NAPERVILLE PLAN COMMISSION
COUNCIL CHAMBERS – MUNICIPAL CENTER
FINAL AGENDA
10/20/2010 - 7:00 p.m.

CALL TO ORDER:

A. Roll Call

B. Approve Minutes

1. Approve the minutes of the October 6, 2010 Plan Commission meeting.

C. Old Business

D. Public Hearings

1. PC Case # 10-1-124 Cooper's Hawk Winery and Restaurant, PC 10-1-124
Petitioner: Tim McEnery, Cooper's Hawk Naperville, LLC dba Cooper's Hawk Winery & Restaurant, 430 E. Plainfield, Countryside, Illinois 60525
Location: Lot 10 of the Freedom Commons Planned Unit Development, at the northwest corner of Freedom Drive and Diehl Road.

   Request: Conduct the public hearing and recommend City Council approve a major change to the Freedom Commons PUD and Final PUD Plat to develop a restaurant on Lot 10, and to make associated site modifications related to building size, and establish controlling building elevations and a landscape plan for the subject property.

   Official Notice: Published in the Naperville Sun on Wednesday, September 29, 2010

2. PC Case # 09-1-195 Kensington School - Request for Annexation, Rezoning, Conditional Use, and Associated Variances
Petitioner: Kensington School, 743 McClintock Drive, Burr Ridge, IL 60527
Location: 10705 South Walton Heath Drive

Request: Conduct the public hearing and recommend City Council approve annexation, rezoning, conditional use, and associated Variances for Kensington School.

Official Notice: Published in the Naperville Sun on October 3, 2010

3. PC Case # PC 10-1-114 Downtown2030 Plan - Planning the Downtown Experience, PC 10-1-114
Petitioner: City of Naperville
Location: N/A

Request: Continue the public hearing and recommend the City Council approve the Downtown2030 Plan

Official Notice: Published in the Naperville Sun on August 23, 25 & 29, 2010

4. PC Case # 10-1-113 Small Wind and Solar Renewable Energy Text Amendment
Petitioner: City of Naperville
Location: N/A

Request: Recommend City Council approve the Small Wind and Solar Renewable Energy Text Amendment.

Official Notice: Published in the Naperville Sun on August 23, 26, and 29, 2010

E. Reports and Recommendations

F. Correspondence

G. New Business

H. Adjournment

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Accessibility Coordinator at least 48 hours in advance of the scheduled meeting. The Accessibility Coordinator can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6725 or 630-305-5205 (TDD) or via e-mail at manningm@naperville.il.us. Every effort will be made to allow for meeting participation.

NAPERVILLE PLAN COMMISSION
DRAFT MINUTES OF OCTOBER 6, 2010

Call to Order **7:00 p.m.**

A. Roll Call

Present:	Bruno, Herzog, Messer, Meyer, Sterlin, Gustin, Edmonds
Absent:	Trowbridge, Meschino
Student Members:	Stancey
Staff Present:	Planning Team – Thorsen, Forystek

B. Minutes Approve the minutes of September 15, 2010

Motion by: Gustin — Approved
Second by: Meyer — (8 to 0)

C. Old Business None

D. Public Hearings

D1. PC 10-1-113 Small Wind and Solar Renewable Energy Text Amendment

Petitioner: City of Naperville

Request: Continue the public hearing and recommend that City Council approve the ordinance amending Title 6 (Zoning Regulations) of the Municipal Code to establish zoning regulations pertaining to small wind and solar renewable energy.

Suzanne Thorsen, Planning Services Team, gave an overview of the proposed amendment.

- Edmonds sought clarification on business and industrial districts. A reference to chapter numbers for each district type was requested.
- Bruno asked about whether solar installations should be allowed facing the street in residential districts and suggested that leaving additional aesthetic restrictions to homeowner's association is inadequate and can open the city to legal ramifications

Public Testimony:

Kelly Jon Anderek, 463 Bourbon Lane: Licensed architect, expert in solar technology, founding member of Chicago Chapter of U.S. Green Building Council, member of Illinois Solar Energy Association.

- Supports the ordinance.

- Height is important for wind; however, the proposed height limitations are acceptable as a property owner can appeal to the City Council for a variance as needed.
- Discussed work with White Eagle Homeowners Association regarding a solar PV panel and guidelines for installations within the neighborhood.
- Homeowners will make a decision based on cost-benefit and find a solution in the market that suits them.
- The timeframe for return on investment for a solar system is long-term (appx. 20-25 years), however legislation is pending in the Illinois Legislature that would greatly reduce the payback period.
- Homeowners have an innate desire to see something attractive on their property.

Michael Perkins, 915 Havenshire Court

- A safety and maintenance plan should be required to address blade height from surface of roof.
- Neighbors have no recourse to prevent or approve a wind turbine. A requirement should be in place for 50% of neighbors to consent.
- Flicker, noise, vibrations should be addressed for wind turbines, as well as reflections from solar panels.

Jeff Gross, 600 Joshua Court, Naperville IL

- Believes that ground-mounted solar should be a conditional use in residential areas because solar systems may be used to heat a swimming pool and is concerned about impact on those systems.
- With respect to wind technology, cost-benefit is coming down significantly and property owners should be allowed to seek approval.
- Believes there may be legal precedent in the future to allow property owners to establish wind turbines.
- Aesthetics are a difficult issue, but that is a subjective judgment.

Jeff Liacone, 118 Daggett Ave., Lockport IL,spoke on behalf of Chicago Energy Conservation.

- The purpose of renewable energy technologies is to reduce carbon footprint and dependence on fossil fuels.
- Renewable energy presents educational opportunities.
- Aesthetics is a subjective issue.
- The ordinance should reflect the opportunities for neighbors to provide input on a renewable energy system.
- Discussed sustainable neighborhood development in New Lenox.
- The ordinance can be revised as technologies advance.
- Property owners should have the right to reduce their energy usage regardless of whether the installation maximizes efficiency.
- Would like to see roof-mounted turbines permitted on homes as the

feasibility of roof-mounted turbines will improve in the future.
- Property owners should have the ability to put solar panels on the ground if they can't have them on their roof.

Barbara Brady, P.O. Box 499., Naperville IL
- Recommended wording regarding wind turbine speed (Section 6-15-3:4.4).
- Described a wind system in Romeoville that was operating under wind speeds that exceeded the manufacturer's design limits.
- Expressed concern about disallowing wind turbines on roof and the design of some systems that allow guy lines.

Plan Commission inquired about:
- Whether a 10' height limitation for roof-mounted turbines is too restrictive.
- Whether it would be preferred not to have a height limitation for renewable energy.
- Whether there are licensed professional solar and wind installers.
- Cost differential between solar PV panels and solar shingles and payback expectation for typical residential roof-mounted PV systems.
- Feasibility of a 45' tall wind turbine on a residential lot.
- Appropriate restrictions for ground-based solar.
- Maximum energy output limitations (e.g., 50 kwh).
- Whether permits would be required for installation of renewable energy systems.
- Telecommunications towers guidelines for monopoles versus lattice or guyed towers.
- Special setback requirements for forest preserve areas.

Plan Commission closed the public hearing.

Plan Commission Discussion:
- Messer – views a 60' height limitation as a good compromise, as some research indicates that 70-80' is more optimal. Would like to see consideration added back in for roof-mounted turbines in residential.
- Meyer – Would like to see microclimate analysis, cost benefit analysis included in standards for a conditional use.
- Sterlin – would like to see a lot size requirement added. Concerned about aesthetics and would like to see involvement of HOA's.
- Bruno – expressed concern about the aesthetic impact of solar system installation on a front façade and would propose restrictions that require low profile units that do not project above the roofline, and that a streetside installation would require a conditional use. Stated support for allowing ground-mounted solar in residential areas with restrictions on area that are scaled to lot size. Concurs that screening should be required for solar systems. Believes that a 150' tower should be a special use.

Does not believe that creation of the code should be led by functionality.

- Gustin – concerned that screening requirements for roof-mounted systems will result in a more obtrusive appearance. Requested language clarification for Section 6-15-3. Would like to see language added regarding shadowing. Would like to see compliance period for maintenance reduced to 90 days. Noted that no ordinances currently exist for wind and solar energy despite private demand, and the city should be forward-looking.
- Herzog -- Does not believe that the height limitation for ground mounted wind turbines should exceed 10' above the allowable height of the zoning district. There should be screening requirements for solar and wind systems. In reference to the Environmental Sustainability Plan, considers roof-mounted solar arrays to be a best practice and wind farms to be a best practice, but feels that the ordinance should be responsive to proven best practices as opposed to emerging technologies and it is not Naperville's role to be leading edge on this topic.
- Edmonds – would like to see Standard 3.2 removed from Section 6-15-6 (Conditional Uses). Opposes a screening requirement. Referenced consistency of standards within the ordinance with other precedent in the Municipal Code, such as the Telecommunications Ordinance. Stated that it is the responsibility of Plan Commission to be forward looking and that staff has provided examples of how the technology is applied.

Plan Commission requested a decision matrix and continued the public hearing to October 20, 2010.

E. Reports and Recommendations None

F. Correspondence None

G. New Business Gustin requested that staff meet with officials in District 203 regarding *Naperville Downtown2030*.

H. Adjournment 10:09 p.m.

Naperville

PLAN COMMISSION
AGENDA ITEM

PC CASE: 10-1-124 **AGENDA DATE:** 10/20/2010

SUBJECT: Cooper's Hawk Winery and Restaurant
Petitioner: Tim McEnery, Cooper's Hawk Naperville, LLC dba Cooper's Hawk Winery & Restaurant, 430 E. Plainfield, Countryside, Illinois 60525

LOCATION: Lot 10 of the Freedom Commons Planned Unit Development, at the northwest corner of Freedom Drive and Diehl Road

☐Correspondence ☐New Business ☐Old Business ☒Public Hearing

SYNOPSIS: The petitioner requests approval of a major change to the Freedom Commons PUD and Final PUD Plat to develop a restaurant on Lot 10 to make associated site modifications related to building size, establish controlling building elevations, and a landscape plan for the subject property.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
N/A	N/A	N/A

ACTION REQUESTED/RECOMMENDED THIS MEETING:

PREPARED BY: Katie Forystek, AICP, TED Business Group

EXISTING ZONING, LAND USE, AND LOCATION:
The subject property is located on Lot 10 of the Freedom Commons Planned Unit Development, at the northwest corner of Freedom Drive and Diehl Road. It consists of 1.8 acres presently zoned B2 PUD in the City of Naperville. The site is currently improved with a parking field and perimeter landscaping.

REQUEST:
The petitioner requests approval of a major change to the Freedom Commons PUD and Final PUD Plat to develop a restaurant on Lot 10 and to establish controlling building elevations and a landscape plan for the subject property.

PLANNING SERVICES TEAM REVIEW:
The Final PUD Plat for Freedom Commons indicates a 8,731 square foot restaurant on Lot 10 (previously approved for a Champps Restaurant). The proposed Cooper's Hawk Winery and Restaurant provides a 10,979 square foot restaurant (2,248 sf increase) and 110 parking spaces on Lot 10.

Final PUD Plat:
The proposed final PUD plat increases the size of the previously approved restaurant by 2,248 square feet, but does not greatly alter the orientation or placement of the building on Lot 10. Outdoor dining is proposed on the east side of the restaurant and meets the required setbacks. Staff finds that the final PUD plat is in harmony with the original plat approved for Freedom Commons Lot 10.

Off-Street Parking:
The proposed 10,979 square foot building is larger than the 8,731 square foot restaurant originally approved for Lot 10, requiring 23 additional parking spaces. Per the Municipal Code, a total of 110 spaces are required for the restaurant. Cooper's Hawk Winery and Restaurant would provide 110 parking spaces on Lot 10.

A shared parking agreement exists for the Freedom Commons; as such, all parking spaces in the development are available for use by potential customers and employees of the restaurant. A summary of the existing parking facilities, including up-to-date figures related to current outlot developments, is provided as Attachment 1. Staff finds that ample parking exists within the Freedom Commons PUD to serve the proposed restaurant.

Building Elevations:
Staff has reviewed the proposed elevations for Cooper's Hawk Winery and Restaurant and finds that they are consistent with the city's building design guidelines and the design guidelines associated with the Freedom Commons PUD. The four-sided design utilizes quality materials and incorporates awnings and decorative lighting to complement the architecture of the building.

Landscaping:
Overall site landscaping for Freedom Commons was approved with the Final PUD Plat and is attached to Ordinance 07-156. The petitioner proposes to install additional foundation plantings on-site in compliance with the requirements for landscaping and screening.

ACTION REQUESTED:
Conduct the public hearing.

ATTACHMENTS:
1) Cooper's Hawk Winery and Restaurant – Attachment 1: Freedom Commons Tenant Roster – PC 10-1-124
2) Cooper's Hawk Winery and Restaurant – Petition – PC 10-1-124
3) Cooper's Hawk Winery and Restaurant – Final PUD Plat – PC 10-1-124
4) Cooper's Hawk Winery and Restaurant – Landscape Plan – PC 10-1-124
5) Cooper's Hawk Winery and Restaurant – Building Elevations – PC 10-1-124

Lots	Square Feet	Parking Ratio	Parking Demand
Lot 1			
1715 Freedom Drive	8,077	4.5	36
Future retail, current vacant lot			
Lot 2			
1739 Freedom Drive	13,613	4.5	61
Jason's Deli	4,827	4.5	22
AthletiCo	3,084	5	15
Naf Naf Grill	2,450	10	25
Lot 3			
1763 Freedom Drive	13,627	4.5	61
Subway	1,413	4.5	6
Taco Fresco	2,027	10	20
Lot 4			
1811 Freedom Drive	6,841	4.5	31
Magic Nails	1,400	4	6
Studio Luxe	1,678	4	7
Lot 5			
Fidelity	6,500	4	26
Lot 6			
Maggiano's	15,000	10	150
Lot 7			
White Chocolate Grill	7,615	10	76
Lot 8			
Morton's	8,295	10	83
Lot 9			
1727 Freedom Drive	8,077	4.5	36
Scottrade	2,070	4	8
Einstein's	2,702	4.5	12
Lot 14			
Zapatista	7,405	10	74
West Side Total			*720*
East:			
Bank (9,000 s.f.)	13,600	4	54
Fitness	45,000	5	225
Cooper's Hawk (proposed)	10,979	10	110
East Side Total			*389*
Total Parking Required	1,109		
Total Parking Provided	1,204		

Attachment 1

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT APPROVAL

Development Name (should be consistent with plat): **Freedom Commons**

Development Address: **1740 Freedom Drive**

Date of Submission: **09/15/2010**

I. APPLICANT:

Tim McEnery, Cooper's Hawk Naperville, LLC dba Cooper's Hawk Winery & Restaurant

Name, Corporation

430 E. Plainfield

Street

Countryside, IL 60525

City State Zip Code

Walter Fisher, Director of Development, 708-839-2920

Primary Contact Person Relationship to Applicant Telephone Number

708-839-5356, wfisher@chwinery.com

Fax Number, E-Mail Address

II. OWNER OF THE PROPERTY:

Harp Krug Venture c/ Bill Krug
Name

13769 Main St., Lemont, IL 60439

Address

III. APPLICANT'S/PETITIONER'S STAFF:

Attorney: Kerry Lavelle, Lavelle Law Telephone Number: **847-705-9654**

Email Address: **kmlavelle@lavellelaw.com** Fax Number **847-241-1706**

Address: **501 W. Colfax Palatine, IL 60067**

Engineer: Mackie Consultants, LLC Telephone Number: **847-696-1400**

IV. ACTION REQUESTED (Check applicable boxes and complete corresponding Exhibits):

_____ Annexation (see **Section V** below)

_____ Rezoning from ____ To ____
(Complete **Exhibit 1**)

_____ Preliminary PUD Plat
(Complete **Exhibit 2**)

__X__ Major Change to a Planned Unit Development
(Complete **Exhibit 2**)

_____ Preliminary Plat of Subdivision

_____ Conditional Use
(Complete **Exhibit 3**)

_____ Minor Change to a Conditional Use
(Complete **Exhibit 3**)

_____ Site Plan Review

_____ Sign Variance
(Complete **Exhibit 5**)

_____ Subdivision Waiver / Deviation to Platted Setback Line
(Complete **Exhibit 4**)

_____ Zoning Variance
(Complete **Exhibit 5**)

_____ Final PUD Plat
(Complete **Exhibit 2**)

_____ Minor Change to a Planned Unit Development
(Complete **Exhibit 2**)

_____ Final Plat of Subdivision

_____ Major Change to a Conditional Use
(Complete **Exhibit 3**)

_____ Landscape Variance
(Complete **Exhibit 6**)

_____ Plat of Easement / Vacation / Dedication
(circle all that apply)

V. ANNEXATION

Is this development within the City limits?

__X__ Yes.

_____ Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.

_____ No, ***requesting annexation***
Are there electors living on the property:
_____ Yes _____ No
If yes, did they sign the Petition for Annexation? _____ Yes _____ No

VI. SITE DATA

1. General description of site conditions (Including existing site improvements,

i.e., buildings, parking, landscaping, etc.)

A new restaurant with a patio will be built on existing pad site. All existing shared parking by the developer is to remain. New landscaping and sidewalks will be installed within the construction limit lin. The existing electrical transformer and curb cuts will remain. New grease interceptor and utility lines connecting to the main lines will be installed.

2. Existing Utility Services (water, sewer, electricity): **2" domestic water, 6" fire wayter, 6" sanitary sewer, 300 KVA 208/120 electric transformer**

3. Existing zoning on the site: **B2 PUD**

4. Existing Land Use: **Vacant/pending development**

5. Acreage & Square Footage of the site: **1.8 Acres/ 78,7333 sq. ft**

6. List Controlling Ordinances and agreements (zoning, annexation ordinances, SIA, site plans, preliminary/final PUD plats, etc.):

07-077, 07-057, 07-156, 07-086, 06-064, 07-157, 08-179, 06-066, 04-119, 06-064, 06-066, 07-001, 06-065, 06-262, 06-263, 07-118, 79-59, 79-66, 07-104

VII. PROPOSED DEVELOPMENT:

1. Type of Development (check all that apply):

_____ Residential X Commercial _____ Office

_____ Industrial _____ Other:_____

2. Proposed Zoning: **B2 PUD**

Description of Proposal: (Including proposed land use, type of use, hours of operation, number of parking spaces, and all Exhibits mandated by the request (see **Page 2, Section IV** for Exhibit information)– attach additional pages if necessary):

Develop lot 10 of Freedom Commons for commercial use. The proposed building is a full service restaurant and bar with a retail area for the sale of packaged goods. The business will operate during the hours of 11:00 AM – 9:30 PM Mon-Thurs, 11:00 AM – 10:00 PM Fri.-Sat., and 11:00 AM – 9:00 PM Sunday.

110 Parking spaces of the existing shared parking spaces by the developer will be required based on the square footage of the proposed building. This proposal is requesting a major change to a planned unit development. See Exhibit 2.

3. Description of Building (Including number of buildings, square footage of each building and use, maximum height, façade materials):

A single 10,979 sq. ft. building with a 796 sq. ft. patio and 370 sq. ft. service yard is proposed for a Lot 10. The proposed use is for a full service restaurant and bar with a retail area for the sale of packaged goods. The 24-4" high building uses brick and stone ceneer as the predominant materials along with accents of tile, plaster and cast stone., in keeping with the development's previously approved standards.

4. Describe all requested Variances / Deviations from the underlying zoning regulations (i.e. parking, setbacks, density, height/bulk etc.) **NOTE:** Complete this section as well as **Exhibit 5** – attach additional pages if necessary:

N/A

5. Describe all requested waivers from the Subdivision Regulations: (i.e. R.O.W., widths, easements, etc.) **NOTE:** Complete this section as well as **Exhibit 4** – attach additional pages if necessary:

N/A

6. Deviations from the Landscaping Regulations **NOTE**: Complete this section as well as **Exhibit 6** – attach additional pages if necessary:

N/A

7. General Land Use Data:

	Residntl.	Comrcl.	Office	Indst.	R.O.W.	Park	School	Private	Other*	Total
No. of Acres										
% of Total										

*Please explain:

_____

_____

_____

8. Development Densities:

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Building square footage	Minimum Lot Size	Maximum Lot Size	A L
Single-Family						NA			
Townhome						NA			
Duplex						NA			
Apartment						NA			

Comrcl.			NA	NA	NA				
Office			NA	NA	NA				
Industrial			NA	NA	NA				

Gross Acres = land designated for land use type including right-of-way
Gross Density = number of units divided by gross acres
Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school/park dedications and open space areas.
Modified Gross Density = number of units divided by modified gross acres.

~~**VIII. SCHOOL AND PARK DONATION REQUIREMENTS (calculation tables must be attached):**~~

~~1. Required School Donation of _____ acres will be met by a _____~~

~~2. Required Park Donation of _____ acres will be met by a _____~~

~~**IX. PRIVATE FACILITIES**~~

~~1. Private open space and recreational facilities include:~~

~~Which will be maintained by: _____ The City of Naperville~~
~~_____ Homeowners Association~~
~~_____ Other (_____)~~

~~2. Outlots and/or detention/retention facilities include (size, number and location)~~

~~Which will be maintained by: _____ The City of Naperville~~
~~_____ Homeowners Association~~
~~_____ Other (_____)~~

~~3. Detention, retention, open space/recreation and school uses within the development:~~

	~~Private – Homeowners Association (acres)*~~	~~Public – To be Dedicated (acres)~~	~~Other (acres)*~~	~~Total (acres)~~
~~Open Space*~~				
~~a. Park Site~~				
~~b. Common~~				

~~Areas*~~				
~~c. Private Facility*~~				
~~Sub-total~~				
~~School Site~~				
~~Total~~				

~~*Please Explain:~~

Note: Please provide a brief explanation of the type of private facility, common area, open space or other acreage included in the development (Private facilities would include facilities such as clubhouses or private swim clubs. Other could include detention/facilities or outlots for landscape buffers, subdivision identification signage or similar purposes.)

Respectfully Submitted,

Cooper's Hawk Winery & Restaurant

By: _____
Tim McEnery
CEO /Member

STATE OF ILLINOIS)
COUNTY OF COOK)
CITY OF COUNTRYSIDE)

The foregoing petition was acknowledged before me by ***Jennifer Kaufmann*** on the 13th day of **September, 2010** A.D.

OFFICIAL SEAL
JENNIFER KAUFMANN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-17-2014

By: _____
Jennifer Kaufmann
Notary Public

LLC PETITIONERS

LLC petitioners are required to produce the articles of organization that are on file with the Illinois Secretary of State's Office. If an LLC is manager-managed, this petitioner may be executed by the manager identified within the articles of organization. If an LLC is member-managed, this petition must be executed by each member of the LLC

EFFECTIVE PERIOD OF APPLICATION

Please note that applications for development approval are only valid for a period of two years from the date of application submission and that all cases will be closed by the City without further notice to the applicant after the two year period has expired.

Aria Group
Architects, Inc.

September 15, 2010

Cooper's Hawk Winery & Restaurant
Freedom Commons
1740 Freedom Drive
Naperville, Illinois 60563

EXHIBIT 2

Standards for Approving a Planned Unit Development or a Major Change to a Planned Unit Development
Section 6-4-1

The plan commission shall not recommend approval of nor shall the city council approve a conditional use for a planned unit development or a major change to the planned unit development unless the proposed development or change complies with all of the following criteria:

1. The design of the planned unit development presents an innovative and creative approach to the development of land and living environments.

Response: **The proposed Cooper's Hawk Winery and Restaurant complements the innovative and creative Freedom Commons Development by bringing a unique winery/restaurant concept to the development. In addition to a full service restaurant and bar, guests can dine in a unique winery barrel aging room, sample Cooper's Hawk's handcrafted wines at a tasting bar and purchase their favorite wines in the retail area.**

2. The planned unit development meets the requirements and standards of the planned unit development regulations.

Response: **The Proposed Cooper's Hawk Winery and Restaurant is designed to meet our interpretation of the regulations and standards of the planned unit development by incorporating masonry building materials and details to achieve the "four sided architecture" and while obtaining its own identity will still be complimentary to adjacent properties.**

ARCHITECTURE • PLANNING • INTERIOR DESIGN

830 North Boulevard
Oak Park, Illinois
60301
708.445.8400
Fax 708.445.1788
www.ariainc.com

3. The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site. (Ord. 01-110, 6-5-2001).

Response: **The Proposed Cooper's Hawk Winery and Restaurant is placed on the site with the intent of keeping the overall layout of the site as is. Although there are minor changes to some of the original curb cuts, the parking fields and traffic flow remain unchanged.**

4. Open space, outdoor common area, and recreational facilities are provided. (Ord. 08-149, 8-19-2008).

Response: **The proposed Cooper's Hawk Winery & Restaurant will contribute to the open space and outdoor area of the existing development by incorporating an outdoor patio into the design.**

5. The modifications in design standards from the subdivision control regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations.

