

CITY OF WARRENVILLE
PLAN COMMISSION/ZONING BOARD OF APPEALS

Minutes of Regular Meeting
Held on Thursday, June 20, 2019
At the Warrenville City Hall
28W701 Stafford Place

A. CALL TO ORDER

Plan Commission Chairman Davis called the meeting to order at 7:00 p.m.

B. ROLL CALL

PC Present: John Davis, Tim Cosgrove, John Lockett, Robert Pepple, Al Thompson, Elizabeth Chapman, Byron Miller, Shannon Burns

PC Excused/Absent: Andrew White

ZBA Present: John Davis, Tim Cosgrove, John Lockett, Robert Pepple, Al Thompson, Shannon Burns

ZBA Excused/Absent: Andrew White

Also Present: Community and Economic Development Director Ron Mentzer, Sr. Planner Natalia Domovessova, Planner/GIS Technician Lauren Whetstone, Recording Secretary Marie Lupo

C. PUBLIC HEARING

1. 28W620, 28W642, 28W646, 28W650 Batavia Road / The Alden Foundation

Located at the northeast corner of Batavia and Butterfield Roads

Project No. 2018-0028

Request for approval of the following petitions, which would allow development of an approximately 3.85-acre property with a three-story, 71-unit, mixed-income, affordable, senior independent living building; a 71-space surface parking lot; and associated parking lot lighting, landscaping and storm water management improvements:

- (a) Rezone Parcel 1 from B-4 Motorist Service district and Parcels 2 through 4 from R-2 Medium-Low Density Single Family Residential district to R-6 Multi-Family Residential district;
- (b) Special Use Permit approval of Preliminary Planned Unit Development (PUD) plans in the R-6 Multi-Family zoning district per Table 3A of Warrenville Zoning Ordinance #1018;
- (c) Planned Unit Development Exceptions/Variations and/or special approvals from the following provisions of Warrenville Zoning Ordinance #1018, which would:
 - (i) Reduce minimum 4,356-square foot lot area per dwelling unit required under Table 4A;
 - (ii) Increase 35-foot maximum building height established in Table 4A;
 - (iii) Reduce minimum number of off-street parking spaces required per Table 5D;
 - (iv) Reduce minimum front and corner side building setbacks required per Table 4A;

- (v) Reduce minimum front, corner side and rear parking space setbacks required per Table 5B;
- (vi) Reduce minimum corner side and rear yard setbacks for accessory structures established in Tables 10A and 10B;
- (vii) Reduce minimum building foundation landscaping along building perimeter required in Section 11.H; and
- (viii) Any other PUD exception/variation necessary to allow for the implementation of the proposed Preliminary PUD plans;
- (d) Preliminary Plat of Subdivision; and
- (e) Variation from Section 8-14-5 of the Warrenville Sign Ordinance which would reduce the minimum ten-foot sign setback required along the front lot line.

The Alden Foundation (Alden) Development Senior Project Manager Barry Mullen and Executive Director Beth Demes addressed the Commission and acknowledged receipt of the staff memo.

Com. Cosgrove inquired as to on-site recycling; Ms. Demes replied recycling containers would be located next to refuse containers.

Com. Cosgrove reported on his conversation with Naperville Township Assessor Warren Dixon, wherein he confirmed that contrary to audience testimony at the June 6, 2019, public hearing, Monarch Landing does not get a special discounted rate on assessed value or taxes.

COM. PEPPLER MOVED, SECONDED BY COM. COSGROVE, THAT THE PLAN COMMISSION RECOMMENDS CONDITIONAL CITY COUNCIL APPROVAL OF ITEMS 1-4, INCLUDING ITEMS A-F, OF THE STAFF MEMO DATED JUNE 13, 2019, FOR WARRENVILLE HORIZON SENIOR LIVING COMMUNITY. THE APPROVALS ARE SUBJECT TO CONDITIONS OUTLINED IN SECTION V, ITEMS 1-24 OF THE WARRENVILLE HORIZON SENIOR LIVING COMMUNITY STAFF MEMO DATED JUNE 13, 2019.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Burns, Chapman, Miller
Nay: Thompson
Absent/Excused: White

MOTION ADOPTED.

COM. PEPPLER MOVED, SECONDED BY COM. LOCKETT, THAT THE ZONING BOARD OF APPEALS RECOMMENDS CONDITIONAL CITY COUNCIL APPROVAL OF A VARIATION FROM SECTION 8-14-5 OF THE SIGN ORDINANCE TO REDUCE THE MINIMUM SIGN SETBACK FROM THE PROPERTY LINE FROM TEN TO APPROXIMATELY FOUR FEET, PER THE STAFF MEMO DATED JUNE 13, 2019, FOR WARRENVILLE HORIZON SENIOR LIVING COMMUNITY.

ROLL CALL VOTE:

Aye: Davis, Cosgrove, Pepple, Lockett, Burns
Nay: Thompson
Absent/Excused: White

MOTION ADOPTED.

