campbell Drive.

- Takes serious offense on the traffic study. There is a lot of cut through traffic on Campbell and Bruce, which creates dangerous conditions on sidewalks.

Christen Huston, 5S514 Gordon Terrace.

- Concerned with the limited space to accommodate the walkway and the close distance between the walkway and the adjacent residential homes.
- Sagen – Will investigate it and may possibly move the trails to the west side to gain more space.

Peter Badda, 30W304 Argyll Lane.

- Concerned about stormwater in the area and supports the traffic light on Diehl.
- Request a condition to require the petitioner to install the traffic light sooner.

Planning and Zoning Commission extended the meeting to 12:30 a.m.

Mary Lou Wehrli, 916 W Jefferson Avenue.

- The 1954 aerial photo shows a lot of farmland with lots of lakes.
- A number of developments were built before the DuPage County Stormwater Ordinance was in place.
- How could the required open space of the original PUD be allowed to be developed? West showed an exhibit of the original PUD. West indicated that each element within the PUD was processed separately. Evans – Processing this development as a separate PUD would help create a clean record for the development.

Mark Anderson, 930 Genesee Court.

- President of the board of the Enclave of Country Lakes.
- Will there be an agreement between the developer and the Forest Preserve District regarding maintenance of the wetland areas along the perimeter of the development? West – The wetland areas on the subject property will be maintained by Atwater HOA. We can also talk to the Forest Preserve District regarding protection of wetland offsite.
- Have the petitioner considered any alternative to having an emergency

access from Overlook Court.

Pete Ritenowera, 922 Genesee Court.

- What types of screening would be adjacent to Enclave of Country Lakes? Sagen – We don't have the detailed design but will select landscaping materials that can thrive in wet area.

Chris Materra, 30W633 Fairway Drive.

- Is the proposed density needed based on economic reasons? Mastrococco – That is correct.
- Could there be any oversights in stormwater report?
- Could the City consider widening Shore Road in order to accommodate a center lane for turning movement?

Pam Peterson, 5S373 Stewart Drive.

- The golf course satisfies the open space requirement for the original Country Lakes PUD.
- All subsequent developments have been approved under the premise of the golf course.
- One of the reasons that the Forest Preserve District was trying to condemn the property is to create large stormwater basins to alleviate the flooding issue in the area.

Planning and Zoning Commission extended the meeting to 12:45 a.m.

Russell Ronner, 5S374 Steward Drive.

- Has experienced flooding completely around his house.
- The existing stormwater system is not sufficient.
- Having an access on Shore Drive would help improve the traffic situation.

John Peterson, 373 Steward Drive.

- Concerned about traffic and calls for an independent traffic study.

Petitioner responded to testimony:

- Worline – The City require the development to be connected to the storm sewer. However, we are decreasing the peak flow of the stormwater ponds, thereby helping the downstream flooding problem. We are following all State and local stormwater regulations.
- Chris Morgart, with Cemcon – We are not raising the foundation of the proposed houses above the existing houses. In some locations, we will raise the elevations for about two feet due to topography. But this would not create any additional drainage to the surrounding areas.
- Talbot - Regarding the request to add a traffic signal at Fairway and Diehl, it is warranted. The warrants for a signal at Fairway and Country Club will be met upon buildout of the development. Pulte will contribute

to the cost of the signal.

- Pluskwa – Shore Road access will need to be located toward the north due to presence of wetland and stormwater ponds to the south. If an entrance is created, only a very small portion of the development will be utilizing the entrance. A better approach would be to signalize the intersection of Country Club and Diehl.

Planning and Zoning Commission inquired about:

- Meyer – Is the existing storm sewer undersized? Meyer asked staff to look into the size of the storm sewer in the area. Worline – Although we are connecting to the drain, we are decreasing the discharge. We are not making the situation worse, but making it better.

Planning and Zoning Commission extended the meeting to 1 a.m.