Response: **This change for the purposes of constructing Cooper's Hawk Winery & Restaurant is consistent with the overall comprehensive plan and creative intent of the previously recorded PUD for Freedom Commons.**

6. The planned unit development is compatible with the adjacent properties and nearby land uses.

Response: **Since the original intent of this site was for restaurant use, Cooper's Hawk Winery and Restaurant will still be a compatible business to nearby land uses and property owners.**

7. The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the city.

Response: **Since the original intent of this site was for restaurant use, Cooper's Hawk Winery and Restaurant will still fulfill the objectives of the comprehensive plan and planning policies of the city.**

Form **LLC-5.5**
October 2009

Secretary of State Jesse White
Department of Business Services
Limited Liability Division
501 S. Second St., Rm. 351
Springfield, IL 62756
217-524-8008
www.cyberdriveillinois.com

Payment must be made by certified check, cashier's check, Illinois attorney's check, C.P.A.'s check or money order payable to Secretary of State.

Illinois Limited Liability Company Act Articles of Organization

SUBMIT IN DUPLICATE
Must be typewritten.

This space for use by Secretary of State.

Filing Fee: $500
Approved:

FILE # 02981297
This space for use by Secretary of State.

FILED
MAY 20 2010
JESSE WHITE
SECRETARY OF STATE

1. Limited Liability Company Name: Cooper's Hawk Naperville, LLC
The LLC name must contain the words Limited Liability Company, L.L.C. or LLC and cannot contain the terms Corporation, Corp., Incorporated, Inc., Ltd., Co., Limited Partnership or L.P.

2. Address of Principal Place of Business where records of the company will be kept: (P.O. Box alone or c/o is unacceptable.)
8695 S. Archer Ave, Unit 25, Willow Springs, IL 60480

3. Articles of Organization effective on: (check one)
☑ the filing date
☐ a later date (not to exceed 60 days after the filing date): _____ Month, Day, Year

4. Registered Agent's Name and Registered Office Address:

Registered Agent: Christopher J. Verstrate
First Name | Middle Initial | Last Name

Registered Office: 77 W. Wacker Drive, Suite 4100
(P.O. Box alone or c/o is unacceptable.)
Number | Street | Suite #

Chicago | IL | 60601 | Cook
City | ZIP Code | County

5. Purpose(s) for which the Limited Liability Company is organized:
The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act.
(LLC's organized to provide professional services must list the address(es) from which those services will be rendered if different from item 2. If more space is needed, use additional sheets of this size.)

6. Latest date, if any, upon which the company is to dissolve: _____ Month, Day, Year
(Leave blank if duration is perpetual.)

Printed on recycled paper. Printed by authority of the State of Illinois. April 2010 — 4M — LLC-4.13

11334513

OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

MAY 20, 2010

0298129-7

CHRISTOPHER J VERSTRATE
77 W WACKER DR STE 4100
CHICAGO, IL 60601-0000

RE COOPER'S HAWK NAPERVILLE, LLC

DEAR SIR OR MADAM:

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF ORGANIZATION THAT CREATED YOUR LIMITED LIABILITY COMPANY. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

PLEASE NOTE! THE LIMITED LIABILITY COMPANY MUST FILE AN ANNUAL REPORT PRIOR TO THE FIRST DAY OF THIS ANNIVERSARY MONTH NEXT YEAR. FAILURE TO TIMELY FILE WILL RESULT IN A $300 PENALTY AND/OR DISSOLUTION/REVOCATION. A PRE-PRINTED ANNUAL REPORT WILL BE MAILED TO THE REGISTERED AGENT AT THE ADDRESS ON OUR RECORDS APPROXIMATELY 45 DAYS BEFORE THE DUE DATE.

FOR A LIMITED LIABILITY COMPANY THAT INTENDS TO PROVIDE CERTAIN PROFESSIONAL SERVICES FOR WHICH INDIVIDUALS ARE REQUIRED TO BE LICENSED, A CERTIFICATE OF REGISTRATION MUST BE OBTAINED FROM THE ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION. IF THE LLC IS SO REGISTERED, THE CURRENT ADDRESS FROM WHICH THE PROFESSIONAL SERVICES ARE PROVIDED MUST ALSO BE ON RECORD WITH THIS OFFICE.

MANY OF OUR SERVICES ARE AVAILABLE AT OUR CONTINUOUSLY UPDATED WEBSITE. VISIT WWW.CYBERDRIVEILLINOIS.COM TO VIEW THE STATUS OF THIS COMPANY, PURCHASE A CERTIFICATE OF GOOD STANDING, OR EVEN FILE THE ANNUAL REPORT REFERRED TO IN THE EARLIER PARAGRAPH.

SINCERELY YOURS,

Jesse White

JESSE WHITE
SECRETARY OF STATE
DEPARTMENT OF BUSINESS SERVICES
LIMITED LIABILITY DIVISION
(217) 524-8008

JW:LLC

02982947
05/20/10

LLC-5.5

7. (Optional) Other provisions for the regulation of the internal affairs of the Company: (If more space is needed, attach additional sheets of this size.)

8. The Limited Liability Company: (Check either a or b below.)

a. ☑ is managed by the **manager(s)** (List names and business addresses.)
Cooper's Hawk Intermediate Holding, LLC, 8695 S. Archer Ave, Unit 25, Willow Springs, IL 60480

(NQ)

b. ☐ has management vested in the **member(s)** (List names and business addresses.)

9. Name and Address of Organizer(s)
I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

Dated May 19 (Month & Day), 2010 (Year)

1. Signature

Christopher J. Verstrate, Organizer
Name (type or print)

Name if a Corporation or other Entity, and Title of Signer

1. 77 W. Wacker Drive, Suite 4100
Number Street

City/Town

Chicago 60601
State ZIP Code

2. Signature

Name (type or print)

Name if a Corporation or other Entity, and Title of Signer

2. Number Street

City/Town

State ZIP Code

Signatures must be in black ink on an original document. Carbon copy, photocopy or rubber stamp signatures may only be used on conformed copies.

Printed on recycled paper. Printed by authority of the State of Illinois. April 2010 — 4M — LLC-4.13

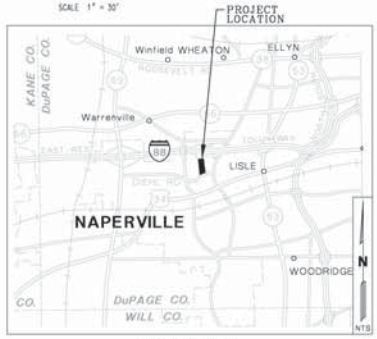
FINAL PLANNED UNIT DEVELOPMENT PLAT

MAJOR CHANGE TO AND FINAL PUD PLAT FOR LOT 10 FREEDOM COMMONS

PIN NO. 08-05-303-

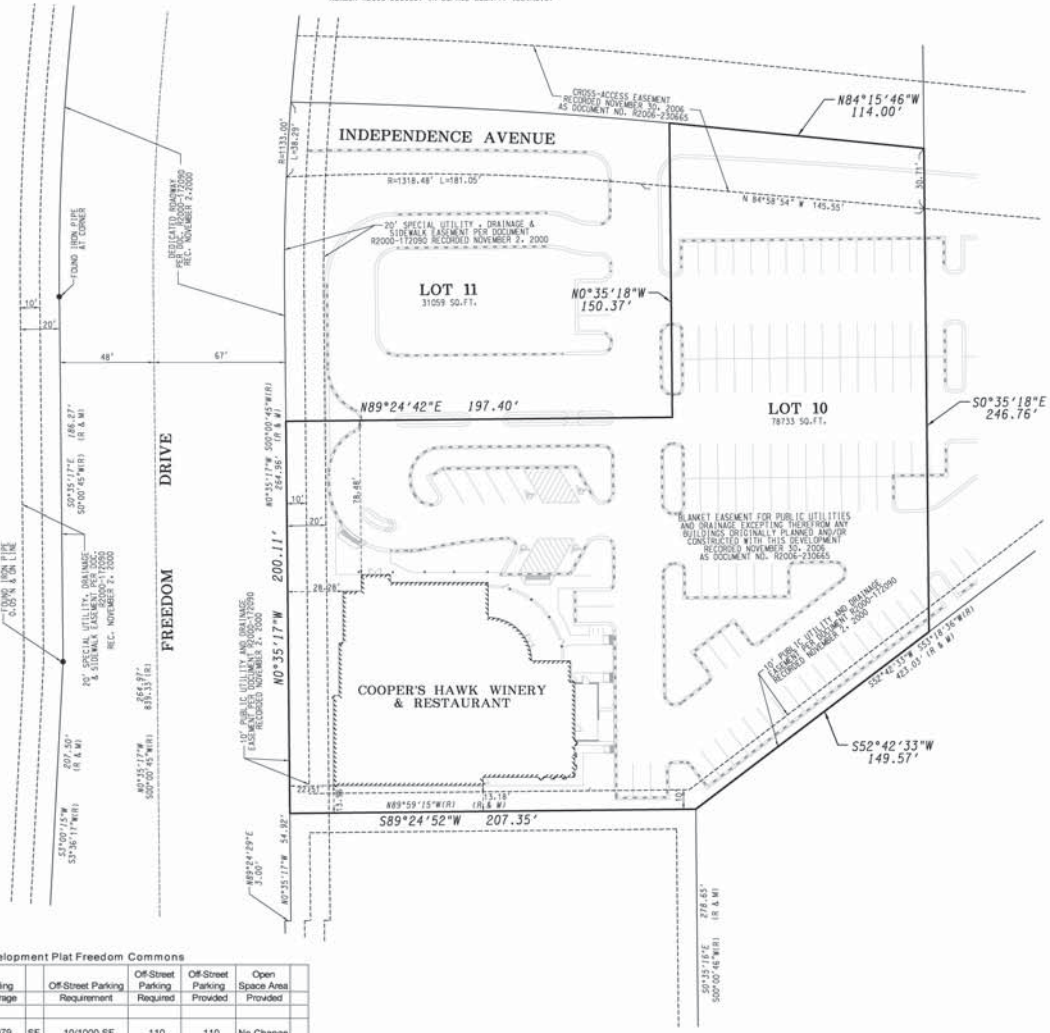
LOT 10, IN FREEDOM COMMONS, BEING A RESUBDIVISION OF LOTS 403 AND 404 IN BELLEMEAD'S SECOND RESUBDIVISION OF NAPERVILLE CORPORATE CENTER, BEING A RESUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FOR FREEDOM COMMONS RECORDED NOVEMBER 30, 2006 AS DOCUMENT NUMBER R2006-230665, IN DUPAGE COUNTY, ILLINOIS.

SCALE 1" = 30'



LOCATION MAP
SCALE : N.T.S.

KEY MAP
(NOT TO SCALE)



ABBREVIATIONS	
N	NORTH
S	SOUTH
E	EAST
W	WEST
(R)	RECORD
(M)	MEASURED
R=	RADIUS
L=	LENGTH
CB=	CHORD BEARING
SQ. FT.	SQUARE FEET
AC	ACRES
ROW	RIGHT-OF-WAY
PIN	PROPERTY INDEX NUMBER
TYP.	TYPICAL
REST.	RESTAURANT
FAR	FLOOR AREA RATIO
DOC.	DOCUMENT

AREA SUMMARY TABLE		
LOT NUMBER	AREA (SQ.FT.)	AREA (ACRES)
LOT 10	78,733	1.807
TOTAL	78,733	1.807

LEGEND

- SUBDIVISION BOUNDARY LINE
- LOT LINE/RIGHT-OF-WAY LINE
- EASEMENT LINE
- CENTERLINE
- SET CONCRETE MONUMENT
- BICYCLE PARKING
- HANDICAPPED PARKING
- TREES
- BUILDING
- STAMPED CONCRETE
- ACCENT PAVERS

SURVEYOR'S NOTES:
1. REBAR (3/4"x 24") SHALL BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
2. BEARINGS ARE BASED ON ILLINOIS EAST STATE PLANE COORDINATE SYSTEM.
3. DIMENSIONS ALONG CURVED LINES ARE ARC DIMENSIONS.
4. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
5. REFER TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF FREEDOM COMMONS FOR RIGHTS AND USES OF "EASEMENTS FOR PEDESTRIAN AND VEHICULAR TRAFFIC", "CROSS PARKING" AND"GOVERNMENTAL SERVICE AND UTILITY EASEMENTS" TO BE RECORDED UNDER SEPARATE COVER.
6. ALL EXISTING AND PROPOSED UTILITY MAINS SHALL BE PUBLICALLY MAINTAINED. UTILITY SERVICE LINES , FIRE HYDRANT AND ASSOCIATED 6" DIAMETER PIPING TO ADJACENT WATER MAIN SHALL BE PRIVATELY OWNED AND MAINTAINED.
7. THIS IS NOT A SUBDIVISION. FOR SUBDIVISION INFORMATION PLEASE REFER TO THE SUBDIVISION PLAT FOR THE SUBJECT PROPERTY WHICH IS A SEPARATE DOCUMENT.

GENERAL NOTES
1. NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENTS.

DEVELOPER:
ARIA GROUP ARCHITECTS, INC.
830 NORTH BLVD
OAK PARK, IL 60301
(708) 445-8400

ENGINEER:
MACKIE CONSULTANTS, LLC
9575 WEST HIGGINS ROAD
SUITE 500
ROSEMONT, ILLINOIS 60018
(847) 696-1400
FAX (847-696-1410

SURVEYOR:
MACKIE CONSULTANTS, LLC
9575 WEST HIGGINS ROAD
SUITE 500
ROSEMONT, ILLINOIS 60018
(847) 696-1400
FAX (847-696-1410

Planning Design Standards for Final Planned Development Plat Freedom Commons

Lot Number	Zoning	Building Type	Building Height Stories	Building Height Feet	Parcel Area		Building Coverage		Off-Street Parking Requirement	Off-Street Parking Required	Off-Street Parking Provided	Open Space Area Provided
10	B 2	Restaurant	ONE	24'-4"	78,733	SF	10,979	SF	10/1000 SF	110	110	No Change

Open space data is from the approved preliminary PUD plat.

Shared parking is provided in the overall PUD

COOPER'S HAWK WINERY & RESTAURANT AT FREEDOM COMMONS - FINAL PUD PLAT
CITY PROJECT NUMBER 10-10000124

MACKIE CONSULTANTS, LLC
9575 W. HIGGINS RD., SUITE 500, ROSEMONT, IL 60018
847-696-1400 FAX 847-696-1410
ENGINEERS PLANNERS SURVEYORS
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NUMBER 184-002694

CLIENT:
ARIA GROUP ARCHITECTS, INC.
830 NORTH BLVD
OAK PARK, IL 60301
PHONE: (708) 445-8400

DATE	DESCRIPTION OF REVISION	BY

DESIGNED	TKB
DRAWN	KJD
APPROVED	DAG
DATE	9-14-10
SCALE	1"=30'

MAJOR CHANGE TO AND FINAL PUD PLAT FOR LOT 10 FREEDOM COMMONS NAPERVILLE, ILLINOIS

SHEET 1 OF 2

PROJECT NUMBER: 1911
FILE: S:/P/F/PrtPudLot10_pg1.plt
© MACKIE CONSULTANTS LLC, 2010

FINAL PLANNED UNIT DEVELOPMENT PLAT
MAJOR CHANGE TO AND FINAL PUD PLAT FOR LOT 10 FREEDOM COMMONS

LOT 10, IN FREEDOM COMMONS, BEING A RESUBDIVISION OF LOTS 403 AND 404 IN BELLEMEAD'S SECOND RESUBDIVISION OF NAPERVILLE CORPORATE CENTER, BEING A RESUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FOR FREEDOM COMMONS RECORDED NOVEMBER 30, 2006 AS DOCUMENT NUMBER R2006-230665, IN DUPAGE COUNTY, ILLINOIS.

OWNER'S CERTIFICATE

STATE OF_____)
) SS
COUNTY OF_____)
THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN HEREON AND AS SUCH OWNER, HAS CAUSED THE PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON. FOR THE USES AND PURPOSES THEREIN SET FORTH AND AS ALLOWED AND PROVIDED BY STATUTES, AND SAID LIMITED LIABILITY COMPANY DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.
DATED AT _____, ILLINOIS, THIS _____ DAY OF _____, A.D., 20____.

BY:_____ ATTEST:_____

TITLE: _____ TITLE: _____

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

APPROVED BY THE CITY OF NAPERVILLE PLAN COMMISSION AT A MEETING

HELD THE _____ DAY OF _____, A.D., 20____.

BY:_____ ATTEST:_____
CHAIRMAN SECRETARY

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS, AT A MEETING HELD

THE_____ DAY OF _____, A.D., 20____.

BY:_____ ATTEST:_____
MAYOR CITY CLERK

PERMISSION TO RECORD CERTIFICATE

"WE, MACKIE CONSULTANTS LLC, ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002694, HEREBY GRANT PERMISSION TO AN EMPLOYEE OF THE CITY CLERK'S OFFICE OF THE CITY OF NAPERVILLE TO RECORD THIS PLAT AT THE DUPAGE COUNTY RECORDER'S OFFICE".

DATED THIS _____ DAY OF _____, 20____.

_____
DALE A. GRAY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003057

LICENSE EXPIRES NOVEMBER 30, 2010

NOTARY'S CERTIFICATE

STATE OF _____)
) SS
COUNTY OF _____)

I, _____, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY
PRINT NAME
IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____,
PRINT NAME
_____, AND _____, _____,
TITLE PRINT NAME TITLE
OF SAID LIMITED LIABILITY COMPANY, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT AS SUCH _____ AND _____
TITLE TITLE
RESPECTFULLY, APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND SEVERALLY ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS _____ DAY OF _____, A.D., 20__
DATE MONTH

_____
NOTARY PUBLIC SIGNATURE

_____
PRINT NAME

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

THIS INSTRUMENT_____, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS,

ON THE _____ DAY OF _____, A.D.,20__

AT_____ O' CLOCK ____M. AND WAS RECORDED IN _____

BOOK _____ OF PLATS ON PAGE _____.

_____
RECORDER OF DEEDS

SURVEYORS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

THIS IS TO CERTIFY THAT WE, MACKIE CONSULTANTS LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002694, HAVE SURVEYED AND REPLATTED THE PROPERTY DESCRIBED AS FOLLOWS:

LOT 10, IN FREEDOM COMMONS, BEING A RESUBDIVISION OF LOTS 403 AND 404 IN BELLEMEAD'S SECOND RESUBDIVISION OF NAPERVILLE CORPORATE CENTER, BEING A RESUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FOR FREEDOM COMMONS RECORDED NOVEMBER 30, 2006 AS DOCUMENT NUMBER R2006-230665, IN DUPAGE COUNTY, ILLINOIS.

CONTAINING AN AREA OF 78,733 SQUARE FEET OR 1.807 ACRES (MORE OR LESS)

WE FURTHER STATE THAT THIS REPLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AND THAT ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

WE FURTHER STATE THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE, WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

WE FURTHER STATE THAT FROM OUR INTERPOLATION OF THE FLOOD INSURANCE RATE MAPS THAT COVER THE AREA, THE PROPERTY DESCRIBED HEREIN FALLS WITHIN ZONE "X," DEFINED AS AN AREA TO BE OUTSIDE OF 500 YEAR FLOODPLAIN, AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 17043C0801H, WITH AN EFFECTIVE DATE OF DECEMBER 16, 2004, (SUBJECT TO SCALING AND MAP INTERPRETATION).

GIVEN UNDER OUR HAND AND SEAL AT ROSEMONT, ILLINOIS, THIS _____ DAY OF

_____, A.D., 20____.

_____
DALE A. GRAY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003057

LICENSE EXPIRES: NOVEMBER 30, 2010

MACKIE CONSULTANTS, LLC
9575 W. HIGGINS RD., SUITE 500, ROSEMONT, IL 60018
847-696-1400 FAX 847-696-1410
ENGINEERS PLANNERS SURVEYORS
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NUMBER 184-002694

CLIENT:
ARIA GROUP ARCHITECTS, INC.
830 NORTH BLVD
OAK PARK, IL 60301
PHONE: (708) 445-8400

DATE	DESCRIPTION OF REVISION	BY

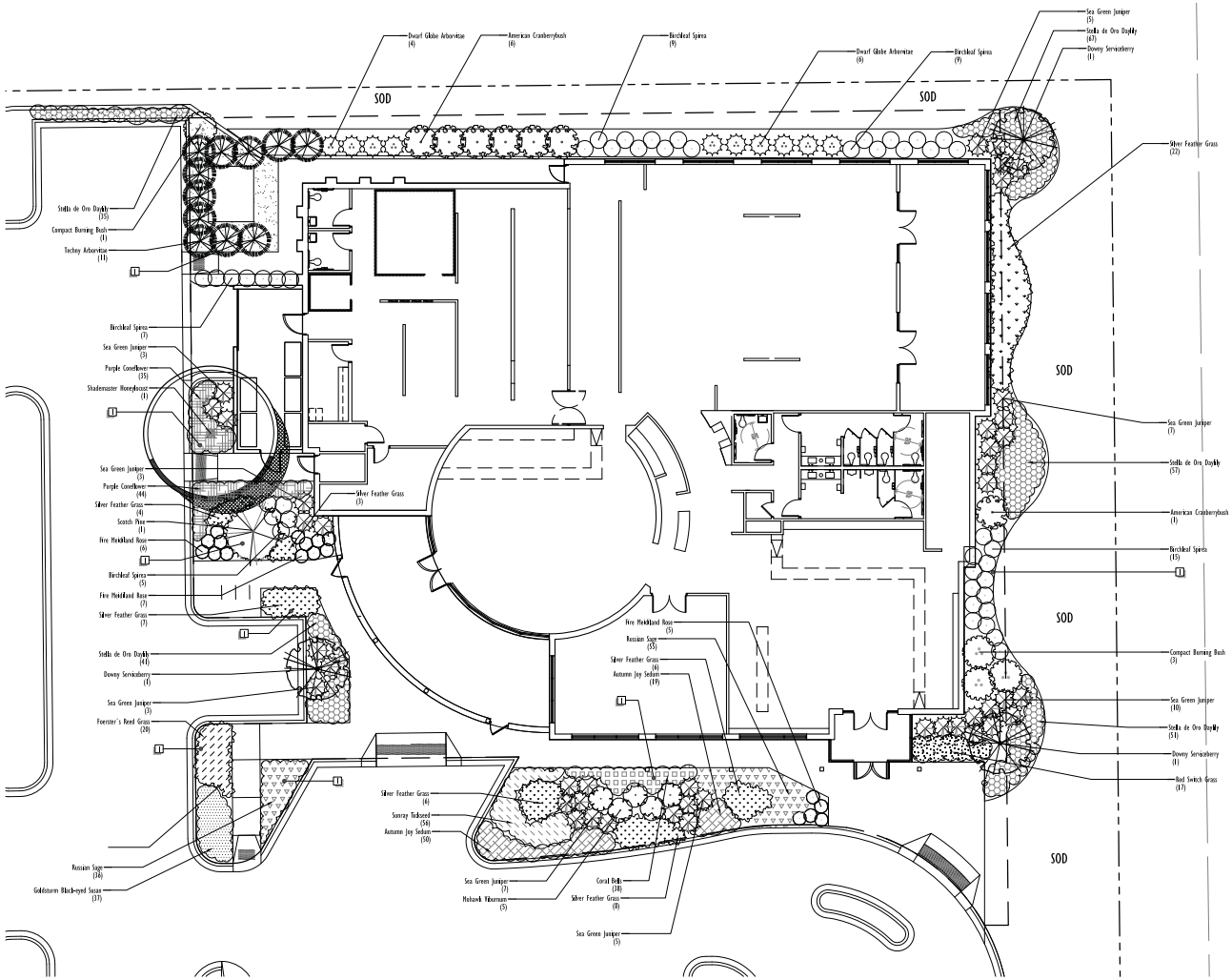
DESIGNED	TKB
DRAWN	KJD
APPROVED	DAG
DATE	9-14-10
SCALE	1"=30'

MAJOR CHANGE TO AND FINAL PUD PLAT FOR LOT 10 FREEDOM COMMONS NAPERVILLE, ILLINOIS

SHEET 2 OF 2
PROJECT NUMBER:
FILE: S/P/F/PrtPudLot
© MACKIE CONSULTANTS

Cooper's Hawk Restaurant

Naperville, Illinois



Landscape Site Plan - Building Perimeter

Scale: 1"=10'

General Notes:

1. See additional sheet for planting details and specifications.
2. Plant quantities are estimates. Landscape contractor to review plans and bring any discrepancies (in writing) to the attention of the landscape architect and owner.
3. See Civil Engineers and Architects drawings for site and building design. Bring any discrepancies to the attention of the owner and landscape architect (in writing).
4. Peat Moss, mushroom compost, and fertilizer quantities to be submitted to landscape architect prior to work.
5. Small mulch sample to be submitted to the landscape architect for approval.
6. Install sod in any disturbed areas in the right-of-way.
7. Contact JULIE to locate all underground utilities before proceeding with any construction work.
8. Landscape Contractor to break out the bid as follows:
   1. Trees and Shrubs
   2. Ornamental Grasses, Groundcovers, Perennials, and Annuals
   3. Hardscape Materials such as Boulders, Stepping Stones, Pavers, etc.
   4. Seed
   5. Sod
   6. Erosion Control Blanket.
   7. Irrigation.
   8. Misc., Bulbs, Wildflowers, etc.
9. Landscape Contractor to notify landscape architect 24 hours prior to the delivery of soil amendments to the site.
10. Material delivery tickets to be submitted to Landscape Architect.
11. Landscape Architect has the right to reject any landscape material. Any rejected material will be replaced at the landscape contractors expense.