Com. Pepple inquired as to the basis for Com. Thompson's vote. Com. Thompson replied he serves on behalf of the community, and based on his interactions, only one person out of 19 was in favor of this project. Aside from that, he personally feels the access road is a horrible idea, as experience has shown it will not be adequately snow plowed and the gate will not be functional.

D. CITIZENS' COMMENTS

Bob Siebert of Albright Court disagreed with Com. Cosgrove's comment by stating the Township does not grant reductions in property taxes. Monarch Landing entered into an agreement with School District 203 for a tax reduction. Moreover, his concern at the June 6, 2019, public hearing was that Alden was not willing to state they would never request a reduction in the property taxes. If at some point in the future the revenue is reduced, there would be no benefit to the underlying taxing districts and it would increase the charge to current districts because the existing two houses and vacant property on the tax bills would be eliminated. He stated that TIF #1 included an agreement signed by the developer that no non-taxable reduction in taxes would be allowed.

Com Cosgrove reiterated that according to the Naperville Township Assessor, Monarch Landing does not receive any special tax reduction.

E. COURTESY REVIEW

1. 29W140 Batavia Road / Melody and James Burke

Located on the north side of Batavia Road, east of Williams Road

Potential request for approval of a variation to reduce the minimum lot width in the R-2 Medium-Low Density Single Family zoning district from 90 feet to approximately 89 feet. This request is associated with the proposed subdivision of an approximately 2.4-acre property into three buildable lots.

Petitioners Melody and James Burke and their realtor addressed the Commission to ascertain whether a variance could be granted to subdivide their property into three, 89-foot wide, $\frac{3}{4}$ -acre lots. Three sewer stubs and a water connection on the same side of Batavia Road are existing. Per their realtor, in marketing their property, the Burkes do not wish to falsely give the impression that subdivision into three lots would be well received by the City. Mr. Burke stated approximately 10% of the property is floodplain.

Commission response was as follows:

- Com. Pepple viewed the issue as that of the Burkes having two 90-foot wide lots, and one 87-foot wide lot. As a remedy, he recommended obtaining an option to purchase three feet from the adjoining neighbor at a set price so that a variance would not be necessary.
- Com. Miller was not in favor of making an exception to the City's rules.

- Although she felt it was a reasonable request, Com. Burns felt that a prospective purchaser should deal with this issue.
- Com. Thompson felt a one-foot variance was a reasonable request.
- Com. Cosgrove felt that any purchaser of the property would make the closing contingent upon approval of the three-lot subdivision before they would close on the purchase. Ch. Davis felt the property should be marketed as informing a potential buyer that a two-lot subdivision can be accomplished; although a three-lot subdivision is possible, because the third lot requires additional land, it is not guaranteed.

Dir. Mentzer summarized that a petitioner would be required to make the case for a variance and meet specific criteria set forth in the Zoning Ordinance. The public input component would be very important in this process.

Ch. Davis summarized the Commission's opinion as that of being generally supportive, with some reservations; however, he cautioned that the Commission's ultimate recommendation would not be binding to the City Council.

F. APPROVAL OF MINUTES

1. Regular Meeting of June 6, 2019

COM. COSGROVE MOVED, SECONDED BY COM. THOMPSON, TO APPROVE THE MINUTES OF JUNE 6, 2019, WITH THE FOLLOWING CHANGE:

- Page 3, Paragraph 2 – Delete “33” and insert “3.”

MOTION ADOPTED UNANIMOUSLY VIA VOICE VOTE.

G. CHAIRMAN'S REPORT

As he would like to be proactive, Ch. Davis inquired as to next steps regarding marijuana legalization, including hemp. Dir. Mentzer replied the City Attorney advised a public hearing to discuss whether it would be appropriate to allow or prohibit “marijuana dispensing facility,” as it is currently not listed as a use. If it is determined to be prohibited, the use would be listed, but with no entries of allowable zoning districts. Staff plans to request authorization to conduct such public hearing at the July 8, 2019, Community Development Committee meeting.

Ch. Davis also advised Dir. Mentzer have the City Attorney to investigate the City's approach to currently unregulated video gaming devices that award the same prize results via the back door.

Ch. Davis reported Naperville's Historic Society is organizing an effort to stop North Central College from tearing down the Kroehler Mansion, located on land the school is planning to purchase from Little Friends.

H. COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR'S REPORT

No report.

I. SENIOR PLANNER'S REPORT

Pl. Domovessova reported the next meeting on July 18, 2019, will include a public hearing for the Academy of Dance Arts' site specific amendment and light industrial land use designation.

J. ADJOURN

COM. COSGROVE MOVED, SECONDED BY COM. LOCKETT, TO ADJOURN THE MEETING AT 7:35 P.M. MOTION ADOPTED VIA VOICE VOTE.

Approved: 7/18/19

Marie Lupo
Marie Lupo, Recording Secretary