- Meyer – How would the emergency access address the concern about the length of the cul-de-sac? Patty – Is the Fire Department okay with the cul-de-sac? West – The Fire Department supports the length of the cul-de-sac subject to the provision of an emergency access.

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Hastings – It is a pretty difficult decision. Believe the experts' testimony. However, a lot of residents talked about the current state of the traffic and stormwater situation. Will expect the developer to alleviate the concerns. Inclined to vote no.
- Williams – Sees things differently. The major problems are pre-existing and not caused by the applicant. The evidence is in favor of the developer. The current PUD standards have been complied with. The density is existing. Encourage the residents to continue to be vocal about their concerns.
- Messer – Thanked the petitioner for a complete presentation. Messer was used to live in this area and knows that the traffic study is flawed. Has problem with the interior setback variance. Will not support this.
- Meyer – I don't like Phase 2 based on concerns about the cul-de-sac. I like Phase 1. Not happy with the traffic study. Stormwater is a large concern but is beyond the commission's scope. Not happy with the interior setback variance. Not going to support this.
- Martinez – The petitioner's presentation was thorough. But has concerns regarding setback, traffic and stormwater. Agrees with Williams that the problems are pre-existing. However, still cannot support the development.
- Frost – Would prefer to continue the case. If not, Frost is inclined to deny. The cut through traffic issue needs to be addressed. Believes that the stormwater situation won't be exacerbated by the proposed development. Encourages residents to talk to Council.

- Coyne – Happy to see the development opportunity, but not in support of this development. There are too many existing stormwater and traffic problems. The development is too large and too dense that will result in worse traffic problems. Not convinced that an entrance on Shore Drive is not an option. Will be voting against.
- Gustin – Thanks the petitioner for providing different housing choices. The project has a lot of positives. But traffic is a major concern. Like the amenities including trails and ponds. The Shore Road access should be investigated. The Commission did not get the traffic study.

Planning and Zoning Commission moved to recommend approval of PZC 14-1-082, which includes:

1. A major change to the Country Lakes Planned Unit Development (PUD) to revoke the existing PUD as it applies to the subject property;
2. A Preliminary PUD Plat;
3. A Preliminary Subdivision Plat;
4. Rezoning to R2 (Single-Family and Low Density Multiple-Family Residence District);
5. A Deviation from Section 6-6C-7 (R2: Yard Requirements) to permit interior side yard setbacks of 6' per side in lieu of 16' total for 2 side yards with each side yard a minimum of 6'; and
6. A Deviation from the maximum length of a cul-de-sac to permit a cul-de-sac approximately 1,375' in length in lieu of 1,000'.

Motion by: Williams
Seconded by: Coyne

Not Approved
(1 to 7)

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

E. Reports and Recommendations

F. Correspondence

G. New Business

The Planning and Zoning Commission extended the meeting to 1:30 a.m.

Meyer requested a text amendment to Ordinance 13-132 in order to delete "Medical Cannabis Dispensing Facilities" from the list of permitted uses in the I District and instead add it to the list of conditional uses in the I district, pursuant to her memo (attached).

Liu – The PZC originally recommended medical cannabis dispensaries as a conditional use in the industrial districts when the initial Medical Cannabis Ordinance was reviewed by the PZC. However, the City Council amended the PZC's recommendation and made medical cannabis dispensaries as a permitted

use in the industrial districts. Based on this history, staff would like to take Meyer's request to the City Council for its direction first. If Council concurs with the PZC, staff will proceed with scheduling a public hearing for the proposed text amendment.

Planning and Zoning Commission moved to submit the request for a text amendment to Ordinance 13-132 to the City Council in order to delete "Medical Cannabis Dispensing Facilities" from the list of permitted uses in the I District and instead add it to the list of conditional uses in the I district.

Motion by: Coyne
Seconded by: Meyer

Approved
(7 to 1)

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

H. Adjournment

1:30 a.m.