NORTH

Landscape Design - Building Perimeter

D.T. DONOHUE & Associates, Ltd.
1215 SCHERER DRIVE
BATAVIA, IL 60510
PH.: 630-406-0100
FAX: 630-406-0101
www.dtdonohue.com

COOPER'S HAWK™ WINERY & RESTAURANT

No	Date	Remarks
REVISIONS		

Drawing Title: Landscape Plan

Job No.

Drawn

Scale: 1" =10'

Date: 09/14/10

Sheet No.: L1

Cooper's Hawk Restaurant

Naperville, Illinois

City Of Naperville Landscape Requirements

1. **Parkway Trees** –
   - Fine grade and seed or sod as final finish
   - Permit required from Public Works (from approved species list)
   - Minimum 2.5 inch caliper trees (deciduous)
   - Minimum 40'-0" on center; 4' minimum spacing from sidewalk line
   - Count is exclusive of curb cuts and 30' sight triangle at intersections
   - Maximum 5 trees in a row of single species, then must change
2. **Perimeter Landscape** –
   - Trees to be minimum 2.5 inch caliper; evergreens minimum 6'-0" height
   - Not more than 70'-0" on apart, exclusive of access drives
3. **Perimeter Adjacent to Residential Rear Yard** –
   - Continuous landscape buffer (hedge) to 6'0" height
4. **Parking Lot Landscaping** –
   - Maximum of 20 parking spaces between landscape islands in parking
   - Landscape island at end of parking rows always
   - Islands to be minimum 130 SF; minimum width of landscape island to be 8'-0"
   - One shade tree for every 130 SF of island
   - Minimum 50% of parking island planted with material growing to 30" or less
   - Remaining surface to be organic mulch
5. **Perimeter Parking Lot** –
   - Minimum 5'-0" landscape area around parking lot at perimeter of property
   - Parking lot across public R.O.W. from residential; 100% of perimeter, exclusive of driveways plant to a minimum height of 30 inches – may be evergreen or deciduous at max. 4'-0" on center
   - Parking lot across public R.O.W. from non - residential; 50% of perimeter, exclusive of driveways planted to a minimum height of 30 inches – may be evergreen or deciduous at max. 4'-0" on cente
6. **Paved Service Drive** –
   - With no parking and adjacent to residential
   - 6'-0" high board on board fence solid along residential
7. **Refuse Area** –
   - 6'-0" high board on board fence with gate
8. **Tree Planting Locations** –
   - Trees must be a minimum of 10'-0" horizontal distance from all utility structures
   - Trees must be a minimum of 5'-0" horizontal from sanitary sewer or water lines

General Notes:

1. See additional sheet for planting details and specifications.
2. Plant quantities are estimates. Landscape contractor to review plans and bring any discrepancies (in writing) to the attention of the landscape architect and owner.
3. See Civil Engineers and Architects drawings for site and building design. Bring any discrepancies to the attention of the owner and landscape architect (in writing).
4. Peat Moss, mushroom compost, and fertilizer quantities to be submitted to landscape architect prior to work.
5. Small mulch sample to be submitted to the landscape architect for approval.
6. Install sod in any disturbed areas in the right-of-way.
7. Contact JULIE to locate all underground utilities before proceeding with any construction work.
8. Landscape Contractor to break out the bid as follows:
   1. Trees and Shrubs
   2. Ornamental Grasses, Groundcovers, Perennials, and Annuals
   3. Hardscape Materials such as Boulders, Stepping Stones, Pavers, etc.
   4. Seed
   5. Sod
   6. Erosion Control Blanket.
   7. Irrigation.
   8. Misc., Bulbs, Wildflowers, etc.
9. Landscape Contractor to notify landscape architect 24 hours prior to the delivery of soil amendments to the site.
10. Material delivery tickets to be submitted to Landscape Architect.
11. Landscape Architect has the right to reject any landscape material. Any rejected material will be replaced at the landscape contractors expense.

Plant Schedule

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE	REMARKS
GT	1	Gleditsia triacanthos var. inermis 'Shademaster'	Shademaster Honeylocust	B & B	2.5"Cal		
EVERGREEN TREES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**CONT**	**CAL**	**SIZE**	**REMARKS**
PS	1	Pinus sylvestris	Scotch Pine	B & B		8'-10' oaht	High Character, Specimen
TO	11	Thuja occidentalis 'Techny'	Techny Arborvitae	B & B		6'-8' oaht	
FLOWERING TREES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**CONT**	**CAL**	**SIZE**	**REMARKS**
AA	3	Amelanchier arborea 'Autumn Brilliance'	Downy Serviceberry	B & B		8'-10' oaht	
SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**CONT**			**REMARKS**
EA	4	Euonymus alatus 'Compactus'	Compact Burning Bush	4' B&B@ 6' oc			
RM	18	Rosa Meidiland series 'Fire'	Fire Meidiland Rose	3 gal@ 2.50' oc			
SB	45	Spiraea betulifolia 'Tor'	Birchleaf Spirea	3 gal@ 3' oc			
VA	7	Viburnum trilobum	American Cranberrybush	4' B&B@ 6' oc			
VB	5	Viburnum x burkwoodii 'Mohawk'	Mohawk Viburnum	4' B&B@ 4' oc			
EVERGREEN	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**CONT**			**REMARKS**
JC	43	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 gal@ 4' oc			
TG	10	Thuja occidentalis Dwarf Globe	Dwarf Globe Arborvitae	2' B&B@ 4' oc			

GRASSES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	REMARKS
	CA	20	Calamagrostis acutiflora 'Karl Foerster'	Foerster's Reed Grass	1 gal@ 24" oc	
	MS	56	Miscanthus sinensis 'Silberfeder'	Silver Feather Grass	1 gal@ 36" oc	
	PV	17	Panicum virgatum 'Rotstrahlbush'	Red Switch Grass	1 gal@ 24" oc	

PERENNIALS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	REMARKS
	CG	56	Coreopsis grandiflora 'Sunray'	Sunray Tickseed	1 gal@ 18" oc	
	EP	79	Echinacea purpurea	Purple Coneflower	1 gal@ 18" oc	
	HS	251	Hemerocallis x 'Stella de Oro'	Stella de Oro Daylily	1 gal@ 18" oc	
	HP	38	Heuchera sanguinea 'Palace Purple'	Coral Bells	1 gal@ 18" oc	
	PA	91	Perovskia abrotanoides	Russian Sage	1 gal@ 18" oc	
	RF	37	Rudbeckia fulgida 'Goldsturm'	Goldsturm Black-eyed Susan	1 gal@ 18" oc	
	SA	69	Sedum acre 'Autumn Joy'	Autumn Joy Sedum	1 gal@ 18" oc	

REFERENCE NOTES SCHEDULE BUILDING

SYMBOL	DESCRIPTION	QTY
	3" Shredded Hardwood Bark Mulch	3,700 sf

Landscape Design - Notes

D.T. DONOHUE & Associates, Ltd.
Land Planning • Landscape Architecture
1215 SCHERER DRIVE
BATAVIA, IL 60510
PH. 630-406-0100
FAX. 630-406-0101 dtdonohue@sbcglobal.net

COOPER'S HAWK

No	Date	Rem

REVISIONS

Drawing Title: Landscape Plan

Job No.

Drawn

Scale: 1" =10'

Date: 09/14/10

Sheet No. L2

Cooper's Hawk Restaurant

Naperville, Illinois

PLANT SPECIFICATIONS:

A. PLANT LIST: ALL SHADE TREES AND EVERGREEN TREES SHOULD BE BID IN THEIR ENTIRETY (SEE PLAN). UNIT PRICING FOR ALL MATERIALS TO BE SUBMITTED WITH THE BID.
SEE PLANTING DETAIL FOR BED PREPARATION SPECIFICATIONS.

B. BIDDERS SHALL BE RESPONSIBLE FOR PERSONALLY EXAMINING THE SITE AND BECOMING FAMILIAR WITH IT'S VARIOUS CONSTRAINTS AND LIMITATIONS.

C. THE CONTRACTOR SHALL PROCURE ALL THE NECESSARY PERMITS TO PERFORM WORK UNDER HIS CONTRACT. ALL PERMIT COSTS SHALL BE INCLUDED IN HIS/HER BID.

D. THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY FOR THE COMPLETION OF ITEMS AS SHOWN ON THE PLANS AND/OR SPECIFICATIONS. WORK SHOWN ON THE PLANS AND NOT MENTIONED IN THE SPECIFICATIONS, OR VICE VERSA, SHALL BE DONE AS IF SHOWN ON BOTH AND SHOULD ANY ACTUAL OR APPARENT INCONSISTENCIES OR ERRORS BE FOUND, THE CONTRACTORS SHALL NOTIFY THE LANDSCAPE ARCHITECT/OWNER AS SHOWN AS ERRORS OR DISCREPANCIES ARE DISCOVERED AND NOT PROCEED WITH ANY WORK WHERE UNCERTAINTY EXISTS.

E. SHOULD ANY OBJECTIONABLE MATERIALS SUCH AS OLD CONCRETE, ASPHALT, LIME-ROCK SUB-BASE, BRICK OR OTHER DEBRIS BE ENCOUNTERED DURING PLANTING OPERATIONS, THEY SHALL BE REMOVED FROM THE SITE BY THE LANDSCAPE CONTRACTOR.

F. THE LANDSCAPE CONTRACTOR IS ENTIRELY RESPONSIBLE FOR THE WORK UNTIL FINAL ACCEPTANCE.

G. ALL CONTRACTORS AND/OR SUBCONTRACTORS SHALL EXERCISE CARE IN DIGGING AND OTHER WORK SO AS NOT TO DAMAGE EXISTING WORK INCLUDING UNDERGROUND STORM AND SANITARY SYSTEMS, WATER SYSTEMS, ELECTRICAL AND TELEPHONE CABLES AND ANY OTHER UNDERGROUND STRUCTURES TO BE ENCOUNTERED IN THE CONSTRUCTION PHASE. SHOULD SUCH OVERHEAD OR UNDERGROUND OBSTRUCTIONS BE ENCOUNTERED WHICH INTERFERE WITH PLANTING, THE OWNER SHALL BE CONSULTED AND WILL ADJUST THE LOCATION OF PLANTS TO CLEAR OBSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE IMMEDIATE REPAIR OF ANY DAMAGE CAUSED BY HIS WORK.

H. GENERAL – WHERE PLANTING OCCURS IN CLOSE PROXIMITY TO OTHER SITE IMPROVEMENTS, ADEQUATE PROTECTION SHALL BE GIVEN TO ALL FEATURES PRIOR TO COMMENCING WORK. ANY ITEMS DAMAGED DURING PLANTING OPERATIONS SHALL BE PROMPTLY REPAIRED TO THEIR ORIGINAL CONDITION AT NO COST TO THE OWNER.

I. UTILITIES: HAVE ALL UNDERGROUND UTILITIES LOCATED BY SERVICING AGENCIES I.E. "JULIE" (1-800-892-0123), IN THE VICINITY OF UTILITIES, HAND EXCAVATE TO MINIMIZE THE POSSIBILITY OF DAMAGE TO UNDERGROUND UTILITIES.

J. EXCAVATION: WHEN CONDITIONS DETRIMENTAL TO PLANT GROWTH ARE ENCOUNTERED, SUCH AS RUBBLE FILL, ADVERSE DRAINAGE CONDITIONS, OR OBSTRUCTIONS, NOTIFY LANDSCAPE ARCHITECT OR OWNER BEFORE PLANTING.

K. THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL AT ALL TIME PROTECT ALL MATERIALS AND WORK AGAINST INJURY FROM ANY CAUSE AND SHALL PROVIDE AND MAINTAIN ALL NECESSARY GUARDS FOR THE PROTECTION OF THE PUBLIC. THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE OR INJURIES TO PERSONS OR PROPERTY WHICH MAY OCCUR AS A RESULT OF HIS/HER FAULT OR NEGLIGENCE DURING THE THE EXECUTION OF WORK.

L. WORK INCLUDED – CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR THE COMPLETION OF PLANTING AND RELATED ITEMS AS SHOWN OR DESIGNATED ON THE PLANS AND SPECIFICATIONS.

O. THE QUANTITIES GIVEN IN THE PLANT LIST ARE APPROXIMATE ONLY, AND THE LANDSCAPE CONTRACTOR SHALL FURNISH AND PLANT ALL THE PLANTS REQUIRED TO COMPLETE THE WORK SHOWN ON THE DRAWINGS AND IN THE SPECIFICATIONS AT NO ADDITIONAL COST. ANY DISCREPANCIES FOUND BETWEEN THE PLAN AND THE PLANT LIST SHALL BE NOTED AT THE BOTTOM OF THE BID SO ACCURATE QUANTITIES CAN BE INCORPORATED IN THE FINAL CONTRACT.

P. PLANT NAMES CONFORM TO THE NAMES GIVEN IN "STANDARDIZED PLANT NAMES" 1942 EDITION, PREPARED BY THE AMERICAN JOINT COMMITTEE ON HORTICULTURE NOMENCLATURE. NAMES OR VARIETIES NO INCLUDED THEREIN CONFORM GENERALLY WITH NAMES ACCEPTED IN THE NURSERY TRACE. PLANT MATERIAL TO BE SECURED FROM NURSERIES WITHIN NORTHERN ILLINOIS AREA.

Q. GRADE 'A' SHREDDED HARDWOOD BARK MULCH – THE RATE OF APPLICATION SHALL BE FOR A FULL THREE INCH DEPTH (3") OF MULCH TO BE APPLIED ONLY TO THOSE AREAS IN WHICH CONTRACTOR HAS PLANTED MATERIAL. FINAL GRADE OF MULCH (AFTER SETTLING OCCURS) SHOULD BE 1" BELOW ADJACENT CURBS. A SMALL SAMPLE OF MULCH TO BE SUBMITTED TO THE LANDSCAPE CONTRACTOR FOR APPROVAL. REGULAR HARDWOOD MULCH IS NOT ACCEPTABLE.

R. IF IT IS NECESSARY TO STAKE TREES, STAKE AND GUY IN ACCORDANCE WITH STAKING DETAILS. CONTRACTOR RESPONSIBLE FOR RESETTING PLANTS AFTER THEY HAVE BEEN BLOWN OVER, AND WILL ALSO BE RESPONSIBLE FOR THE PLANTS GUARANTEE IF THE PLANTS DIE AS A RESULT OF BEING BLOWN OVER.

S. VOID.

T. BACK-FILL SHALL BE WATERED TWELVE INCHES (12") AT A TIME. AFTER BACK-FILLING IS COMPLETED, RAKE SMOOTH TO FINISH GRADE AND MULCH ALL PLANT BEDS. ALL SHADE AND PINE TREES INSTALLED BY THE CONTRACTOR SHALL BE MULCHED WITH SHREDDED HARDWOOD BARK MULCH AFTER PLANTING (THREE INCH DEPTH). FOR THE PURPOSE OF PREVENTING GIRDLING OF TREE TRUNKS BY WEED EATER EQUIPMENT, A THREE (3" INCH DEEP X FIVE FOOT (5') DIAMETER MULCHED RING SHALL BE INSTALLED.

U. BED PREPARATION: A TWO INCH (2") LAYER OF PEAT MOSS ALONG WITH A ONE INCH LAYER (1") OF MUSHROOM COMPOST AND A GRANULAR FERTILIZER SHALL BE ROTO-TILLED INTO THE SHRUB, GROUND COVER, PERENNIAL, AND ANNUAL BEDS JUST PRIOR TO THE INSTALLATION OF PLANTS.

FERTILIZERS-THE RATE OF APPLICATION FOR DRY FERTILIZER SHALL BE 1 UNIT OF NITROGEN PER 1,000 SQUARE FEET. (THIS IS EQUIVALENT TO 16 LBS. OF NITROGEN PER 1,000 SQUARE FEET, 600 LBS. PER ACRE MINIMUM).

V. GUARANTEE

GENERAL-PLANTS WILL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR. WARRANT ALL PLANT MATERIAL TO BE TRUE TO BOTANICAL NAME SPECIFIED. AFTER RECEIVING A NOTICE OF PROVISIONAL ACCEPTANCE (WRITTEN), THE CONTRACTOR WILL NOT BE RESPONSIBLE FOR DEFECTS RESULTING FROM NEGLECT BY OWNER, ABUSE OR DAMAGE BY OTHERS, OR UNUSUAL PHENOMENA, OR INCIDENTS BEYOND LANDSCAPE INSTALLER'S CONTROL WHICH RESULT FROM NATURAL CAUSES SUCH AS FLOODS, LIGHTNING, STORMS, FREEZING RAINS, OR WINDS OVER SIXTY (60) MILES PER HOUR, FIRES, OR VANDALISM.

W. REPLACEMENTS-DURING THE WARRANTY PERIOD, REPLACE, AT NO ADDITIONAL EXPENSE TO THE OWNER, PLANT MATERIALS THAT ARE DEAD OR THAT ARE, IN THE OPINION OF THE LANDSCAPE ARCHITECT, IN AN UNHEALTHY OR UNSIGHTLY CONDITION, OR THAT HAVE LOST THEIR NATURAL SHAPE DUE TO DEAD BRANCHES, EXCESSIVE PRUNING OR INADEQUATE OR IMPROPER MAINTENANCE. REJECTED PLANT MATERIALS SHALL BE REMOVED FROM THE SITE AND LEGALLY DISPOSED OF AT NO ADDITIONAL EXPENSE TO THE OWNER. ONLY ONE REPLACEMENT OF ANY PLANT IS REQUIRED AFTER PROVISIONAL ACCEPTANCE, EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO FAILURE TO COMPLY WITH SPECIFIED REQUIREMENTS. REPLACEMENT PLANTS AND PLANTING OPERATIONS SHALL BE IN ACCORDANCE WITH THE ORIGINAL SPECIFICATIONS. REPLACEMENTS SHALL BE MADE NO LATER THAN THE NEXT SUCCEEDING PLANTING SEASON, OR AS SCHEDULED BY THE OWNER. FULLY RESTORE AREAS DAMAGED BY REPLACEMENT OPERATIONS TO THEIR ORIGINAL AND SPECIFIED CONDITION. THE LANDSCAPE ARCHITECT MAY EXTEND THE GUARANTEE PERIOD FOR A SECOND GROWING SEASON ON THOSE PLANTS FOUND TO BE IN HIS/HER OPINION, QUESTIONABLE IN THEIR APPEARANCE BUT ABLE TO SURVIVE AND DEVELOP INTO FULL, VIGOROUS PLANT(S) FULFILLING THE FUNCTIONAL AND AESTHETIC REQUIREMENTS FOR WHICH THEY WERE ORIGINALLY INTENDED.

X. ALL WORK UNDER THIS CONTRACT SHALL NOT BE FINALLY ACCEPTED UNTIL EXPIRATION OF THE MAINTENANCE PERIOD.

"ALL NEW LANDSCAPED AREAS SHALL BE INSTALLED WITHIN SIX (6) MONTHS AFTER THE OCCUPANCY OR USE OF THE BUILDING OR PREMISES. DEAD PLANT MATERIALS SHALL BE REPLACED IN A TIMELY FASHION WITH LIVING PLANT MATERIAL, TAKING INTO CONSIDERATION THE SEASON OF THE YEAR, AND SHALL HAVE AT LEAST THE SAME QUANTITY AND QUALITY OF LANDSCAPING AS INITIALLY APPROVED.

Y. ALL LANDSCAPING AND SCREENING SHALL BE MAINTAINED IN A HEALTHY, NEAT, TRIMMED, CLEAN AND WEED-FREE CONDITION.

Z. ALL GRADE, DIMENSIONS, AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR ON-SITE BEFORE CONSTRUCTION BEGINS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER/LANDSCAPE ARCHITECT.

AA. ALL PROPOSED TREES TO BE INSTALLED WITHER ENTIRELY IN OR ENTIRELY OUT OF PLANTING BEDS. PLANTING BED-LINES AR NOT TO BE OBSTRUCTED.

BB. LANDSCAPE CONTRACTOR SHALL PROVIDE FILL FOR AND CONSTRUCT EARTH BERMS IN THE LOCATION AND CONFIGURATION INDICATED ON THE PLANTING PLANS. FILL MATERIAL SHALL BE A NATURAL FERTILE, FRIABLE SOIL, POSSESSING CHARACTERISTICS OF REPRESENTATIVE SOILS IN NORTHERN ILLINOIS AND SHALL BE OBTAINED FROM NATURALLY WELL-DRAINED AREAS. SOIL SHALL BE FREE OF EXCESSIVE EXTRANEOUS MATERIALS (STICKS, STONES, ETC.). EARTH BERMS SHALL BE COMPACTED TO SUCH A DEGREE THAT THEY SUPPLY A STABLE PLANTING SITE CAPABLE OF SUPPORTING TREES, SHRUBS, AND LAWN. ALL ROUGH AND FINISHED GRADING OF EARTH BERMS SHALL ALSO BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR. IN THE VICINITY OF EACH EARTH BERM THE LANDSCAPE CONTRACTOR SHALL REGRADE AS NECESSARY TO BLEND EACH EARTH BERM INTO EXISTING GRADE. THE LANDSCAPE CONTRACTOR SHALL INSURE THAT HIS WORK DOES NOT INTERRUPT ESTABLISHED OR PROJECTED DRAINAGE PATTERNS. FINAL GRADE OF EARTH BERMS SHALL BE APPROVED BY THE OWNER OR HIS REPRESENTATIVE..

CC. SLOPE SEEDING:
HYDROSEED AS INDICATED ON PLANS, SEEDING TO BE COMPLETED AFTER BED PREPARATION. HYDROSEED MIXTURE TO CONTAIN CELLULOSE MULCH APPLIED AT A RATE OF 2,000 LBS/ACRE, WITH A MAXIMUM OF 50 LBS/100 GALLONS OF WATER. IF SEEDING IS DELAYED AFTER MIXING 1/2 – 2 HOURS ADD AN ADDITIONAL 50% OF SEED MIX. IF DELAY IS LONGER THAN 2 HOURS, BEGIN WITH NEW MIXTURE.

DD. BERM HEIGHT 12" AT CENTER OF CROWN IN PARKING LOT ISLANDS, UNLESS SPECIFIED OTHERWISE.

EE. MAINTAIN LAWNS FOR THREE MOWINGS AFTER INSTALLATION, INCLUDING WATERING, WEEDING, RESEEDING, RESODDING, MOWING, TRIMMING AND EDGING. EACH MOWING SHALL OCCUR WHEN THE GRASS HAS REACHED A HEIGHT OF 3-1/2 INCHES. MOW TO A HEIGHT OF 2-1/2 INCHES. SODDED AREAS SHALL BE ROLLED WITH A 200-POUND ROLLER WITHIN THIRTY (30) DAYS AFTER INSTALLATION.

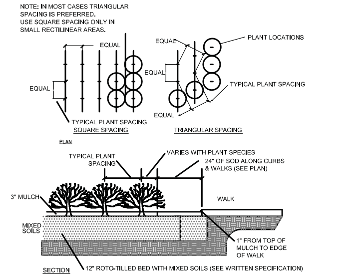
FF. VOID

GG. THE OWNER AND/OR LANDSCAPE ARCHITECT HAS THE AUTHORITY TO REJECT ANY PLANT MATERIAL THAT IS DEEMED UNACCEPTABLE, I.E. POOR BRANCHING HABITS, FORKED OR CROOKED TRUNKS, DAMAGED, ETC.. THE MATERIAL WILL BE REPLACED AT THE LANDSCAPE CONTRACTORS EXPENSE.

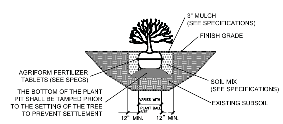
HH. CONTACT THE DEVELOPER TO DETERMINE IF AN IRRIGATION DESIGN AND BID IS NECESSARY.

II. DO NOT INSTALL PERENNIALS AFTER SEPTEMBER 30TH OF ANY GIVEN YEAR.

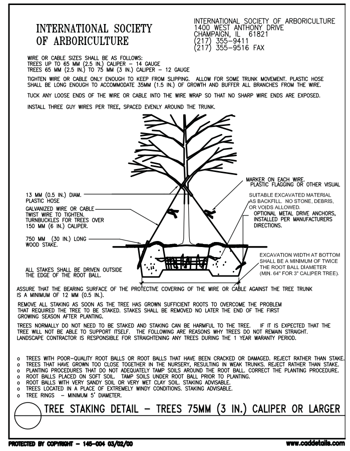
JJ. PLANT SUBSTITUTES MUST BE APPROVED BY THE LANDSCAPE ARCHITECT. INSTALLED SIZES MUST BE WITHIN 3", EVEN AFTER PRUNING AND SHAPING. EXPECTED GROWTH, I.E. SPIREA AND POTENTILLA, ETC. WILL NOT BE CONSIDERED.



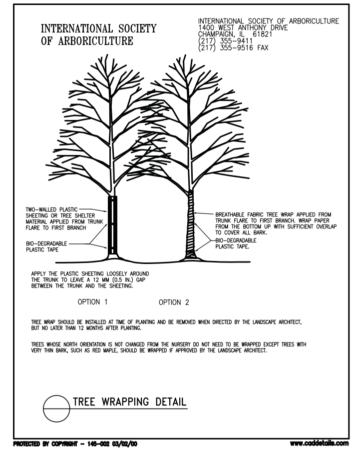
PLANTING DETAIL - SHRUBS AND GROUNDCOVER BEDS
NTS



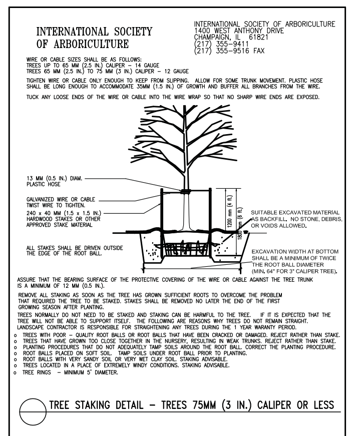
PLANTING DETAIL - SHRUB
NTS



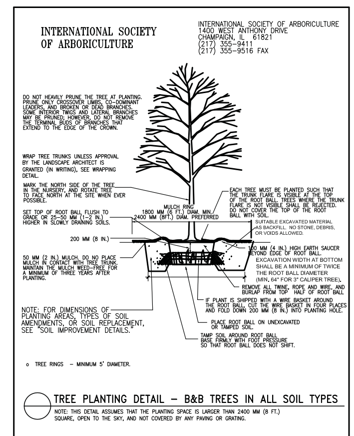
TREE STAKING DETAIL – TREES 75MM (3 IN.) CALIPER OR LARGER



TREE WRAPPING DETAIL



TREE STAKING DETAIL – TREES 75MM (3 IN.) CALIPER OR LESS



TREE PLANTING DETAIL – B&B TREES IN ALL SOIL TYPES

WARNING FROM JULIE
The Illinois One-Call System
BEFORE YOU DIG CALL 1-800-892-0123
The Service is Free
Operates 24 Hours
7 Days a Week

Landscape Specifications

D.T. DONOHUE & Associates, Ltd.

COOPER'S HAWK WINERY & RESTAURANT

No	Date	Remarks

REVISIONS

Drawing Title: Landscape Plan

Job No. | Drawn

Scale: NA | Date: 09/14/10

Sheet No. L3

COOPER'S HAWK

WINERY AND RESTAURANT

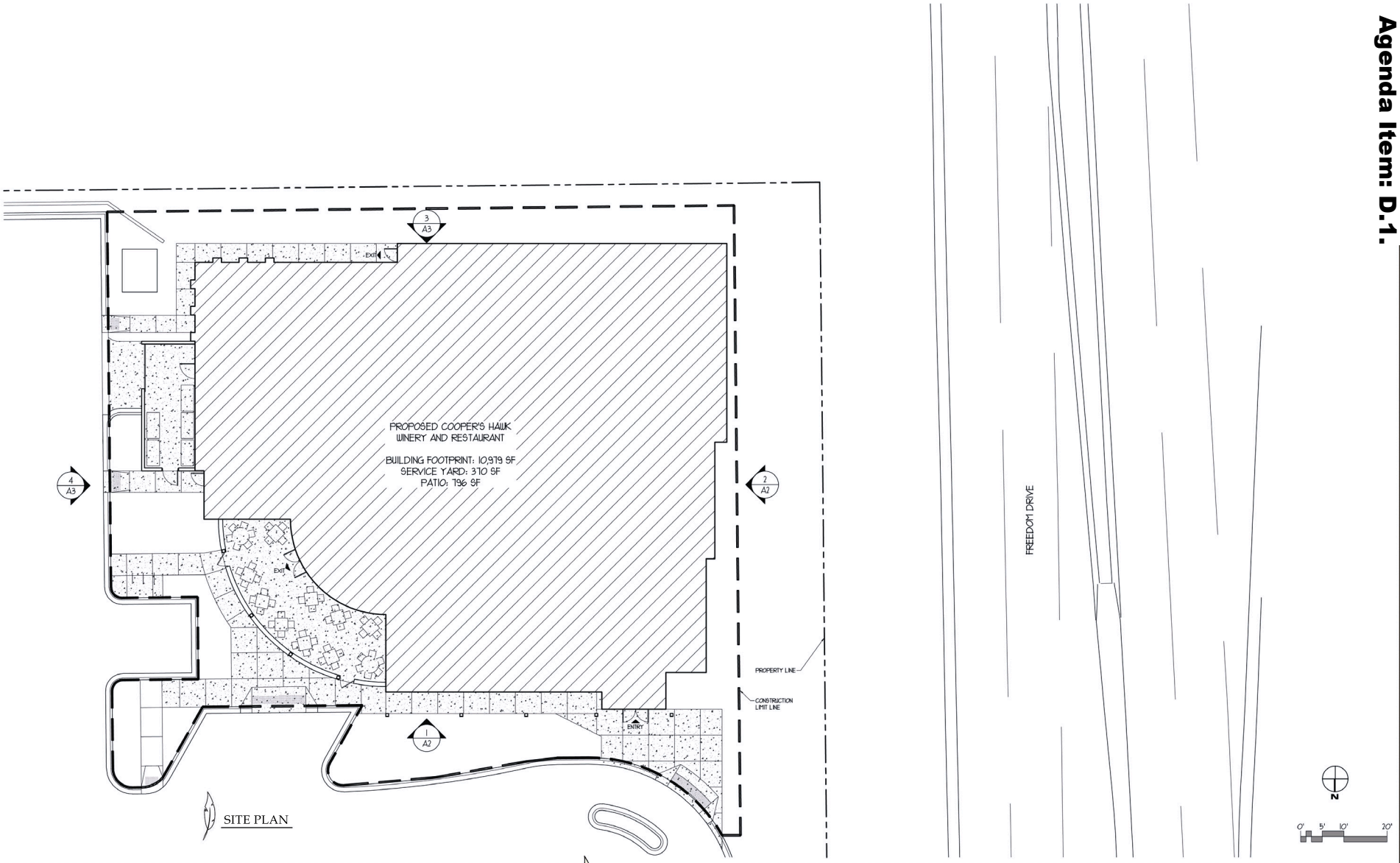
NEW FREESTANDING RESTAURANT

1740 FREEDOM DRIVE
NAPERVILLE, IL

ISSUED FOR DEVELOPMENT APPROVAL 9/15/10

INDEX OF DRAWINGS

A0	TITLE SHEET
ARCHITECTURAL	
A1	SITE PLAN
A2	EXTERIOR ELEVATIONS
A3	EXTERIOR ELEVATIONS
A4	EXTERIOR ELEVATIONS
A5	EXTERIOR ELEVATIONS
A6	EXTERIOR PERSPECTIVES

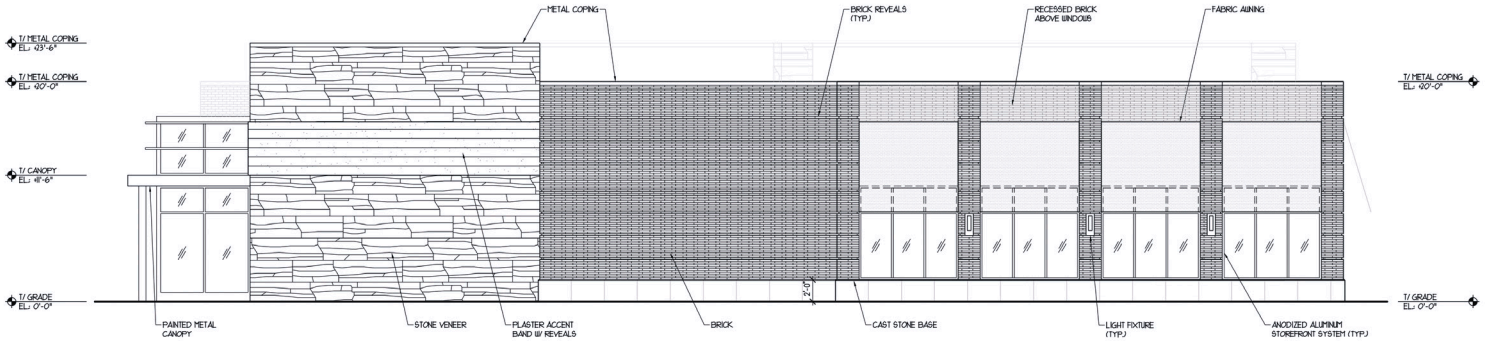


SITE PLAN

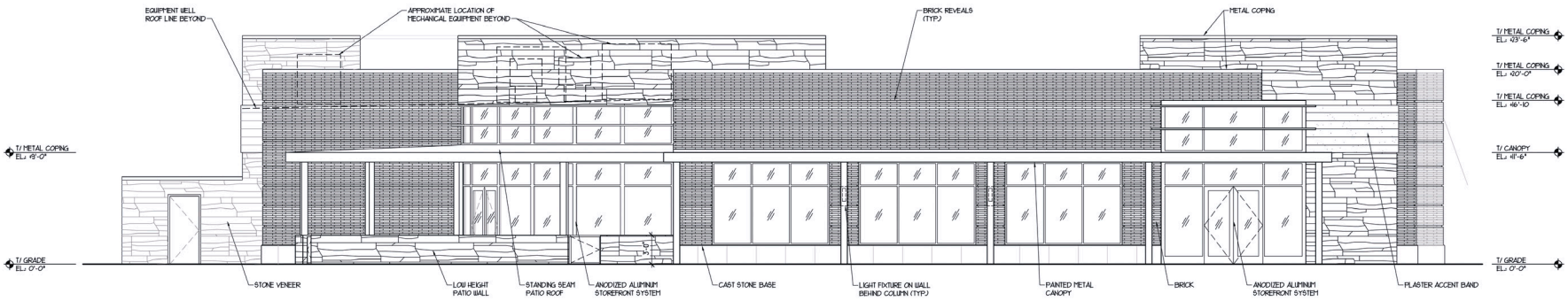
Aria Group
Architects, Inc.

COOPER'S HAWK
WINERY & RESTAURANT

SHEET A1
SITE PLAN
SEPTEMBER 15, 2010



2 **WEST ELEVATION**



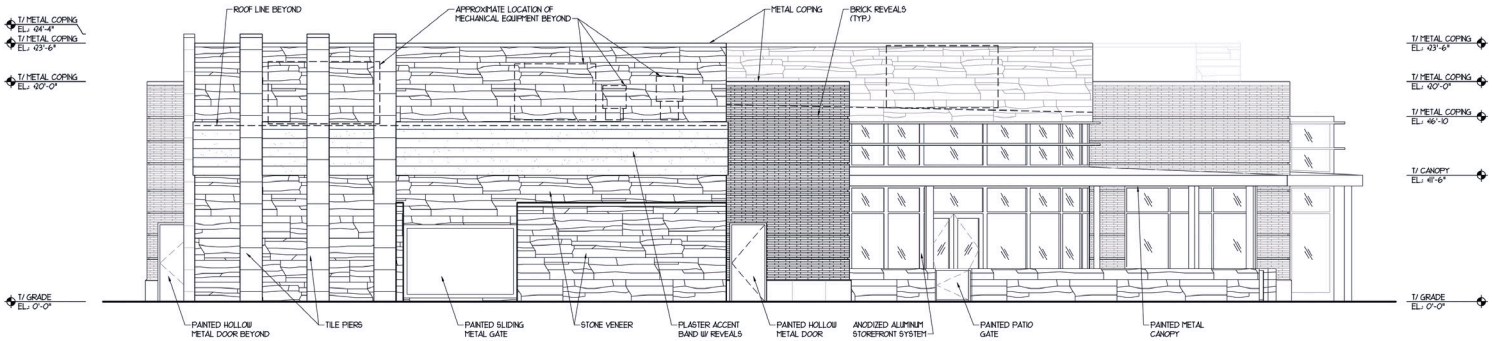
1 **NORTH ELEVATION**

0' 3' 6'

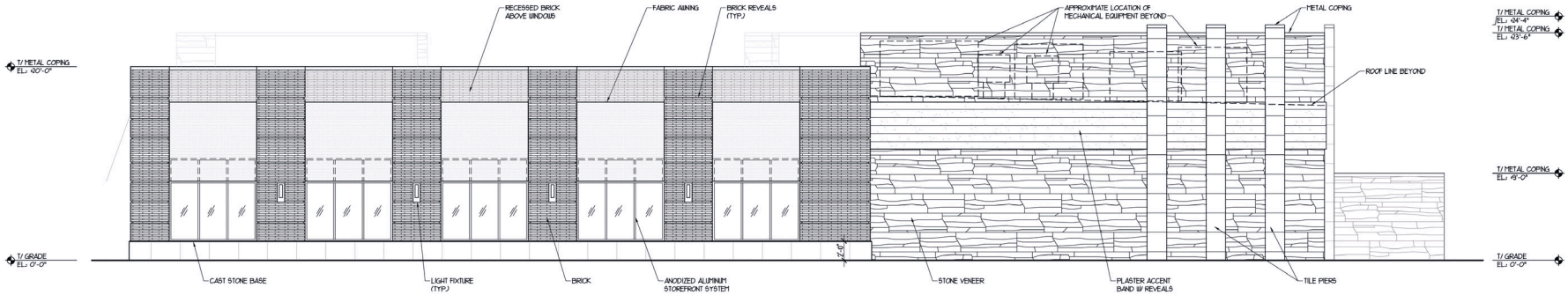
Aria Group
Architects, Inc.

COOPER'S HAWK™
WINERY & RESTAURANT

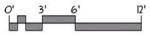
SHEET
EXTERIOR ELEVATI
SEPTEMBER 15,

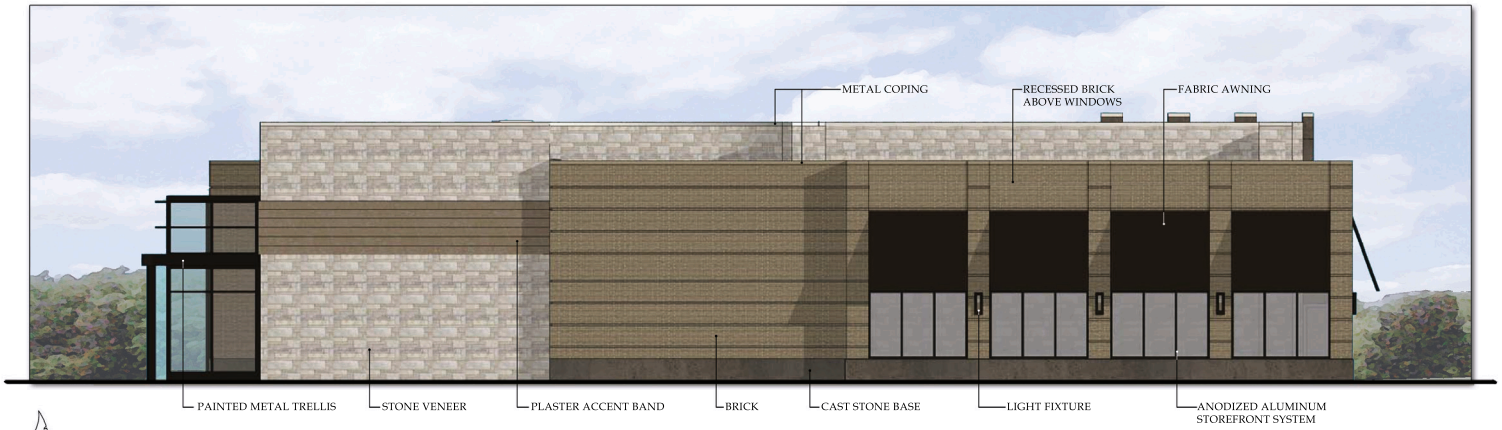


4 **EAST ELEVATION**
3/16" = 1'-0"



3 **SOUTH ELEVATION**
3/16" = 1'-0"





WEST ELEVATION

NORTH ELEVATION

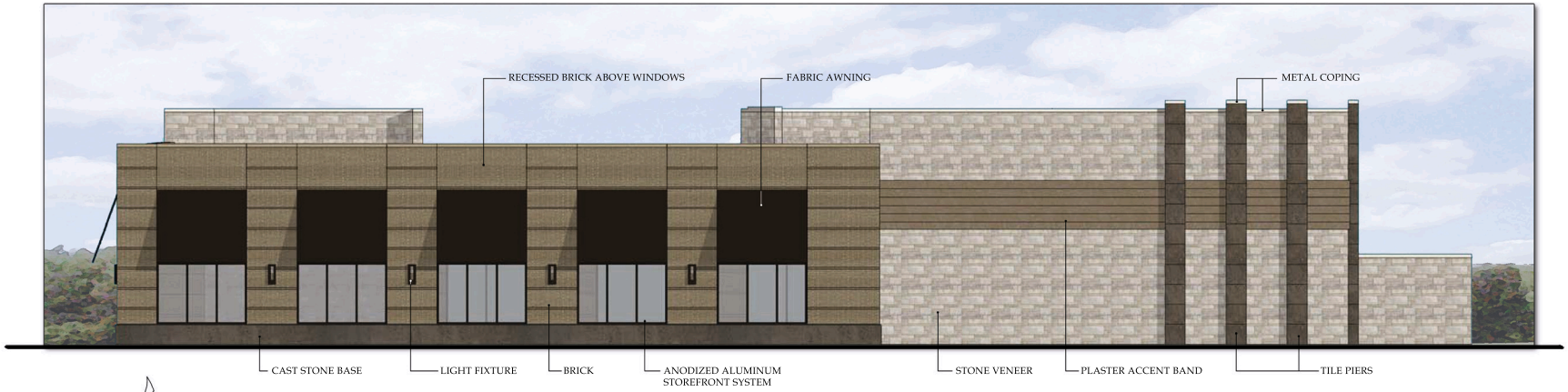
0' 3' 6'

Aria Group Architects, Inc.

COOPER'S HAWK™ WINERY & RESTAURANT

PAG
EXTERIOR ELEVATI
SEPTEMBER 15,

EAST ELEVATION



SOUTH ELEVATION

0' 3' 6' 12'

Aria Group Architects, Inc.

COOPER'S HAWK™ WINERY & RESTAURANT

SHEET A5
EXTERIOR ELEVATIONS
SEPTEMBER 15, 2010

NORTHEAST PERSPECTIVE

SOUTHWEST PERSPECTIVE

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SHEE
EXTERIOR PERSPECT
NOT TO SC
SEPTEMBER 15,

Naperville

PLAN COMMISSION
AGENDA ITEM

PC CASE: 09-1-195 **AGENDA DATE:** 10/20/2010
SUBJECT: Kensington School

Petitioner:
Kensington School, 743 McClintock Drive, Burr Ridge, IL 60527

LOCATION: West side of IL Route 59, between 103rd and 111th

☐Correspondence ☐New Business ☐Old Business ☒Public Hearing

SYNOPSIS:
The petitioner requests annexation, rezoning to B3 (General Commercial District), a conditional use for a nursery school/preschool/daycare center (per Section 6-7-3) and variances to allow for a reduction to the major arterial setback (20 feet required by Section 6-2-14), reduction in off-street parking from 57 to 31 spaces as required by Section 6-9-3 and landscape variances from building foundation planting requirements stipulated in Section 5-10-3 of the Naperville Municipal Code.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item	Action
NA		

ACTION REQUESTED/RECOMMENDED THIS MEETING:
Conduct the public hearing.

PREPARED BY: Amy Emery, AICP, Community Planner

EXISTING ZONING, LAND USE, AND LOCATION:
The subject property consists of a total of 1.68 acres located at 10705 South Walton Heath Drive, on the west side of IL Route 59 north of Tamarack Golf Course and south of 103rd Street. The property is zoned C-2 (Community Shopping District) in unincorporated Will County. The property is currently vacant.

CONTROLLING AGREEMENTS AND ORDINANCES: None

RELATIONSHIP TO OFFICIAL PLAN OF THE CITY OF NAPERVILLE:
The future land use designation for this site, as adopted in the 2002 Southwest Area Community Plan revision to the Naperville Comprehensive Master Plan, is "Mixed Use Retail/Office". The proposed daycare facility and preschool use is a complementary use to the mixed use retail/office designation and permitted by conditional use within the B3 (General Commercial District).

NATURAL FEATURES:
The property slopes from north to south.

PLANNING SERVICES TEAM REVIEW:
Staff has evaluated the development proposal and offers the following analysis:

Rezoning to B3
The requested B3 (General Commercial District) designation is consistent with the recommendation of the Southwest Area Community Plan for retail and office uses of the subject property.

Conditional Use
Daycare facilities and preschools require approval of a conditional use in the B3 District. The proposed facility will accommodate a maximum of 119 students within a daycare facility and preschool capacity. The daycare facility will operate from 6:30 a.m. to 6:30 p.m. Monday through Friday. Preschool classes will accommodate a total of 60 children who will attend either a morning (8:45a.m. – 12:00 p.m.) or afternoon (12:30 p.m. – 3:30 p.m.) class.

The petitioner has provided a response to the standards for granting a conditional use described in Section 6-3-8: of the Municipal Code. The requested use will provide a transition between the Route 59 corridor and adjacent residential neighborhood. Staff concurs with the petitioner's findings.

Arterial Setback Variance - Parking
The petitioner has requested a variance to the 20' major arterial setback requirement contained in Section 6-2-14 (Major Arterial Setback) of the Municipal Code. This variance is requested to maximize open play space on the property and sign visibility. If the variance is approved, the parking lot will be setback 15 feet from the property line parallel to IL Route 59 (45 feet from the pavement edge). There are no plans to widen IL Route 59 adjacent to the subject property. Moreover the building complies fully with the arterial setback requirement. The petitioner's response to the standards for approving a variance is included with the development petition. Staff concurs with the petitioner's findings.

Arterial Setback Variance – Monument Signage
The petitioner is requesting a variance to the 10' major arterial setback requirement for signage contained in Section 5-4-6:6.1 of the Municipal Code. The proposed monument sign will be setback approximately 3 feet from the property line (33 feet from the pavement edge). As such a variance of 7 feet is requested. The location has been selected to maximize visibility and prevent obstruction from parked vehicles. A monument sign located within the parking area will not be

practical. Moreover, the wall sign located on the building façade will not be as visible to motorists traveling north and southbound on IL Route 59.

Parking Variance
Section 6-9-3 (Off-Street Parking) of the Municipal Code stipulates that daycare facilities must provide 5 parking spaces for every 1,000 square feet of building square footage. Based on this requirement, 57 parking spaces are required. The petitioner is proposing 31 parking spaces.

The petitioner has submitted a parking study by KLOA, Inc (refer to Attachment 1). This study evaluated parking at the existing Kensington School at 75th Street and Book Road (1915 Three Farms Avenue). That facility has a similar building footprint and operation model as the proposed facility. The study found that the peak parking demand was 16 spaces. A similar parking variance was granted in 2001 for the existing Kensington School at 1915 Three Farms Avenue (57 spaces required and 34 approved with variance). There is no history of code complaints at that location. The reduced parking supply is sufficient to meet on-site operation demands. Staff supports the requested parking variance.

Landscape Plan and Variance
The landscape plan includes perimeter site, interior and perimeter parking lot, parkway and foundation plantings around three of the four sides of the building. A landscape variance is requested to the foundation plantings requirements along the west face of the building adjacent to the play area. The petitioner has concerns about the potential for children to impact plants installed along this facade. Moreover, the petitioner would like to retain clean sight lines along this side of the property for children's safety and also to maximize open play space. Staff supports the variance as foundation plantings in this location present a practical challenge to site operations. All landscaping at the perimeter of the site and along the parkway frontages complies fully with code requirements.

Elevations
The proposed single story school has a roof height of 24 feet. The mansard roof style will completely screen all rooftop mechanical units from view. The building façade is constructed of masonry materials. The school exhibits a residential style, with high quality building materials and details consistent with the city's Building Design Guidelines.

Summary
Staff has reviewed the plans for the proposed Kensington School and finds that the requested zoning and use are consistent with the Comprehensive Master Plan and will provide a beneficial community service to this area of the community. Likewise, the requested variances are reasonable and will not have an adverse impact on adjacent properties or the function of IL Route 59.

ATTACHMENTS:

1. Keystone Parking Deck – Development Petition – PC 09-1-195
2. Keystone Parking Deck – Location Map – PC 09-1-195
3. Keystone Parking Deck – Site Plan – PC 09-1-195
4. Keystone Parking Deck – Landscape Plan – PC 09-1-195
5. Keystone Parking Deck – Building Elevations – PC 09-1-195

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT APPROVAL

Development Name (should be consistent with plat): Kensington School

Development Address: 10705 South Walton Heath Drive, Naperville, IL 60564

Date of Submission: December 21, 2009

I. APPLICANT:

Kensington School
Name — Corporation

743 McClintock Drive
Street

Burr Ridge — IL — 60527
City — State — Zip Code

Charles T. Marlas — Applicant — 630-990-8000
Primary Contact Person — Relationship to Applicant — Telephone Number

312-873-3782 — CMARLAS@KENSINGTONSCHOOL.COM
Fax Number — E-Mail Address

II. OWNER OF THE PROPERTY:

Kensington School
Name

743 McClintock Drive, Burr Ridge, IL 60527
Address

III. APPLICANT'S/PETITIONER'S STAFF:

Attorney: Jeffrey E. Rochman Telephone Number: 312-201-1155

Email Address: Fax Number: 312-201-1436

Address: 55 West Monroe - Suite 3950 Chicago, IL 60603

Engineer: Dave Johnson Telephone Number: 630-752-8600

IV. ACTION REQUESTED (Check applicable boxes and complete corresponding Exhibits):

X Annexation (see **Section V** below)

Unincorporated
X Rezoning from ____ To B3
(Complete **Exhibit 1**)

_____ Preliminary PUD Plat
(Complete **Exhibit 2**)

_____ Major Change to a Planned Unit Development
(Complete **Exhibit 2**)

_____ Preliminary Plat of Subdivision

X Conditional Use
(Complete **Exhibit 3**)

_____ Minor Change to a Conditional Use
(Complete **Exhibit 3**)

X Site Plan Review

_____ Sign Variance
(Complete **Exhibit 5**)

_____ Subdivision Waiver / Deviation to Platted Setback Line
(Complete **Exhibit 4**)

X Zoning Variance
(Complete **Exhibit 5**)

_____ Final PUD Plat
(Complete **Exhibit 2**)

_____ Minor Change to a Planned Unit Development
(Complete **Exhibit 2**)

_____ Final Plat of Subdivision

_____ Major Change to a Conditional Use
(Complete **Exhibit 3**)

_____ Landscape Variance
(Complete **Exhibit 6**)

X Plat of Easement / Vacation / Dedication
(circle all that apply)

V. ANNEXATION

Is this development within the City limits?

_____ Yes.

_____ Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.

X No, ***requesting annexation*** Unincorporated

Are there electors living on the property:

_____ Yes X No

If yes, did they sign the Petition for Annexation? _____ Yes _____ No

VI. SITE DATA

1. General description of site conditions (Including existing site improvements, i.e., buildings, parking, landscaping, etc.)

Vacant Land, no existing site improvements

2. Existing Utility Services (water, sewer, electricity): sanitary sewer, storm sewer

3. Existing zoning on the site: Unincorporated, Will County

4. Existing Land Use: vacant

5. Acreage & Square Footage of the site: 1.52617 acres, 66480 square feet

6. List Controlling Ordinances and agreements (zoning, annexation ordinances, SIA, site plans, preliminary/final PUD plats, etc.):

NA

VII. PROPOSED DEVELOPMENT:

1. Type of Development (check all that apply):

_____ Residential X Commercial _____ Office

_____ Industrial _____ Other: _____

2. Proposed Zoning: B3 General Business District w/ Conditional use Nursery School

Description of Proposal: (Including proposed land use, type of use, hours of operation, number of parking spaces, and all Exhibits mandated by the request (see **Page 2, Section IV** for Exhibit information)– attach additional pages if necessary):

see attachment VII.2

3. Description of Building (Including number of buildings, square footage of each building and use, maximum height, façade materials):

see attachment VII.3

4. Describe all requested Variances / Deviations from the underlying zoning regulations (i.e. parking, setbacks, density, height/bulk etc.) **NOTE:** Complete this section as well as **Exhibit 5** – attach additional pages if necessary:

Variance requested from underlying parking zoning regulations for B3 Off Street Parking;

Variance for parking curb setback on east Property Line

5. Describe all requested waivers from the Subdivision Regulations: (i.e. R.O.W., widths, easements, etc.) **NOTE:** Complete this section as well as **Exhibit 4** – attach additional pages if necessary:

no requested waivers from Subdivision Regulations

6. Deviations from the Landscaping Regulations **NOTE**: Complete this section as well as **Exhibit 6** – attach additional pages if necessary:

no deviations from Landscaping Regulations

7. General Land Use Data:

	Residntl.	Comrcl.	Office	Indst.	R.O.W.	Park	School	Private	Other*	Total
No. of Acres										
% of Total										

*Please explain:

Property = 1.5 acres; Building = 11,500 square feet; Parking and Drives = 28,500 square feet; Playground = 15,000 square feet; Remaining = 11,480 square feet

8. Development Densities: NA

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Building square footage	Minimum Lot Size	Maximum Lot Size	Ave Lot
Single-Family						NA			
Townhome						NA			
Duplex						NA			
Apartment						NA			

Comrcl.			NA	NA	NA				
Office			NA	NA	NA				
Industrial			NA	NA	NA				

Gross Acres = land designated for land use type including right-of-way
Gross Density = number of units divided by gross acres
Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school/park dedications and open space areas.
Modified Gross Density = number of units divided by modified gross acres.

VIII. SCHOOL AND PARK DONATION REQUIREMENTS (calculation tables must be attached): NA

1. Required School Donation of _____ acres will be met by a _____

_____

2. Required Park Donation of _____ acres will be met by a _____

_____

IX. PRIVATE FACILITIES

1. Private open space and recreational facilities include:

fenced playground 162'*81' with grass, playground equipment, mulch

Which will be maintained by:
_____ The City of Naperville
_____ Homeowners Association
X Other (Kensington School)

2. Outlots and/or detention/retention facilities include (size, number and location)

shared existing detention pond on neighboring property to the north

Which will be maintained by:
_____ The City of Naperville
_____ Homeowners Association
X Other (Kensington School & neighboring property owner)

3. Detention, retention, open space/recreation and school uses within the development:

	Private -- Homeowners Association (acres)*	Public --To be Dedicated (acres)	Other (acres)*	Total (acres)
Open Space*				
a. Park Site				
b. Common				

Areas*				
c. Private Facility*	13,122 square feet			13,122 square feet
Sub-total				
School Site	11,500 square feet			11,500 square feet
Total				

*Please Explain:

Note: Please provide a brief explanation of the type of private facility, common area, open space or other acreage included in the development (Private facilities would include facilities such as clubhouses or private swim clubs. Other could include detention/facilities or outlots for landscape buffers, subdivision identification signage or similar purposes.)

Respectfully Submitted, Kensington School
[Enter Name of Petitioner(s) or Authorized Agent]

By: Charles T. Marlas
[Type in Name of Signatory]
[Type in Title of Signatory (e.g. Owner, Atty., etc.)]

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
CITY OF NAPERVILLE)

The foregoing petition was acknowledged before me by ***[Type in Name of Notary]*** Linda Spataro on the 21st day of December, 2009 A.D.

By: Linda Spataro
[Type in Name of Notary]
Notary Public

OFFICIAL SEAL
LINDA M SPATARO
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:08/07/12

LLC PETITIONERS

LLC petitioners are required to produce the articles of organization that are on file with the Illinois Secretary of State's Office. If an LLC is manager-managed, this petitioner may be executed by the manager identified within the articles of organization. If an LLC is member-managed, this petition must be executed by each member of the LLC

EFFECTIVE PERIOD OF APPLICATION

Please note that applications for development approval are only valid for a period of two years from the date of application submission and that all cases will be closed by the City without further notice to the applicant after the two year period has expired.

DEVELOPMENT SERVICES TEAM
AUG - 4 2010

Revised per Site Plan Dated 07/26/10
Naperville Project #09-10000195

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT PROPOSAL

Kensington School
10705 South Walton Heath Drive
Naperville, IL 60564

Attachment VII.2

Kensington School seeks to annex the property at 10705 South Walton Heath Drive into the City of Naperville, IL for the purpose of establishing a Nursery School. We are proposing to construct a 11,500 square foot, one-story school building of a very traditional design that will suitably fit into the surrounding community

The building is proposed to face Illinois Route 59, with a fenced playground area in the back of the building. Traffic flow as designated on the revised Site Plan drawing shows a separate entry point on the northwest boundary of the subject property from Walton Heath Drive with a continuous drop-off and pick-up loop in front of the school, continuing into a separate exit drive back out onto Walton Heath drive from the southwestern boundary of the subject property. These individual access and exit points also adjoin the designated parking stalls on the eastern boundary of the subject property.

As proposed, the school will provide a daycare facility and a preschool with a maximum of 119 students and 16 staff members. The following summarizes the proposed operation of the school.

- The daycare facility will operate between the hours of 6:30 A.M and 6:30 P.M. and will have a total of approximately 59 students. Most students will be dropped off between 6:30 and 8:30 A.M. and be picked up between 3:30 and 6:00 P.M. All parents will be required to park and walk their child into and out of the school.

- The preschool will have a total of 60 students who will attend either a morning (8:45 to 12:00 Noon) or afternoon (12:30 to 3:30 P.M.) classes. All of the preschool children will be dropped off or picked up along the sidewalk in front of the main entrance to the building. As proposed, staff will assist in the loading and unloading of the students and walking them to and from the school.

Access to the site is proposed via a separate entrance drive at the northwestern corner of the proposed site off of Walton Heath Drive, with a continuous drive across the front of the proposed school building. This drive continues the full length of the front of the building, and then proceeds back out to Walton Heath Drive at the southwestern corner of the proposed site. This creates a continuous traffic loop and provides an efficient drop-off/pick up operation while maintaining access to the parking stalls on the eastern portion of the proposed site in front of the building.

Parking spaces proposed are 31 stalls, two of which are denoted as accessible. A Zoning variance is proposed for the number of parking stalls provided, given the B3 General Commercial District requirements of 5 stalls per 1000 square foot of building floor space. (See **Exhibit 5**)

A parking setback variance is being requested per the Major Arterial Setback requirement of 20' from the property line or 70' from the centerline. Kensington School requests a parking curb setback of 15' rather than 20' in accordance with the proposed site plan for the subject property. (See **Exhibit 5**)

A landscaping variance is being requested for the omission of foundation plantings only along the western perimeter of the proposed building, adjacent to the proposed playground area. (See **Exhibit 6**)

The following summarizes the Actions Requested and the required Exhibits mandated by this request.

- Annexation
- Rezoning from Unincorporated to B3 General Commercial District **Exhibit 1**
- Conditional Use **Exhibit 3**
- Site Plan Review
- Zoning Variance (per parking stall requirements and setbacks) **Exhibit 5**
- Landscaping Variance (per foundation plantings west side only) **Exhibit 6**
- Plat of Easement (Storm water management easement for shared detention facility)

Revised per Site Plan Dated 07/26/10
Naperville Project #09-10000195

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT PROPOSAL

Kensington School
10705 South Walton Heath Drive
Naperville, IL 60564

Attachment VII.3

Kensington School proposes to construct a single one story Nursery School Building of approximately 11,500 square feet on the 1.5-acre site known as 10705 South Walton Heath Drive in Naperville, IL.

In planning for this proposed Nursery School, every effort has been made to locate the building and its associated parking, traffic flow and playground areas in such a way as to provide easy access from Walton Heath Drive and create a functional and appealing curb appeal from Illinois Route 59.

A description of the proposed project specifications is as follows:

- Separate entrance and exit drives from Walton Heath Drive
- East building setback from Illinois Route 59 of 107.50'
- West building setback from Walton Heath Drive of 77.46'
- North building setback of 42.48'
- South building setback of 47.57'
- Parking Field of 31 spaces (2 accessible)
- Curbed and landscaped parking islands
- Fenced open space playground of approximately .28 acres
- Building height of 24'
- Wood and Masonry structural frame
- Face brick and limestone veneer
- Automatic sprinkler system and fire alarm system
- Multi-Zone high efficiency HVAC system
- Aluminum Clad windows
- Aluminum and Glass door Systems
- Eco Star Majestic Slate decorative mansard roof shingles
- TPO roofing membrane
- Irrigation system for open spaces including parkway

More detailed specifications are to be submitted upon project approval by the City Council for annexation/construction and during the submittal process to the City of Naperville Building Development and Building Departments.

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT PROPOSAL

Kensington School
10705 South Walton Heath Drive
Naperville, IL 60564

EXHIBIT 1

Standards for Granting a Map Amendment (Rezoning)
Section 6-3-7:2

General Note

The Property at 10705 South Walton Heath Drive is under the jurisdiction of Will County, IL and is listed as unincorporated, not presently zoned by the City of Naperville. This property is designated on the Future Land Use Map as "Commercial" Land. Preschools, Day Care centers and the like require a conditional use permit to operate in the B3 zoning district.

1. The Amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other official plans of the city:

Kensington School proposes to comply with the Future Land Use Map and required application for a conditional use permit for its proposed facility.

As the proposed use is that of a Nursery School on the subject property, the goal is to serve the community in a positive and productive way by serving children and thus promoting public health, safety, morals and general welfare

2. The trend of development in the area of the subject property is consistent with the requested amendment:

The proposed development of a Preschool by Kensington School is consistent with the requested amendment. Given the tide of commercial and residential development in the surrounding area of the subject property, the introduction of a Nursery school serves well to comply with all development goals of city. Every effort will be made by Kensington School to present a building and property that aligns with the commercial development on Route 59 but also incorporates residential stylistic elements to comply with the neighboring homes to the west of the proposed development. Some design elements that are proposed consist of red brick and limestone veneer, shingled roof, large windows and beautiful fencing and landscaping.

3. The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification:

The subject property is currently unincorporated. A petition for B3, General Business District Zoning combined with a conditional use permit will facilitate a suitable zooming classification for the proposed development and land use.

4. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed under the existing zoning classification.

The subject property is currently unincorporated, without a specific recorded zoning classification relative to any future development.

5. The subject property has not been utilized under the existing zoning classification for a substantial period of time:

No land improvements have been completed on the subject property and the land has remained undeveloped.

6. The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to the adjacent property.

The development of a carefully designed and constructed Nursery School and its surrounding playground and facilities will suite both the residential developments in Tamarack Farms to the west of the subject property and the commercial developments along Illinois Route 59 both to the North and South of the subject property.

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT PROPOSAL

Kensington School
10705 South Walton Heath Drive
Naperville, IL 60564

EXHIBIT 3

Standards for Granting or Amending a Conditional Use
Section 6-3-8:2

1. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare:

As the proposed use is that of a Nursery School, the goal is to serve the surrounding community in a positive and productive way by catering to the needs of children and families, providing quality early childhood educational services and daycare. Schools are viewed by residents as the bedrock of their community and thus promote public health, safety and security, and general welfare. Ensuring the availability of quality schools and children's care facilities has long been the principle upon which Kensington Schools was founded over 39 years ago.

2. The conditional use will not be injurious to the use and enjoyment of the property in the immediate area for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood:

The impact of the proposed development on the subject property will be minimal. Constructing a building that incorporates the design elements of residential construction and yet coincides with the commercial development of the area will ensure that neither the existing residential nor existing commercial developments will incur any diminishing property values. On the contrary, the introduction of a private Nursery School may well have a lasting positive impact, particularly on the residential properties in the immediate and surrounding neighborhoods.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district (Ord. 80-5, 1-21-1980)

This proposed project will, in no way, impede our neighbors from pursuing any interests they may have with regard to their development or improvement.

Revised per Site Plan Dated 07/26/10
Naperville Project #09-10000195

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT PROPOSAL

Kensington School
10705 South Walton Heath Drive
Naperville, IL 60564

EXHIBIT 5

Standards for Granting a Zoning Variance
Section 6-3-5:2

General Notes

Kensington School requests two variances for the subject property and its proposed development.

I. Reduction in the number of parking spaces as defined by the ordinance for B3, General Business District Zoning.

II. Reduction in the Major Arterial Setback ordinance to facilitate parking spaces closer to the property line.

1. The variance is in harmony with the general purpose and intent of this title:

The variances being requested relate to the proposed development of a Nursery School on the subject property. Given the annexation process and the proposed request for a B3, General Business District Zoning for the property with a conditional use permit, parking regulations per the proposed zoning requires 5 parking spaces per 1000 square feet of floor area and a Major Arterial Setback of 20 feet from the property line.

Kensington School proposes the allotment of 31 parking spaces, based on a building square footage of approximately 11,500 square feet of floor space.

As the number of parking spaces requested exceeds the number of spaces required for the parking of staff and any peak visitor counts at any given time, the variance is in harmony with the general purpose and intent.

Reference: KLOA Parking study for Naperville 75th Street Kensington School

Kensington School proposes a Major Arterial Setback of 15' rather than the required 20'. As this aligns with neighboring properties and provides the necessary space for parking stalls along the eastern property line that faces Illinois Route 59, the variance is in harmony with the general purpose and intent of this title.

2. Strict enforcement of this title would result in practical difficulties or impose exceptional hardships due to special circumstances and unusual conditions which are not generally found on other properties in the same zoning district:

Given the proposed Site Plan for the development, which has been created with the intent to comply with all proposed zoning ordinances and requirements for a successful operation; the availability of parking space is limited. Providing a one-way drive entrance into the subject property from the northern property line on Walton Heath Drive and a one-way exit drive from the subject property on its southerly roadway boundary creates a continuous drop off and pick up lane for the successful operation of two preschool and kindergarten classes (morning and afternoon classes). Staff and parents/guardians and visitors are able to utilize this same entrance and exit for the purpose of parking vehicles on-site to enter the premises. The number of parking spaces provided on the proposed Site Plan adequately addresses the parking needs for the successful daily operation of the Nursery School and the proposed setback for parking stalls does not impact the neighboring residential or commercial districts.

Given the proposed application for conditional use in this district, this parking lot pickup and drop off as well as parking design is best suited to address the hardships and special circumstances relating to the operation of a daycare/school facility, and addresses the unique circumstances not generally found on other properties in the same zoning district.

Reference: KLOA Parking study for Naperville 75th Street Kensington School

3. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by this title:

To comply with the provisions of the parking mandate of the B3, General Commercial District Zoning and the Major Arterial Setback ordinance would require a re-design of the proposed Site Plan. The impact on re-design would result in significant reductions in either the size of the playground and open space proposed for the children's outdoor recreation or in the over-all building footprint, thus reducing the number of children this proposed Nursery School would be able to accommodate and serve.

Reference: KLOA Parking study for Naperville 75th Street Kensington School

4. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. (Ord. 80-5, 1-21-1980)

Revised per Site Plan Dated 07/26/10
Naperville Project #09-10000195

The city council shall not vary the provisions of this title concerning permitted uses, conditional uses or the regulation of nonconforming uses. (Ord. 05-028, 2-15-2005)

The requested variances for the proposed development will not alter the character of the surrounding neighborhoods, both residential and commercial. All of the parking and traffic needs (drop off and pick up of students) will be contained on the proposed site.

As this location resides on Illinois Route 59 in a commercially developed area, it will have a great deal of visibility among the citizens of the surrounding cities and community. It is very important that all Kensington Schools provide a well-designed and maintained property that provides a beautiful view from the street and coincides seamlessly with the surrounding neighborhoods, in this case both residential and commercial.

We see Kensington School as offering an excellent opportunity to transition from the residential neighborhoods of Tamarack Farms to the west of the subject property to the office parks and commercial developments that reside both to the north and south along Illinois Route 59.

KLOA
Kenig, Lindgren, O'Hara, Aboona, Inc.

9575 West Higgins Road, Suite 400 | Rosemont, Illinois 60018
p: 847-518-9990 | f: 847-518-9987

MEMORANDUM TO: Charles T. Marlas
Kensington School

FROM: Michael A. Werthmann, PE, PTOE
Principal

DATE: July 29, 2010

SUBJECT: Parking Evaluation
Proposed Kensington School
Naperville, Illinois

This memorandum summarizes the results of a parking evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Kensington School to be located in Naperville, Illinois. The site, which is currently vacant, is located between IL 59 on the east and South Walton Drive on the west just south of Royal Washington Drive. As proposed, the 12,000 square-foot school will provide a daycare facility and a preschool with a maximum of 119 students and 16 staff members. A total of 31 parking spaces are proposed to be provided. The following summarizes the proposed operation of the school.

- The daycare facility will operate between 6:30 A.M. and 6:30 P.M. and will have a total of approximately 59 students. All parents will be required to park and walk their child to and from the school. According to the operator, most students will be dropped off between 6:30 and 8:30 A.M. and picked up between 3:30 and 6:00 P.M. As such, the parking of daycare parents is distributed over several hours in the morning and evening.

- The preschool will have a total of 60 students who will attend either morning (8:45 to 12:00 Noon) or afternoon (12:30 to 3:30 P.M.) classes. All of the preschool children will be dropped off or picked up along the sidewalk in front of the building. As proposed, staff will assist in the loading and unloading of the students and walking them to and from the school. As such, very few preschool parents park and walk their children to and from the school.

The specific task of this evaluation was to assess the parking needs of the proposed school and determine if the parking to be provided is sufficient to meet its peak parking demand.

Parking Evaluation

The estimate of the peak parking demand to be generated by the proposed Kensington School was based on the following sources.

- The Day Care Center (Land-Use Code 565) parking generation rates published in the ITE *Parking Generation Manual*, 3rd Edition. (It should be noted that the *Parking Generation Manual* does not provide rates for preschools.) Applying the ITE daycare rates to the entire school provides a very conservative (worst case) estimated peak parking demand as (1) the proposed school will consist of approximately 50 percent daycare students and 50 percent preschool students and (2) very few preschool parents are expected to park as the students are dropped off/picked up in the front of the school.

- Parking generation surveys conducted by KLOA, Inc. at the existing Kensington School located in the northeast corner of the 75th Street/Book Road intersection in Naperville. The parking surveys were conducted every half hour from 6:30 A.M. to 6:30 P.M. on Thursday, July 22, 2010. The results of the parking surveys are provided in the Appendix. It should be noted that during the summer months the existing school operates a summer camp in lieu of the preschool. The summer camp operates five days a week from 10:00 A.M. to 3:00 P.M. and all of the students are dropped off and picked up in the front of the school similar to the preschool operation. The day the parking surveys were conducted, the school had 18 employees, 58 daycare students, and 66 students attending the camp. As such, the number of employees and students at the existing school was very similar to the maximum numbers proposed for the new school.

Table 1 shows the estimated peak parking demand for the proposed Kensington School based on the ITE rates and the peak parking demand of the existing school.

Table 1
ESTIMATED PEAK PARKING DEMAND

Source	Peak Parking Demand
ITE *Parking Generation Manual*[1]	
• Based on Number of Students	29-31
• Based on Number of Employees	20-22
Existing Kensington School[2]	16

1. Represents a conservative (worst case) estimated peak parking demand as it is based on daycare rates although the school will provide both a daycare and preschool.
2. Represents the peak parking demand observed on July 22, 2010 at the existing Kensington School located in Naperville.

Conclusion

Assuming the conservative analysis where the ITE daycare parking rates are applied to the entire school, the peak parking demand of the school is projected to be between 20 and 31 vehicles. Further, the existing school, which has a very similar operation of the proposed school, only had a peak parking demand of 16 vehicles, which is approximately 50 percent of the total parking spaces to be provided at the proposed school. Therefore, the result of the parking study has shown that the 31 parking spaces to be provided by the proposed school should be sufficient to meet its peak parking demand.

Appendix

EXISTING KENSINGTON SCHOOL—THURSDAY, JULY 22, 2010

Time	Number of Vehicles
6:30 A.M.	2
7:00 A.M.	5
7:30 A.M.	5
8:00 A.M.	8
8:30 A.M.	8
9:00 A.M.	12
9:30 A.M.	10
10:00 A.M.	10
10:30 A.M.	8
11:00 A.M.	7
11:30 A.M.	10
12:00 P.M.	12
12:30 P.M.	11
1:00 P.M.	11
1:30 P.M.	12
2:00 P.M.	16
2:30 P.M.	12
3:00 P.M.	12
3:30 P.M.	11
4:00 P.M.	14
4:30 P.M.	12
5:00 P.M.	15
5:30 P.M.	10
6:00 P.M.	5
6:30 P.M.	3

Revised per Landscape Plan Dated 07/26/10
Naperville Project #09-10000195

CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT PROPOSAL

Kensington School
10705 South Walton Heath Drive
Naperville, IL 60564

EXHIBIT 6

Standards for Granting a Landscaping Variance
Section 5-10-7

1. Strict enforcement of this chapter would result in practical difficulties or impose exceptional hardships; and

As the proposed use of the subject property is that of a Nursery School, the goal is to serve the children and families of the surrounding community in a positive and productive way. Playground areas are of prime concern and importance in the design of a facility. A variance is being requested to omit the foundation plantings around the building perimeter only on the west side of the building that adjoins the fenced playground. Children at play are inevitably hard on any decorative landscaping elements, and the presence of plantings will not only serve to make it difficult to maintain them, but it also serves to reduce the playground area itself. Children playing in and around planted areas increase the risk of accidents, allergic reactions and complications in maintaining a sense of order with outdoor activities.

2. The principal reason for the variance is other than an increased income or revenue from the property; and

The proposed variance for omitting foundation plantings on the playground side of the proposed building in no way affects the income or revenue generated from operating a daycare facility.

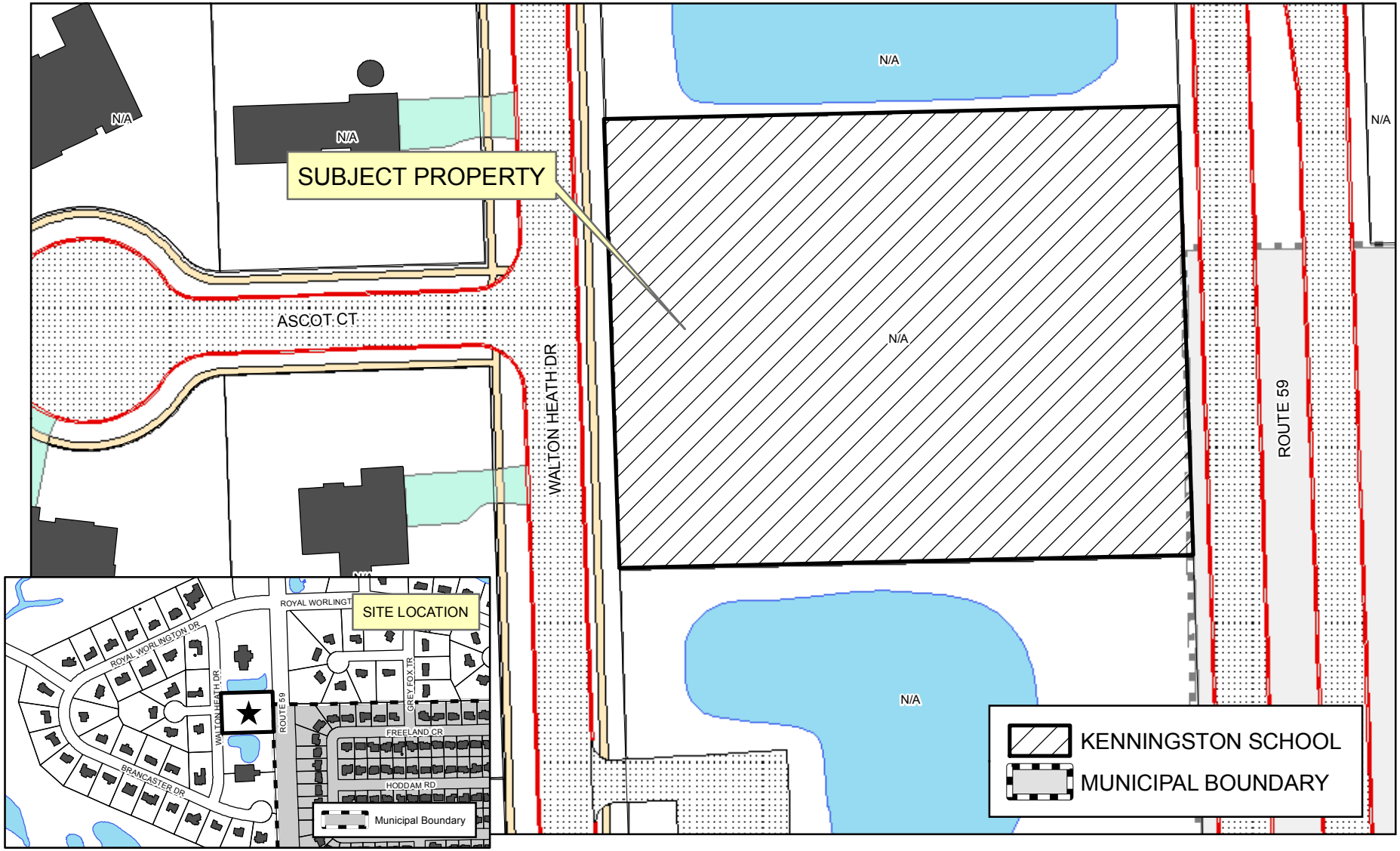
3. The variance, if granted, will not alter the essential character of the neighborhood, will not be a substantial detriment to adjacent property, and will not increase congestion or traffic hazards in the public streets, or otherwise impair the public health, safety, comfort, and general welfare.

In no way will the essential character of the neighborhood be adversely affected by the granting of this variance request. A perimeter fence surrounding the entire playground area will serve to preclude neighboring property owners and tenants from being able to

see the building perimeter foundation along this one side of the building, let alone become aware of any plantings not present in this limited area. No impairment of public health, safety, comfort, and general welfare is associated with this variance request.

City of Naperville

KENSINGTON SCHOOL OF NAPERVILLE



Transportation, Engineering and
Development Business Group
Questions Contact (630) 420-6694
www.naperville.il.us
December 2009

N
W E
S

This map should be used for reference only.
The data is subject to change without notice.
City of Naperville assumes no liability in the use
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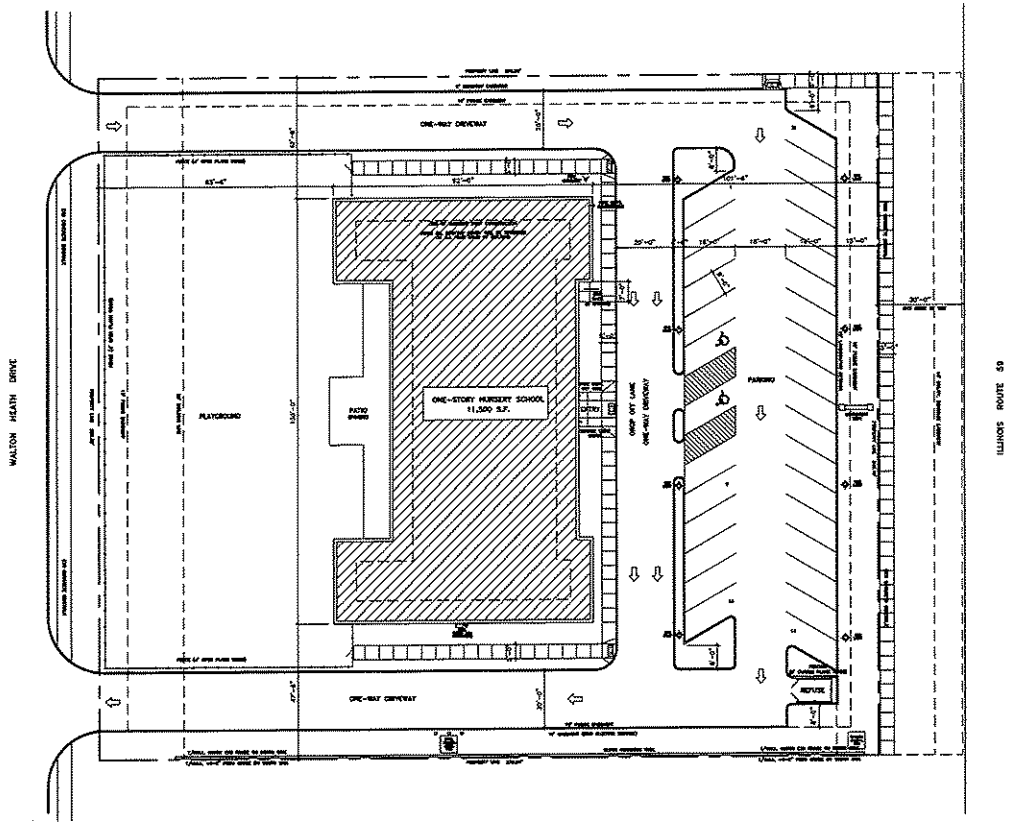
forbidden without expressed written consent from the City of Naperville.



NAPERVILLE PROJECT: #09-10000195

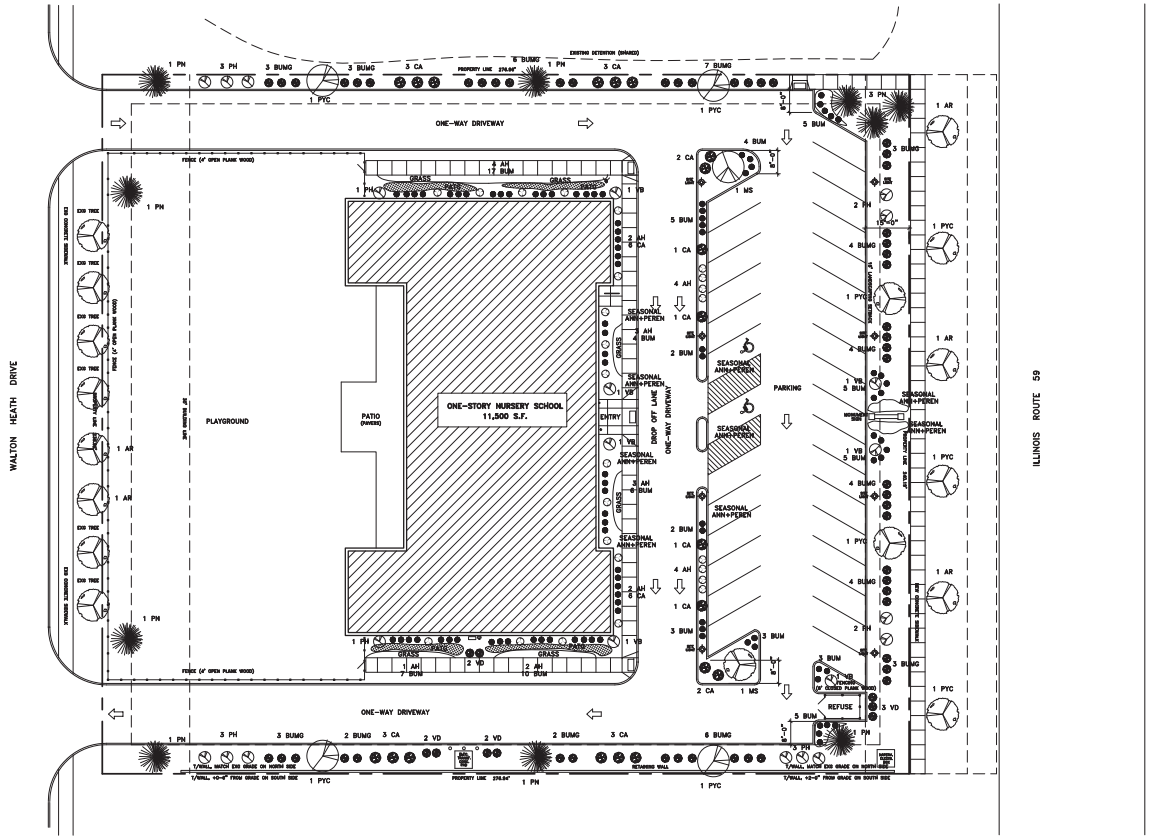
ML PARTNERS
DESIGN DEVELOPMENT
743 MCCLINTOCK DRIVE
BURR RIDGE, IL 60527

KENSINGTON SCHOOL OF NAPERVILLE
4512 SOUTH WALTON HEATH DRIVE
NAPERVILLE, ILLINOIS 60564

DATE	DESCRIPTION
01-28-10	RE-ISSUE FOR ANNEXATION APPLICATION
12-21-09	ISSUE FOR ANNEXATION APPLICATION

SITE PLAN

A1-0



LANDSCAPE PLAN
SCALE: 1"=20'-0"

N

PLANT LIST

10705 SOUTH WALTON HEATH DRIVE, NAPERVILLE, IL

QTY.	ABV.	BOTANICAL NAME	COMMON NAME	SIZE
EVERGREEN TREES				
12	PN	PICEA PUNGENS	BLUE SPRUCE	3" CAL.
SHADE TREES				
5	AR	ACER X FREEMANII	AUTUMN BLAZE MAPLE	3" CAL.
ORNAMENTAL TREES				
13	PH	CARPINUS FASTIGATA	PYRAMIDAL HORNBEAM	6-8' 2" CAL.
9	PYC	PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER PEAR	1-10' 2.5" CAL.
2	MS	MALUS 'SNOWDRIFT'	'SNOWDRIFT' CRABAPPLE	6-8' 2.5" CAL.
DECIDUOUS SHRUBS				
54	BUMG	BUXUX MICROPHYLLA	GREEN MOUNTAIN BOXWOOD	48"
86	BUM	BUXUX MICROPHYLLA	NORTHERN CHARM BOXWOOD	12-24"
25	AH	ANNABELLE HYDRANAS	ANNABELLE HYDRANA	12"
22	CA	COTONEASTER ACUTIFOLIA	PEKING COTTONEASTER	48"
9	VD	VIBURNUM DENTATUM	ARROWOOD VIBURNUM	48"
7	VB	VIBURNUM	BLACKHAW VIRBANUM	72"
80	PATG	PACHYSANDRA TERMINALIS	GREEN CARPET	4-6"

NOTE:
THE LANDSCAPING PLAN SHALL BE REVIEWED AND APPROVED BY THE CITY OF NAPERVILLE PRIOR TO INSTALLATION.

NAPERVILLE PROJECT: #09-10000195

ML PARTNERS
DESIGN DEVELOPMENT
743 MCCLINTOCK DRIVE
BURR RIDGE, IL 60527
T 312-907-7977 F 312-873-3782

KENSINGTON SCHOOL OF NAPERVILLE
4512 SOUTH WALTON HEATH DRIVE
NAPERVILLE, ILLINOIS 60564

PROJECT NAME

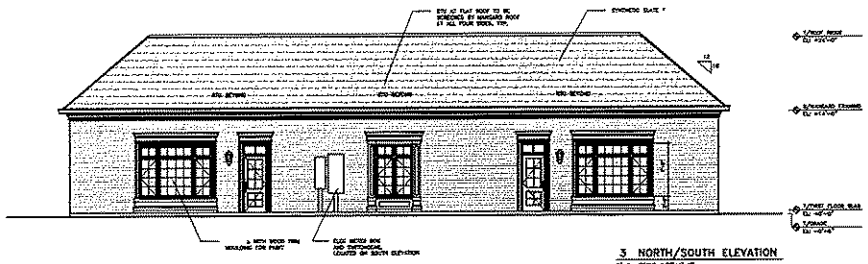
DRAWING ISSUE

DATE	DESCRIPTION
07-26-10	RE-ISSUE FOR ANNEXATION APPLICATION
12-21-09	ISSUE FOR ANNEXATION APPLICATION

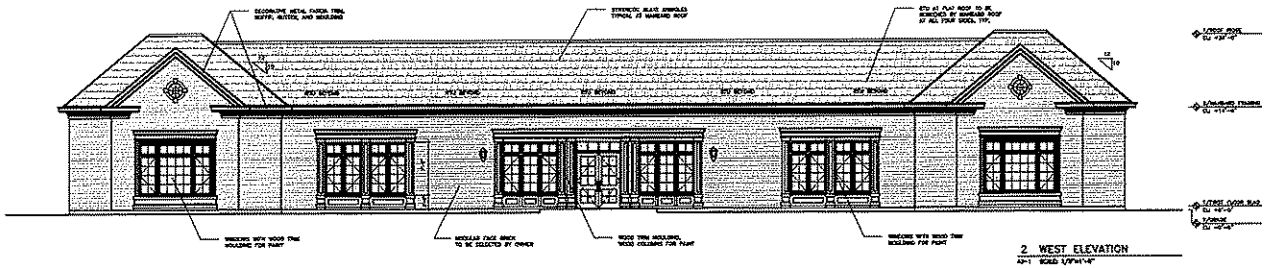
DRAWING TITLE: LANDSCAPE PLAN

JOB NO.: 09-010
DATE: 12-05-09
DRAWN BY: LEL

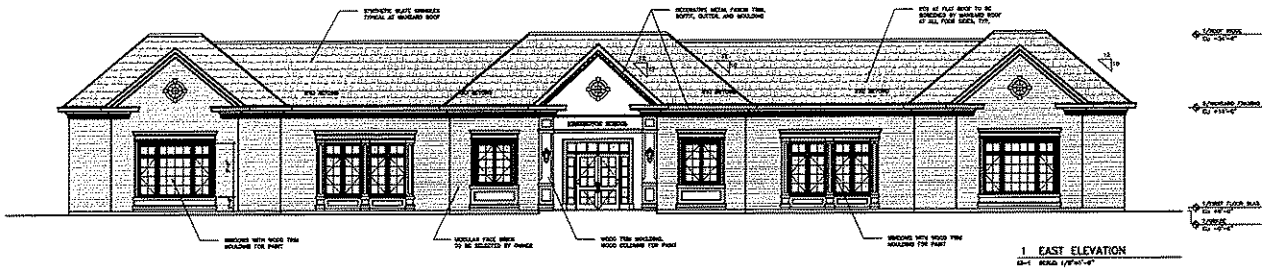
DRAWING NO. L-1



3 NORTH/SOUTH ELEVATION



2 WEST ELEVATION



1 EAST ELEVATION

NAPERVILLE PROJECT: #09-10000195

ML PARTNERS
DESIGN DEVELOPMENT
753 MCCLINTOCK DRIVE
BURR RIDGE, IL 60527

KENSINGTON SCHOOL OF NAPERVILLE
4512 SOUTH WALTON HEATH DRIVE
NAPERVILLE, ILLINOIS 60564

DATE	DESCRIPTION
07-26-10	RE-ISSUE FOR ANNEXATION APPLICATION
12-21-09	ISSUE FOR ANNEXATION APPLICATION

BUILDING ELEVATIONS

A3-1

Naperville

PLAN COMMISSION
AGENDA ITEM

PC CASE: **PC 10-1-114** **AGENDA DATE:** **10/20/2010**
SUBJECT: *Naperville Downtown2030*: *Planning the Downtown Experience*
Petitioner: City of Naperville

Official Notice: Official Notice for this case was published in the Naperville Sun August 23, 25, and 29, 2010.

LOCATION: Downtown Naperville

☐ Correspondence ☐ New Business ☒ Old Business ☐Public Hearing

SYNOPSIS:
The Plan Commission is receiving the Land Use section of the *Naperville Downtown2030 Plan* and supplemental *Building Design Standards* for review and recommendation. *Naperville Downtown2030* is an update to the last plan completed in 2000. *Naperville Downtown2030* also includes recommendations related to transportation, parking and urban design that will be reviewed by other boards and commissions.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Action
9/15/10	Public hearing was opened and one resident provided testimony. Matter was continued until October 20, 2010 to facilitate additional feedback.

ACTION REQUESTED/RECOMMENDED THIS MEETING:
Recommend approval of the Naperville Downtown2030 plan subject to technical corrections.

PREPARED BY: Amy Emery, AICP

BACKGROUND:
Previous Plan Commission Action
The Plan Commission opened the public hearing for this case on September 15, 2010. During the hearing, one resident provided testimony expressing concerns about the potential impact of the North Downtown Special Planning Area on Washington Junior High School parking and student safety, floor area ratio (FAR) in relation to parking decks, and requested different illustrations of transitional use based on recent development approvals.

At the conclusion of the public testimony, the Plan Commission requested additional information related to height in the proposed North Downtown Special Planning Area, rooftop surfaces as useable space as it relates to parking, noise and lighting, and future land use in the vicinity of Naper Elementary School (refer to Attachment 1 – September 15, 2010 Minutes for more information).

The Plan Commission continued this case to October 20, 2010 in order to allow time for staff to gather additional information. The commissioners agreed to provide written comments by October 6, 2010 (Attachment 2) and requested the public adhere to the same deadline for submitting written comments (Attachment 3). Overall response to the *Naperville Downtown2030 Plan* has been very favorable. This can be attributed to the collaborative community-wide public process that has been used to develop the plan. Written comments received have been thoughtful and have been focused on a few very specific areas of concern.

DISCUSSION:

Land Use Categories (including Transitional Use Illustrations)

Naperville Dowtown2030 retains the same categories for land use as the 2000 Plan (e.g. downtown core, secondary downtown, and transitional use). However, the 2030 plan recommends refinements to these districts to more clearly distinguish between each (please refer to Figure 2 and 3 of the within the *Naperville Dowtown2030 Plan* draft). The illustrations provided in the plan reflect the intended style, bulk, and mix of uses desired. For example, the illustration of transitional use buildings include residentially styled structures of no more than 40 feet in height. These buildings differ from recent approvals in the existing TU district, but are consistent with the stated intent of the district as defined in the *Naperville Downtown2030 Plan*. In order to accomplish the desired vision for transitional use development, as well as the other land use categories recommended, the Zoning Ordinance will need to be modified. This task is included in the action agenda (Section 8).

Height Recommendations

The *2000 Downtown Naperville Plan* provided height recommendations based upon the number of stories. This approach proved particularly challenging as the height of individual stories can vary greatly from one building to the next depending on building style, equipment needs, and the intended use. As a result, plan guidance relative to the number of stories provided little direction relative to overall bulk. Additionally, the height guidelines provided in the plan were never adopted formally into the zoning code. As such, the only controlling regulation for building height in the Downtown Core and Secondary Downtown zoning districts is FAR (discussed more below).

Height was a topic of special consideration during the development of *Downtown2030 Plan*. The Downtown Advisory Commission participated in a walking tour of the downtown and dedicated a meeting specifically to this topic. In addition, information about building height was presented at a public workshop sponsored by DAC on September 30, 2009 for public feedback.

The *Naperville Downtown2030 Plan* recommends the establishment of a maximum height of 60 feet in the downtown core, secondary downtown, and North Downtown Special Planning Study

Areas through an amendment to the zoning code. Establishment of a 60 foot maximum will be a more effective tool for regulating height than the *2000 Downtown Naperville Plan* approach related to number of stories. In addition to the recommended 60 foot maximum, the existing FAR regulations will remain in place for the B4 and B5 zoning districts (see additional discussion regarding FAR below).

The *Naperville Downtown2030 Plan* includes an action agenda item to establish a policy for considering requests in excess of 60 feet. The establishment of such a policy does not guarantee a taller height would be permitted, nor does the establishment of a policy preclude applications for buildings in excess of 60 feet. Rather, this process provides interested stakeholders the opportunity to further discuss this issue and consider under what circumstance, if any, additional height may be desirable.

Floor Area Ratio (FAR) and Parking
Through the review of recent downtown development proposals, such as the Water Street PUD, concerns have been raised regarding existing zoning provisions that exempt the square footage of decked parking facilities from the calculation of FAR. This exemption was designed to offer an incentive for on-site parking, particularly within a downtown setting where property sizes are constrained and property values are high. However, because there is currently no height restriction within the downtown zoning districts, this exemption can also have the effect of allowing for increased bulk on a property.

Concerns regarding the bulk of parking decks will be largely addressed through the establishment of a new maximum height limitation in B4 and B5 as described above. Staff does not recommend amendments to the calculation of FAR, as this will create a disincentive to providing on-site parking, whether private or public, particularly for those properties within the downtown. Provision of on-site parking remains critical to the overall downtown parking supply, as well as to the success of the businesses located within these developments.

To clarify the relationship between FAR and parking and to reflect existing zoning requirements and adopted policy relative to decked parking facilities in the walkable downtown core, the following bullet has been added to page 35 under the height discussion:

- *Per existing zoning regulations, the square footage of decked parking facilities are exempt from inclusion in the calculation of FAR. This exemption was designed to incentivize the provision of on-site parking, particularly within a downtown setting where property sizes are constrained and property values are high. As the bulk of decked parking facilities will be largely addressed by the establishment of a new maximum height limitation (see page 34) and the provision of on-site parking remains a priority, existing zoning regulations regarding the calculation of FAR should remain in place.*

North Downtown Special Study Area
During the public review of this section of the plan, many comparisons have been made to the *Water Street Vision Statement*, particularly related to building height. While the identification of this area as a "special planning study area" and the associated process for approving projects is similar to Water Street, the uses within this area and recommended height are not the same. The previous approvals for Water Street do not establishment requirements or precedent for the

future development that may occur within the North Downtown Special Study Area. Development proposals within the North Downtown Study Area will be specifically reviewed using the recommendations included within *Naperville Downtown2030*.

Some written questions about the study area were submitted by the Plan Commission and public (refer to Attachments 2 and 3). What follows is a summary and response to these inquiries:

Why Include Concept Illustrations (page 28)?
Use of illustrations is common in plan documents, particularly in those instances where example photos are not available (or at an appropriate scale). Simple illustrations can be very effective as a communication tool. For example, the *2000 Downtown Plan* used simple illustrations and maps to identify specific redevelopment sites (e.g., Opportunity Sites) and the *Ogden Avenue Corridor Enhancement Initiative* also employed this technique to conceptually illustrate redevelopment opportunities for the Ogden Mall.

In the case of the North Downtown Special Planning Area three small concept images are shown. The illustrations are very general in nature, showing only ideas, not requirements. The page specifically notes that they are for illustrative purposes only and there may be many other options to achieve the development objectives. The Downtown Advisory Commission and members of the public found these concepts to be helpful in understanding the opportunities that exist in the North Downtown Special Planning Study Area at the August 26, 2010 open house. Staff continues to recommend these simple illustrations be included as a communication tool.

Why Include the Ameritech Building?
Designation as a special planning study area does not necessarily mean that every building within such an area will be redeveloped. However, any future development in a special study area should be looked at comprehensively with consideration for adjacent uses and outlying neighborhoods. In the case of the Ameritech Building, during Downtown Advisory Commission discussion of the North Downtown Area it was widely appreciated that a change in use of this building is not anticipated. However, the building location and design could become the backdrop for an urban park space (e.g., mural or landscape area) at the end of Main Street. Similarly, this building serves as a buffer to uses to the west and north.

How has School District 203 Been Involved?
Attachment 4 highlights additional efforts to engage School District 203 in the *Naperville Downtown2030 Plan*. These efforts focused on the relationship between the plan recommendations and Naper Elementary School and Washington Junior High School (WJHS).

With respect to Naper Elementary School the plan draft released for Plan Commission review on September 15, 2010 did indicate that home-to-office conversions may be appropriate adjacent to Naper Elementary School. The draft has since been revised to recommend single family residential uses adjacent to Naper Elementary School. This

revision was presented without objection to the Downtown Advisory Commission on October 7, 2010.

With respect to WJHS, the North Downtown Special Planning Area includes the surface parking lot for this school. As was noted for the Ameritech building above, the 2030 plan does NOT in any way require that the WJHS surface parking lot, actually be redeveloped. Any change in land use in this area will be based on the decisions of landowners in this area. The city has no plans to acquire any land or to develop any property in this area. As such, the area shown on the plan map should be viewed as offering a context for reviewing development requests in this area.

School District 203 representatives appreciate the residential neighborhood setting around Naper Elementary School recommended by the *Naperville Downown2030 Plan*. Moreover, they understand that any change in land use adjacent to WJHS would require School District 203 participation as they own a significant amount of land in this block (currently a surface parking lot).

Like the City of Naperville, safety is a number one priority of the school district. Any decision they make relative to their property would be with full consideration of the safety of the children attending the school. To effectively document the importance of pedestrian safety adjacent to school facilities a spotlight has been drafted for the transportation section of the Downtown 2030 Plan (refer to Attachment 5).

Jefferson Avenue - Home to Office Conversions
The *Future Land Use Map* shows Jefferson Avenue between Eagle Street and Mill Street as planned for single family residential uses. Homes in this area may continue to exist through 2030 and well beyond. However, there is a sentence in the text on page 29 that indicates home-to-office conversions <u>may be appropriate</u> in this area. That statement does not in any way require home-to-office conversions. Any change in land use would be decided by the property owners subject to approval of a conditional use through a public review process facilitated by the Plan Commission and City Council.

The recommendation to consider opportunities for home-to-office conversions in the Jefferson block between Eagle and Mill is to recognize that these properties are situated immediately adjacent to the downtown core and are currently surrounded on three sides by non-residential uses (i.e. Rubin Center, professional law office building, Joe Naper Site, Naper Elementary School, Freidrich Jones Funeral Home, and Nichols Library surface parking lot). As such these properties face a different market condition than properties further to the west. Staff felt it was necessary to acknowledge this difference, but did not want to perpetuate expansion of more intensive downtown core uses within this block. The limited nature of the home-to-office conversions provides an opportunity for low intensity uses that can coexist well with adjacent residential areas.

Action Agenda
During the September 15, 2010 public hearing, the Plan Commission requested some clarification of the action agenda items (see Attachment 6). The request for information about the methodology for measuring the stepped back upper story requirement will be developed as the action item related to innovative zoning tools is pursued in the future. One additional action agenda item is proposed based on Plan Commission comments:

> *Review the use of rooftop spaces for impact on usable square footage, parking demand, perception of height, noise, and overall neighborhood impact and appearance. As necessary develop a policy and supporting zoning tools to address these spaces.*

Building Design Guidelines
One correction was suggested to the *Building Design Guidelines* to reference the 60 foot height limit on page 6 in accordance with the recommendations within the Naperville Downtown2030 Plan. No other additions have been suggested to the *Building Design Guidelines* as presented on the September 15, 2010 Plan Commission public hearing.

Revisions to Draft Downtown2030 Plan Since September 15, 2010 Public Hearing
Since the public hearing on September 15, 2010, a modified version of the *Naperville Downtown2030 Plan* has been released on the project web page *www.naperville.il.us/downtownnaperville2030.aspx*. The revised version reflects the following suggestions from the September 15, 2010 public hearing:

- Revision on Page 29 to eliminate home-to-office conversion opportunity adjacent to Naper Elementary School
- Revision on Page 25 to include reference to ATM's under discussion of financial institutions
- Revision on Page 35 to clarify height in relation to FAR (language noted above)
- Revision to the north downtown vista image within the Urban Design section to reflect buildings 60 feet in height. (Attachment 7)

Next Steps
Plan Commission's recommendation will be presented to DAC for consideration in the final plan document. DAC and City Council will meet in a special workshop on November 8, 2010 at 5:00 pm in Meeting Rooms B&C to consider the draft plan document. Like all workshops, the event is open to the public, but public comment will not be taken. It is anticipated that the plan will be forwarded to the City Council in late 2010 or early 2011 for final action.

Recommendation
Staff is requesting the Plan Commission recommend approval of the *Building Design Guidelines (*with a reference to the 60 foot height recommendations added to page 6) and Land Use section of the *Naperville Downtown 2030 Plan* subject to the following technical corrections:

- Addition of an Existing Land Use Conditions Map
- Addition of a spotlight box related to schools and transportation
- Addition of an action agenda item related to rooftop uses

ATTACHMENTS:

1) September 15, 2010 Plan Commission Minutes – PC 10-1-114
2) Written Plan Commission Comments Received – PC 10-1-114
3) Written Public Comments Received – PC 10-1-114
4) Memo on School District 203 Discussions with City Planning Staff – PC 10-1-114
5) Proposed Spotlight Box Related to School District 203 – PC 10-1-114
6) Action Agenda – PC 10-1-114
7) Revised Main Street At Terminus with Franklin Avenue Spotlight PC 10-1-114

NAPERVILLE PLAN COMMISSION
DRAFT MINUTES OF SEPTEMBER 15, 2010

Call to Order **7:00 p.m.**

A. Roll Call

Present:	Bruno, Messer, Meyer, Sterlin, Trowbridge, Gustin, Herzog, Edmonds
Absent:	Meschino
Student Members:	Stancey
Staff Present:	Planning Team – Thorsen, Emery, Forystek, Zawila Department of Public Utilities -- Ritter

B. Minutes Approve the minutes of the September 1, 2010 Plan Commission Meeting subject to modification on page 4 to reflect intent of location for ROLC.

Motion by: Gustin — Approved
Second by: Meyer — (8 to 0)

D3. 10-1-114
Naperville Downtown2030

Conduct the public hearing and recommend approval of Section 3: Land Use, the Land Use Action Agenda, and the Downtown Building Design Standards of *Naperville Downtown2030: Planning the Downtown Experience*.

Amy Emery, Planning Services Team, gave an overview of *Naperville Downtown2030: Planning the Downtown Experience*.

- The Planning Services Team is presenting the Land Use Section (including the Action Agenda) and Building Design Standards for the public hearing. Other sections of the draft plan are being reviewed by other boards and commissions.
- The city has worked in partnership with the Downtown Advisory Commission over a two year period to draft the plan as it stands today. This process included extensive outreach and public input.
- The future land use plan was updated to recognize the impact of institutional uses on the downtown, inclusion of an urban park and the North Downtown Special Planning Area.
- North Downtown Special Planning Area ensures that any future development has a positive impact on downtown. Key recommendations contained on page 28 of the Land Use Section were highlighted.
- Height recommendations are proposed within the plan using a total height recommendation rather than the number of stories. The Zoning

Ordinance imposes a floor area restriction but does not limit the total building height. *Downtown2030* recommends FAR as the tool to limit height with additional guidance contained in the plan and recommended in the Action Agenda.

- The Downtown Advisory Commission will provide the final recommendation on *Downtown2030* to City Council in November.

Public Testimony:

Thomas Higgins, 725 N. Ellsworth Street, Naperville, IL:

- North Downtown Special Planning Area, expressed concern about land use as it impacts Washington Junior High School and an area that is currently used for parking by the school.
- Washington Junior High School is impacted by proximity to the train station and proximity to Washington Street. The potential of a new multi-level parking deck or building to intensify the area presents safety considerations.
- Illustrations of Transitional Use buildings do not reflect the realities of what the district allows in terms of bulk, size and height (e.g., recent approval of condominium structure). Representations to the public should represent full reality of what may occur in a given area.
- The North Downtown Area should account for bulk of buildings as they relate to the FAR exemption for parking decks.

Plan Commission inquired about:

- FAR as it relates to the additional height restriction and the ability to address bulk concerns
- Whether the height limitation will apply to parking structures
- The Transportation Advisory Board's recommendations on the Transportation Section
- The intent of Action Item 5, which refers to the ability of the Zoning Ordinance to anticipate new land uses
- Clarification of Action Items 11 and 12, referring to restaurant/bar mix in the downtown and mobile vending carts and Action Items 7 (urban park) and 8 (ground floor retail for parking decks)
- What future land use is intended in the vicinity of Naper School taking into consideration the Future Land Use Map and plan text regarding uses along Jefferson Avenue extending to Eagle Street (p.29 of Land Use Section)
- Methodology for how the city would evaluate a "stepped back" story

Plan Commission Discussion:

- Meyer – the spotlight box for the North Downtown Special Planning Area should reflect transportation impacts of future development. The language for ATM's should be included under discussion of financial institutions. Page 6 of the Downtown Building Design Standards should

reference the height limitations proposed in the plan. An action item regarding rooftop surfaces as usable space for impact on square footage, parking, noise, lighting (reference p.35 of Land Use) should be added.

- Gustin – requested a copy of the Transportation Section.
- Herzog – a 60' height limitation may preclude innovative design on consolidated developments. Commended staff on the plan and building standards.
- Edmonds – agrees with Herzog regarding the quality of the plan document and building standards.

Plan Commission continued consideration of this case to October 20, 2010. Written comments may be provided to staff via email through October 6, 2010.

-----Original Message-----
From: Patricia Meyer
Sent: Monday, September 20, 2010 10:16 AM
To: Emery-Graunke, Amy
Subject: PC #10-1-114

Amy -

Again, nice job on this!

At the PC hearing you asked for commissioners to email you prior to Oct 6. The following are the comments and requests I had.

DOWNTOWN 2030
I agree with Thom Higgins to add an illustration which demonstrates TU to its max height of 40ft and more of a commercial appearance rather than a house (whether encourage or discouraged is used in description not my issue). This is something I believe you would accommodate.

I am strongly recommending that wording be added to the "Special Planning Area" which gives special consideration to traffic and traffic flow due to the location of Washington Junior High. I realize this is more along TAB's area however I would like the Land Use portion to acknowledge this. At the hearing, my request seemed acceptable.

In regards to the FLU Map: I had requested that maybe there could be a better way to represent the possible future use of the area referred to in the 3rd bullet point on page 29 (Jefferson Avenue and Webster Street). Currently the FLU shows "residential" however page 29 goes beyond residential. At the hearing you asked for some time to review and I am following up on my request.

I suggested adding the info from the 3rd bullet point of page 30 regarding ATM's to the definition of Financial Institutions on page 25.

DESIGN STANDARDS
I requested considering adding the 60ft height limit recommendation on page 6 under B.1 Height. While I am aware this is not limited at this time - wording which gets the 60ft in there would be more consistent with the Downtown2030 Plan

ACTION AGENDA
I am strongly recommending that we add an additional item and give it a high priority - consider policies regarding Rooftop Surfaces as "useable space" for impact on square footage, parking, perception of height, noise, and appearance (i.e. Lighting). This is specifically mentioned on page 35 and may have been an oversight when preparing the action agenda. When I made this request at the hearing, I believe you agreed to its inclusion.

I also made the request that we reconsider our policy of how we look at parking decks - that resulted at adding FAR to the Action Agenda. I am not sure that would be the best route.

My concern is that my request not cause hardship or prevent an amenity such as parking. I am moreso looking for a way to acknowledge the mass of a parking garage. I have a fundamental issue that we consider a multistory parking garage as common/open space and do not acknowledge the mass.
It concerns me that we have used the height of the VanBuren Garage as a point of reference and as a comparison - it technically has no FAR but it obviously has significant mass.

I believe FAR in and of itself does a good job of maintaining the bulk and height of the downtown and I am hesitant to even consider changing FAR - or opening it up for discussion.

I do however believe there will be the need to account for the mass of a parking garage and how it impacts bulk. I don't foresee any property in the downtown core being developed as surface parking - we will need parking within structures and multiuse.

I hope this better explains what I am looking for and hope you have a suggestion.

Thanks
Patricia Meyer
Plan Commissioner

From: Tim Messer [mailto:tmesser@tmesser.com]
Sent: Wednesday, October 06, 2010 3:37 PM
To: Emery-Graunke, Amy
Subject: comments on Downtown2030

Hi Amy,

I commend staff on a job well done. A few comments and questions:

- The AT&T (formerly SBC/Ameritech/Illinois Bell) central office at the northwest corner of Franklin and Main appears to be included in the North Downtown Special Planning Area. What is the justification for that? The building has been there for 50 years, went through a substantial addition only a few years ago and is not likely to change for quite some time, even with a move in the direction of wireless services. I think it should be designated Office or Transportation/Utility.

- Page 28 of the study, figure 4, Objectives and Concepts: While I generally find diagrams and examples of potential designs to be very helpful, I am concerned that overlaying such a design on a specific property may not be a road we want to go down. I believe a similar diagram was removed from the Plank Road Study at the suggestion of the Commission.

- I have some concerns about a 60' height limitation in the North Downtown Special Planning Area, especially as it relates to the the block facing Washington between Franklin and Benton. As mentioned in the draft, a height of 43' was recommended in the 5th Avenue Study for the west side of Washington between Douglas and Franklin; the 43' limit was also recommended in the 5th Avenue Study for the east side of Washington. While I do think it's appropriate to come up a little higher for the west side of Washington between Franklin and Benton, the topography of the area could cause a 60' building to tower over the single-family residential on the other side of the block (facing Main), and I feel that 50' may be more appropriate. The Wentz Concert Hall at Chicago and Ellsworth is still an imposing building when driving up the hill on Chicago, even though it's 40'-50' as marked on page 33 of the study, map 6. Some of the language strikes me as being similar to the Water Street Vision Statement, and I don't think a Water Street-type development with a height of 80+ feet (with the variances that would likely be requested) would be appropriate for this area.

- I am glad to see a height restriction proposed for the downtown core. I also look forward to revisiting the TU zoning district, its intent and its effectiveness.

- The downtown design guidelines are very thorough and include lots of illustrations as examples, which I find very helpful. The "discouraged" and "encouraged" examples are excellent, and should prove to be useful in the same way such examples are used in the Historic District Design Guidelines.

- The 5th Avenue Study included a map of existing zoning/land use. I realize we've only been provided the Land Use portion of the Downtown2030 draft to date, but will a map and discussion of existing conditions be included in Downtown2030?

- Has District 203 submitted any comment on this study, as a property owner in the area? I would like to hear from them.

Once again, thanks for all your hard work on this.

--
Tim Messer
tmesser@tmesser.com

From: Pat Smith - 615 N. Main St - (630)355-9358
Sent: Sunday, October 03, 2010 11:08 PM
To: Emery-Graunke, Amy
Cc: tdhiggins@ameritech.net; 'Trixie Kirincich'
Subject: 2030 Downtown Master Plan

Amy, I want to share with you and the rest of the Plan Commission my thoughts and fears about the 2030 Downtown Master Plan. I surely hope that you will apprise the rest of the Plan Commission about my email.

This 2030 Downtown Master plan sounds like the "brains" behind this are trying to make our city into a "miniature" downtown Chicago! Don't you understand what makes our city attractive to outsiders? It certainly is not big tall buildings that will hide the attractive suburban feeling that surrounds "downtown" and I mean the REAL downtown not someone's expanded idea of where the boundaries of Downtown are. We don't need more hotels and tall buildings that will hide what is wonderful about our city. The perimeter of our city to the north already has empty office buildings and enough hotels. Let's enjoy, relish and preserve what we have.

Encourage homeowners to keep their property attractive. Don't "bulldoze" what is so wonderful about our city. It looks and sounds to me as if there are people in or beyond our city who are looking to make money and not really caring how it will ultimately change forever what has made our city unique.

Yes, I guess I have become somewhat cynical lately when it comes to new ideas that would ruin what we have - a.k.a. the Skate Board Park that the Park District wanted to put in Kendall Park and the Performing Arts Center by 5th Ave. station. Thank God someone was smart enough to know that those were really bad ideas.

Think about the residents who now live near and in downtown and whose children attend Naper School and Washington Jr. High. The density will adversely affect the children who walk to these two schools. The traffic will certainly increase triple fold and will inundate streets that are already hard to maneuver when there is a lot of traffic. And in doing this, it will cause a real safety hazard. And just the very thought of taking part of WJHS parking is abhorrent. And in the end there will no longer be single family residences if you change the zoning.

I have seen first hand what this will do to our city. It happened in Tucson, AZ where we lived for one year. The small neighborhood communities, surrounding and in downtown, became isolated because of the large commercial buildings that were allowed to be built around them.

You can't turn back when you make a mistake of this magnitude. I would appreciate having this email forwarded to the rest of the Plan Commission since their email addresses were not included. I will be out of town when the meeting takes place. Otherwise I would have asked to be able to share my thoughts. I have been a resident of Pilgrim Addition, in the same house, since 1966. I have watched this small community of 15,000 residents grow into a city and had been very proud of what was accomplished until greed overcame sanity and changed the look of our Downtown forever. I am including my telephone number in case you want to share any insights about this plan with me. I am also copying this email to the two people who made sure we were all informed of what was about to take place.

Thank you for reading and sharing my thoughts with the rest of the Plan Commission.

STAFF RESPONSE:
From: Emery-Graunke, Amy
Sent: Monday, October 04, 2010 11:11 AM
To: 'Pat Smith'
Cc: tdhiggins@ameritech.net; 'Trixie Kirincich'; Laff, Allison
Subject: RE: 2030 Downtown Master Plan

Good Morning Ms. Smith-

Thank you so much for taking the time to share your comments about the Downtown2030 Plan. I appreciate the feedback and I am more than happy to forward your comments to the Plan Commission. If you will allow me I would like to share some information which may help to put some of your concerns at ease.

First, I would like to make sure you are aware that the complete draft of the Downtown2030 plan will be released on the project web page (www.naperville.il.us/napervilledowntown.aspx). This is the first full release of every chapter of the draft plan. I am hopeful that after you have the opportunity to review the full context of the document that you will be able to appreciate some of the points in this e-mail to make even more.

Second, it is important to understand that the Downtown2030 Plan is a result of more than 18 months of public meetings and events. It reflects feedback received from property owners, residents, business owners, even students from Central high school participated in special plan development exercises. The plan is being prepared by the City of Naperville Planning Services Team, not an outside consulting firm from Chicago. The Downtown2030 planning processes is being facilitated by the Downtown Advisory Commission. This group includes a wide range of community constituents including 2 councilman, president of the Chamber of Commerce, Naperville Development Partnership, local business owners, ECHO representative, interested residents, and representatives from the Naper Settlement, North Central College and more. These individuals have a passion for Naperville, appreciation for its history, and strong sense of the community. Like you, they do not want to create a “miniature” downtown Chicago.

Based on your remarks, I think you will also appreciate knowing how the planning process for Downtown2030 started. Whereas in many communities efforts would focus immediately on the future land use map, this is not the case with Downtown2030. Instead, the Downtown Advisory Commission took time to work to define the culture and character of downtown Naperville (with extensive community feedback through public workshops and even a photo contest). As I noted before, the Downtown Advisory Commission knows that Naperville is special and wanted to appreciate those characteristics that make it so in order to respect them in 2030 and beyond. When you review the plan document the statement of culture is in the beginning of the document for everyone to appreciate.

With respect to the recent development requests you noted in your message, I will tell you with absolute certainty, neither the skate board park nor the performing arts center projects are part of the Downtown2030 plan. Both of these area are beyond the downtown study area limits. These proposals did not in any way drive the plan update or impact its recommendations.

Regarding traffic, please know that any development will be required to address the traffic it generates. This includes detailed traffic studies, analysis, and improvement measures. Safety is and continues o be the City's #1 priority.

With respect to WJHS parking lot, please know that the concept you are referring to is, just that, a concept. The city is NOT taking any property. WJHS may continue to use the land that they own for parking indefinitely. That may never change. The decision to change the property use begins with the school district - the owners of the land. If the school district feels they want to change the use of that lot they may request it. They may make such a request at any time (whether or not the Downtown2030 Plan is approved). The Downtown2030 plan simply shows an idea of how that area could be reconfigured to continue to provide parking for the school but also accommodate parking for adjacent properties if redevelopment were to occur. The plan in no way mandates redevelopment of the area. In fact, the plan is very careful to indicate that redevelopment is part of a special planning area that will require extensive public review and approval. Properties in this area cannot simply redevelop to look like the concept in the plan. Many approvals, including public hearings, are required.

On additional point I feel compelled to share is that the Downtown2030 Plan, in its sensitivity to the surrounding neighborhoods, character of the downtown, and desire to maintain a small walkable downtown destination, includes a 60' maximum height recommendation (not previously included in the 2000 Downtown Plan). For your reference, the Main Street Promenade (building with Coldwater Creek and Hugo's) is an example of a building of approximately 60 feet in height.

I do invite you to continue to participate in the Downtown2030 Planning Process. The Plan Commission has continued the public hearing to October 20, 2010 at 7pm in the Naperville Municipal Center Council Chambers (400 S. Eagle Street). The Downtown Advisory Commission continues to meet regularly to review the document as well (upcoming meetings from 3:30 – 5:30pm on October 7 and October 21st). Also, if you have not done so, please consider signing up for e-news to receive the latest information about the plan directly via e-mail at www.naperville.il.us/enews.aspx

Thank you again for your feedback. I will provide your comments to the Plan Commission for their consideration. In the meantime if there are any other questions I can answer, please do not hesitate to contact me. I am happy to discuss further.

Sincerely,

Amy Emery, AICP
Community Planner
630-420-4179
emerya@naperville.il.us

From: Thomas E. Higgins [mailto:tdhiggins@ameritech.net]
Sent: Wednesday, October 06, 2010 10:03 AM
To: Emery-Graunke, Amy
Subject: Thoughts on the Downtown2030 Land Use section

Amy,
I had a part in drafting the NAHC statement and fully ascribe and endorse the sentiment contain therein. The following are some more personal thoughts I have;

When I moved to Naperville in 1979 the public works garage was a converted gas station about where the Dandelion fountain sits today, and the downtown could be best described as "quiet". In a textbook example of "build it and they will come", the creation of the Riverwalk ignited a development boom that has lasted over 25 years and still continues today.

Naperville has done an excellent job handling that growth and is to be commended for the wonderful downtown environment that my family patronizes extensively. But you caused me to lose faith in the development decisions this city makes when the current Water Street development proposal was approved. I cannot possibly see how you can talk about "preserving the small town character of the downtown" and "stepping down" in size and intensity of use, and still allow Marquette's proposal to be constructed. Narrowing the streetscape 9' just pours salt into that wound, and if actually comes to fruition will be, in my view, the biggest mistake this city has made in the downtown.

Needless to say, proposing "Water Street North" in the area north of Benton is a complete non-starter for me, and I ask you in all seriousness, how you can contemplate this and still talk about preserving the small town character of the downtown? <u>They are mutually exclusive</u>, and no amount of reassuring language in a planning document can change that. I ask you all to look at how the downtown markets itself. The images we see are of quaint "water color" images of a small town atmosphere that is fast disappearing in this country. That character is why people come here to shop and live. This charming atmosphere, its human scale, brings them in, not numerous massive five to seven story structures on cramped streets. I understand that the development pressures to increase the area and density of the downtown are immense, but, there has to be some acceptance that if we are truly interested in maintaining this small town character, we need to act accordingly. Otherwise, we really need to drop the pretense.

Nearby residents deserve to have this plan to outline some hard borders to the downtown so they can go about their lives without worrying that the downtown will swallow them up at some point. In that same vein, it will be a mistake if we allow the downtown area to overrun Naper and Washington schools. They need to be in residential areas, and the parents need to know their children have a safe route getting to school and back. For a community that prides itself on its families and schools, I find it a bit sad that I even have to mention this, but apparently I do.

I also feel that in order to better protect neighboring residents, Naperville needs to re-visit its TU ordinance, in order to ensure that structures built under TU, actually reflect the goals set out for it. There has been, to my mind, some notable failures under TU.

I write this as someone who has lived aside the downtown for most of his life, and appreciates its economic vitality. As a community we seem to be at a crossroads as to whether we want to maintain the downtowns character or should we take the "next step" and embrace a more urban height and density.

I vote for keeping the existing character of the downtown.

Thom Higgins

STAFF RESPONSE

From: "Emery-Graunke, Amy" <Emery-GraunkeA@naperville.il.us>
To: Thomas E. Higgins <tdhiggins@ameritech.net>
Cc: "Laff, Allison" <LaffA@naperville.il.us>
Sent: Wed, October 6, 2010 10:17:52 AM
Subject: RE: Thoughts on the Downtown2030 Land Use section

Good Morning Thom-
Thank you for taking the time to share your comments. I have two questions about your e-mail this morning:

1) You reference an NAHC statement regarding the Downtown2030 Land Use Section. I have not seen a copy of this official statement. Can you please provide me with a copy.

2) You have addressed your e-mail directly to me. Do you want me to provide this to the Plan Commission for their consideration as part of the 10/20 public hearing.

Thanks!

Amy Emery, AICP
Community Planner
emerya@naperville.il.us
630-420-4179

From: Thomas Higgins [mailto:tdhiggins@ameritech.net]
Sent: Wednesday, October 06, 2010 10:32 AM
To: Emery-Graunke, Amy
Subject: Re: Thoughts on the Downtown2030 Land Use section

Amy,

Sorry, Bob Fischer will be sending the NAHC comments.

And, yes, please forward this to the Plan Commission.

Thom

-----Original Message-----
From: Hubbard, Brian [mailto:brian.hubbard@dreyermed.com]
Sent: Wednesday, October 06, 2010 2:17 PM
To: Emery-Graunke, Amy
Cc: hubbard@cod.edu
Subject:

To whom it concerns,

As a resident of the neighborhood adjacent to the new 2030 zoning vision for Naperville's downtown area I wanted to express a series of concerns:

1. Allowing home office in extended area along Jefferson Avenue - This is being sold as a "buffer" between the more intense downtown use and residential, but what is really is further erosion of the small neighborhood that exists here. We do not want any further encroachment west of business by converting homes to businesses and the more intense traffic that will accompany it. Leave it as single family residences. At the very least, don't let is cross over to the West side of Eagle street. Would you like to live next to a "home office" where the owner can have onsite parking and replaces the grass/trees in the backyard w/ a large concrete slab for cars? This is not fair for the neighbors.
2. Allowing further development other than single family home around Naper School - The limited single family residential in this area is already being chipped away by a condominium complex to be developed on Webster, which has more density, smaller setbacks, and more traffic. We don't understand why this was ever approved (unanimously no less!) Now they look to allow further erosion of our small neighborhood. We already have lots of condos, apartments and duplexes throughout the area and lots of large concrete/blacktop slaps for parking in those structures. The last thing this area needs is more density. We recently built a new single family home in the area and are very unhappy w/ any zoning that further concentrates our residential neighborhood.
3. New height allowances North of Benton – These increases in height restrictions are inappropriate and will eventually lead to something more like Oak Parks downtown w/ varying heights throughout that do not mesh well. Are we looking to turn into Chicago? Can't we maintain a piece of our small town charm?
4. Plan for new parking structure w/ access next to WJH. We really don't need additional traffic adjacent to our drop off point for our children that could put them at risk, and also shouldn't be sacrificing the limited parking we have at WJH's parking lot across from the school. While we can see the benefit of development south of WJH w/ the western boundary of Webster street, we are absolutely opposed to the ability to alter heights as proposed in the 2030 plans.

Please rethink these areas and make sure the plan gives sufficient buffers to the schools and existing residence.

Thank you,

Brian and Danica Hubbard
440 W. Franklin Avenue

STAFF RESPONSE:
-----Original Message-----
From: Emery-Graunke, Amy
Sent: Wednesday, October 06, 2010 3:23 PM
To: 'Hubbard, Brian'
Cc: hubbard@cod.edu; Laff, Allison
Subject: Downtown 2030 Comments

Mr. & Mrs. Hubbard-
Thank for providing these comments. They will be provided to the Plan Commission for their consideration at the October 20, 2010 Plan Commission Meeting. For your information, I would like to provide some additional details to help further explain the information in the draft document you reviewed.

RE: Home to Office Conversions
The recommendation in the Downtown2030 Plan to consider opportunities for home-to-office conversions in the Jefferson Block between Eagle and Mill is to recognize that these properties are situated immediately adjacent to the downtown core and surrounded on three sides by non-residential uses (e.g. Rubin Center, Higgens Law Office building, Joe Naper Site, Nichols School, Funeral Home, and Nichols Parking Lot). We believe this situation is why there has been limited residential reinvestment in this particular block. The plan does continue to recommend residential uses in this area as the primary land use opportunity. This is clearly reflected on the future land use map. However, home-to-office conversions would be considered, but only after the required public review process and issuance of a conditional use. Home-to-office uses require extensive landscaping and fencing to buffer any adjacent residential uses.

RE: Properties Adjacent to Naper School
The only uses proposed adjacent to the Naper School are residential uses. The plan notes that home occupations are allowed, but home occupations are allowed in any residential zoning district anywhere in the City of Naperville. There is no special entitlement being provided. This situation exists today.

RE: North Downtown
For reference, the 60-foot height is consistent with the height of Main Street Promenade. The Promenade has been cited several times during the 2030 planning process by participants from the public as an appropriate addition to the downtown that respects the pedestrian scale. During discussions of the North Downtown Special Planning Area, the Downtown Advisory Commission has been very sensitive about this area and its relationship to surrounding neighborhoods. As such, they have stipulated that any development in this area will require rezoning and extensive public review. This will include fencing, buffering and screening from any adjacent residential uses.

RE: Parking Deck and Access to WJH
Please appreciate that this is only a concept. The city is in no way requiring that development of this block be completed. Moreover, the city is not acquiring or developing any property. The landowners in this area will ultimately decide if any changes are made to this bock. To that end, city staff have met with School District 203 officials. They understand that this plan concept does not in any way require redevelopment of their parking lot. It may in fact remain a parking lot throughout the life of this plan. For that matter, any property in the Downtown2030 Plan that shows a different land use from the current condition may remain the same. Changes will only occur if property owners pursue change.

Given the 20-year horizon of the Downtown2030 Plan redevelopment of this block is a distinct possibility and the plan simply seeks to indicate that if redevelopment is requested it will only be considered after extensive study and a public approval process. Similarly, the plan outlines some key principals for this area that must be considered with any redevelopment request (e.g. the view at the terminus of Main Street, pedestrian access between Washington and Main Street, open space, use restrictions, etc.)

Thank you again for your feedback. I hope this additional information is helpful. If you have any additional questions, please feel free to contact me at your convenience.

From: Amy Pease [mailto:aljpease@comcast.net]
Sent: Thursday, October 07, 2010 9:39 AM
To: Emery-Graunke, Amy
Subject: Naperville 2030 plan

To whom it concerns:

My family lives on Jefferson Avenue adjacent to the new 2030 zoning vision for Naperville's downtown area. I have several concerns about the plan.

1. Please do NOT allow the home office in the extended area along Jefferson Avenue.
   - This option is does not create a transition between downtown use and residential use. It further erodes the small neighborhood that exists here. The home office option will further increase traffic on an already busy street and increase parking issues. Please leave this area as single family residences, and do not allow the home office option to extend West of Eagle street.

2. Please do not allow development other than single family homes around Naper School
   – The traffic along Mill street already makes walking to Naper school dangerous for young children. Increasing traffic and parking near the school will worsen an already poor situation. The class sizes at Naper School are large. The rooms cannot hold any more desks! Please do not increase density around Naper school. This is not in the best interest of our children.

3. Please do not allow a new parking structure next to Washington Junior High.
   - Again the increased traffic near the school puts the children at risk.

Naperville is a wonderful town, and we are thrilled that plans are being made for its continued improvement, but please do not erode the small neighborhood that currently exists or add more density to the already crowded schools. Please consider the safety of our children who walk to and from school, as well as the increased traffic and noise along Jefferson that would result from the current plan.

Thank you,

Amy & Scott Pease
530 W Jefferson Avenue

STAFF RESPONSE
From: Emery-Graunke, Amy
Sent: Thursday, October 07, 2010 9:54 AM
To: 'Amy Pease'
Cc: Laff, Allison
Subject: RE: Naperville 2030 plan

Ms. Pease-

I am very happy to forward your e-mail to the Plan Commission for their consideration during the October 20, 2010 Plan Commission Public Hearing. I do want to share some additional information with you that you may find puts your concerns at ease. Thank you for taking the time to share your comments. Your feedback is very much appreciated. I encourage you to visit the project web page to take a look at the complete plan document (to be posted on-line today) at www.naperville.il.us/napervilledowntown2030.aspx. If you have any additional questions, please contact me at your convenience.

RE: Home-to-Office Uses along Jefferson Avenue between Eagle and Mill
The Future Land Use Map clearly conveys this block is intended for single family residential uses. The map shows this area as residential. Homes in this area may continue to exist through 2030 and well beyond. However, there is a sentence in the text that indicates home-to-office conversions may be appropriate in this area. That statement does not in any way require home-to-office conversions occur. Any change in land use would be decided by the property owners. The city is not acquiring any property or developing any land. Also, it is important to appreciate that home-to-office conversions require approval of a conditional use through a public review process facilitated by the Plan Commission and City Council before approval.

RE: Development Adjacent to Naper School
The future land use map recommends only single family residential uses adjacent to Naper School. Home-occupations, which are permitted by right an all residential zoning districts today, allow homeowners to use a small portion of their home for low-intensity office uses. Home occupations provide homeowners with a convenient work-from-home option and are particularly relevant given the current economy and telecommuting trends. The plan simply notes that home-occupations may occur in this area, but again, they may occur anywhere in the city as of right. There is no special entitlement being granted here. The area is to remain residential.

RE: Parking Adjacent to Washington Junior High School
The Draft Downtown2030 Plan does include an area for downtown expansion to the north between WJHS and the existing downtown limits at Benton. Over the 20 year planning period development pressure in this area is expected. The Downtown2030 plan identifies some concepts for redevelopment of this area, including parking, but does NOT in any way require that this area actually be redeveloped. It is important to appreciate that IF redevelopment occurs, it may absolutely include only residential uses. In fact, the apartment buildings along Douglas remain on the plan map for 2030 illustrating the intention of this area to retain its neighborhood sensitivity.

Any change in land use in this area will be based on the landowners in this area making the decision to redevelop their property. The city is not acquiring any land nor is the city developing any property in this area. As such, the area shown on the plan map should be viewed as offering a

context for reviewing development requests in this area. The document is very clear in identifying any illustrations in this area as conceptual for that purpose.

I should also point out that the City Staff have met with representatives from School District 203 to discuss the Downtown2030 Plan. They appreciate the residential neighborhood setting around Naper School and appreciate that any change in land use adjacent to WJHS would require their participation as they own a significant amount of land in this block (currently a surface parking lot). Like the City of Naperville, safety is a number one priority of the School District. Any decision they make relative to their property would be with full consideration of the safety of the children attending the school.

Thank you again for y our feedback!

Amy Emery, AICP
Community Planner
630-420-4179
emerya@naperville.il.us

From: Debbie Zimmerman [mailto:debbie.zimmerman@wowway.com]
Sent: Wednesday, October 06, 2010 4:22 PM
To: Emery-Graunke, Amy
Subject: Naperville 2030 Pan
Amy Emery,
I strongly support Thom Higgins stance on the detrimental effect of the new downtown plan on both schools, Naper Elementary and Washington Junior High.

As a middle school endorsed educator, I recognize the value of students attending schools located within neighborhoods.
Taking the neighborhood out of these schools will change the dynamic not only outside the school walls, but within the schools walls.

I for one, would be very uncomfortable allowing my children to traverse to and from school without a parent escort.
With high density comes large populations, large risks.

Our children will lose their independence, and our city will feel the effects of children not fully prepared to enter high school.
Washington Junior High School Students will be left behind and will start high school much less mature.

Do no take away our children's future due to the concerns of businessmen and money. Keep our schools safe, Keep our schools neighborhood based.
Keep Downtown Naperville a city to live in, not just a city to come to do business in.

Kind Regards,
Debbie Zimmerman, B.S. in Ed.
1407 Lombardy Lane
Naperville, IL 60540

STAFF RESPONSE

From: Emery-Graunke, Amy
Sent: Wednesday, October 06, 2010 4:49 PM
To: 'Debbie Zimmerman'
Cc: Laff, Allison
Subject: RE: Naperville 2030 Pan

Dear Ms. Zimmerman:
Thank you for your comments. I am happy to forward your information to the Plan Commission for their consideration at the October 20, 2010 Public Hearing. I do however, want to provide some additional information for your consideration. Some of the information relayed by Mr. Higgins is not completely consistent with the current plan draft and I am hopeful some clarification will help to ease some of your concerns.
RE: Naper Elementary
Mr. Higgins comments were in the context of an earlier version of the plan that had indicated some home-to-office conversion uses might be appropriate adjacent to Naper School. The Downtown2030 Plan Draft has since been revised to remove this reference in the text. The Future Land Use Map within the plan has ALWAYS and continues to indicate single family residential uses adjacent to Naper School. The plan does however note that home occupations are permissible. A home occupation exists when a resident works from their home. Home occupations are allowed in any residential district in the City of Naperville today subject to very restrictive conditions. This is not a change from the current condition in any way. As such, Naper Elementary will very much remain a neighborhood school.
RE: Washington Junior High School
The Draft Downtown2030 Plan does include an area for downtown expansion to the north between WJHS and the existing downtown limits at Benton. Over the 20 year planning period development pressure in this area is expected. The Downtown2030 plan identifies some concepts for redevelopment of this area, but does not in any way require that this area actually be redeveloped. It is important to appreciate that IF redevelopment occurs, it may absolutely include only residential uses. In fact, the apartment buildings along Douglas remain on the plan map for 2030 illustrating the intention of this area to retain its neighborhood sensitivity.
Any change in land use in this area will be based on the landowners in this area making the decision to redevelop their property. The city is not acquiring any land nor is the city developing any property in this area. As such, the area shown on the plan map should be viewed as offering a context for reviewing development requests in this area. The document is very clear in identifying any illustrations in this area as conceptual for that purpose.

I should also point out that the City Staff have met with representatives from School District 203 to discuss the Downtown2030 Plan. They appreciate the residential neighborhood setting around Naper School and appreciate that any change in land use adjacent to WJHS would require their participation as they own a significant amount of land in this block (currently a surface parking lot). Like the City of Naperville, safety is a number one priority of the School District. Any decision they make relative to their property would be with full consideration of the safety of the children attending the school.
A complete copy of the Draft Downtown2030 Plan will be released on the project web page later this week at www.naperville.il.us/napervilledowntown2030.aspx. I invite you take a look at the complete document. If you have any additional questions, I am more than willing to do my best to answer. Thank you again for your comments. I am always very appreciative when a resident takes the time to share feedback.

From: Debbie Zimmerman [mailto:debbie.zimmerman@wowway.com]
Sent: Thursday, October 07, 2010 10:02 AM
To: Emery-Graunke, Amy
Subject: Re: Naperville 2030 Pan
Dear Ms. Emery,

Thank you very much for your immediate response to my email.
I certainly appreciate your clear, outlined answers to my concerns.

I am hopeful that any landowners wishing to redevelop will need to seek approval from the city?

Again, I thank you for addressing my concerns.

Regards,
Debbie Zimmerman

STAFF RESPONSE
From: Emery-Graunke, Amy
Sent: Thursday, October 07, 2010 10:05 AM
To: 'Debbie Zimmerman'
Cc: Laff, Allison
Subject: RE: Naperville 2030 Pan
Ms. Zimmerman-
You are very welcome for the information. I am always happy to provide clarification and respond to a resident question. In response to your outstanding inquiry, yes, any request for redevelopment will require city approval. This process will involve neighbor notification and public hearings before the Plan Commission and City Council.

ADDITIONAL CORRESPONDENCE WITH Mr. HUBBARD:
-----Original Message-----
From: Emery-Graunke, Amy
Sent: Friday, October 08, 2010 9:37 AM
To: 'Hubbard, Brian'
Cc: hubbard@cod.edu; Laff, Allison
Subject: RE: [SPAM] - Downtown 2030 Comments - Bayesian Filter detected spam

Mr. Hubbard. I have responded below to your comments in CAPS with **** **** around the text I added. Thank you again for your comments. Much appreciated.

Amy Emery, AICP
Community Planner
emerya@naperville.il.us

-----Original Message-----
From: Hubbard, Brian [mailto:brian.hubbard@dreyermed.com]
Sent: Friday, October 08, 2010 8:54 AM
To: Emery-Graunke, Amy

Cc: hubbard@cod.edu; Laff, Allison
Subject: RE: [SPAM] - Downtown 2030 Comments - Bayesian Filter detected spam

Thank you for your prompt reply. I have typed in my reply, concerns in questions in capitals adjacent to the information you have provided.

RE: Home to Office Conversions? The recommendation in the Downtown2030 Plan to consider opportunities for home-to-office conversions in the Jefferson Block between Eagle and Mill is to recognize that these properties are situated immediately adjacent to the downtown core and surrounded on three sides by non-residential uses (e.g. Rubin Center, Higgens Law Office building, Joe Naper Site, Nichols School, Funeral Home, and Nichols Parking Lot). YES, BUT THIS DOESN'T ADDRESS OUR SHRINKING NEIGHBORHOOD. THIS AREA ALREADY HAS LIMITED SINGLE FAMILY HOUSING AND THIS JUST REDUCES THAT FURTHER. WE WILL LOSE THE RESIDENTIAL FEEL. WE BELIEVE THIS SITUATION IS WHY THERE HAS BEEN LIMITED RESIDENTIAL REINVESTMENT IN THIS PARTICULAR BLOCK. THE RESIDENTIAL REINVESTMENT IS MOVING IN THIS DIRECTION. WHILE MANY TEARDOWNS OF OLDER HOMES ARE SEEN FURTHER WEST ON JEFFERSON THE NUMBER OF LOTS IN THE AREA BORDERED BY THE RIVER ARE FINITE. IT IS ONLY A MATTER OF TIME BEFORE THAT BLOCK IS ALSO REINVIGORATED W/ NEW SINGLE FAMILY HOMES. WASN'T THE HOUSE JUST WEST OF THE LIBRARY ON JEFFERSON BUILT AS A SINGLE FAMILY RESIDENCE? SEEMS LIKE SOMEONE HAD ENOUGH CONFIDENCE TO BUILD THEIR HOUSE IN THIS AREA. PERHAPS SOME OF THE PROPERTY OWNERS IN THE AREA ARE PUSHING FOR THIS CHANGE IN ZONING SO THEY CAN HAVE A MORE PROFITABLE STRUCTURE PLACED THERE, BUT IF YOU LET THEM CONVERT FROM RESIDENTIAL YOU JUST DAMAGE THE PROPERTY VALUES AND LIFESTYLES ADJACENT TO THIS NEW ZONE. MAYBE THE LOT OWNERS ON THAT BLOCK (AT LEAST A COUPLE OF WHICH ARE BUILDERS) ARE JUST LOOKING FOR A BETTER DEAL AND SIMPLY ASKING WELL OVER THE CURRENT MARKET FOR THE LOTS. The plan does continue to recommend residential uses in this area as the primary land use opportunity. BUSINESSES DON'T CARE WHAT YOUR RECOMMENDATION IS. THEY LOOK OUT FOR THE SUCCESS OF THEIR BUSINESS OVER THE SUCCESS OF THE NEIGHBORHOOD. This is clearly reflected on the future land use map. However, home-to-office conversions would be considered, but only after the required public review process and issuance of a conditional use. YES, BUT WE WILL BE VERY UNHAPPY WITH ANY ZONING THAT SETS THIS IN MOTION. IF IT CAN MAKE IT THROUGH THIS MAJOR ZONING CHANGE IT CERTAINLY CAN SNEAK THROUGH A LESS VIGOROUSLY MONITORED BUILDING REQUEST BY AN INDIVIDUAL LOT OWNER. LOOK WHAT HAPPENED DOWN THE STREET FROM NAPER SCHOOL (ON WEBSTER AVENUE). YOU MIGHT HAVE TOLD ME THAT SINGLE FAMILY RESIDENCE WAS ENCOURAGED THERE, BUT SURE ENOUGH WE ENDED UP WITH A BIG BUILDING, SMALL SETBACKS, AND ADDITIONAL TRAFFIC INSTEAD. SURE, WE COULD WAIT FOR ANOTHER PUBLIC REVIEW PROCESS, BUT WE KNOW THE ANSWER RIGHT NOW…WE SHOULD NOT PUT ANY ZONING CHANGE INTO AFFECT THAT MOVES BUSINESSES FURTHER WEST INTO OUR NEIGHBORHOOD. HOME-TO-OFFICE USES REQUIRE EXTENSIVE LANDSCAPING AND FENCING TO BUFFER ANY ADJACENT RESIDENTIAL USES.??

****
I understand your position on this subject. All I can say at this point is the Downtown2030 Future Land Use Map continues to show residential uses in this area. A single statement in the plan about the possibility of home-to-office conversions does not in any way guarantee a rezoning will occur to accommodate these uses.

I will note that with respect to the examples you cite, I believe the home west of the Nichols Library has a sign on the property indicating there is a home occupation within this structure. In addition, the La

Coure Belle residential condominium project approved is 100% residential. It includes no business element and the only points of access to the site are off of Webster Street, away from the neighborhood. The building proposed is in compliance with zoning setbacks and height. Traffic generation was analyzed during the development process. During the hearing, just as many residents who raised concerns about the project spoke in favor of it. I am sorry that you are disappointed with that decision, but it has been made and the Downtown2030 Plan cannot impact that entitlement.**********
****

RE: Properties Adjacent to Naper School?The only uses proposed adjacent to the Naper School are residential uses. The plan notes that home occupations are allowed, but home occupations are allowed in any residential zoning district anywhere in the City of Naperville. There is no special entitlement being provided. This situation exists today I certainly hope this is true. I HAVE HEARD A RUMOR THAT THE HOUSE JUST WEST OF THE ST MARK'S OFFICE BUILDING WAS BEING CONSIDERED FOR HOME TO OFFICE CONVERSION.

****
*
There are no applications for a home-to-office conversion in this area. This rumor is unsubstantiated.
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*

??RE: North Downtown? For reference, the 60-foot height is consistent with the height of Main Street Promenade. The Promenade has been cited several times during the 2030 planning process by participants from the public as an appropriate addition to the downtown that respects the pedestrian scale. BUT ISN'T THERE A STIPULATION THAT THEY MAY REQUEST AN EXEMPTION TO GO WELL BEYOND THIS FOR A "DESTINATION" STRUCTURE? WHEN THE PROMENADE WAS REFERENCED I'M SURE THE PARTICIPANTS WEREN'T PICTURING AN 85 FOOT TALL BUILDING. PLEASE LET ME KNOW HOW THE WORDING IN THE ZONING PREVENTS THIS.

****
It is possible to request a variance from any requirement in the zoning code today. There is nothing that could be written to prevent someone from applying for a variance. However, variances require public review and approval by the City Council. The Downtown2030 action plan calls for the development of a policy to outline what considerations would be used to evaluate any structure proposed in excess of 60 feet, but does not in any way require or recommend such excess height.
****

During discussions of the North Downtown Special Planning Area, the Downtown Advisory Commission has been very sensitive about this area and its relationship to surrounding neighborhoods. As such, they have stipulated that any development in this area will require rezoning and extensive public review. This will include fencing, buffering and screening from any adjacent residential uses.??

RE: Parking Deck and Access to WJH?P lease appreciate that this is only a concept. AGAIN, MY CONCERN IS THAT IN RELEASING A CONCEPT THE PLANNERS ARE SHOWING US A DESIGN THEY FIND TO BE FAVORABLE…OTHERWISE WHY PROVIDE THIS LAYOUT ON THE CONCEPT. IF IT IS ON THE CONCEPT IT IS SOMETHING THAT IS A REALISTIC MODEL FOR THE FUTURE. I AM VERY WORRIED/BOTHERED ABOUT THE TRAFFIC THAT WILL SPILL IN AND AROUND OUR SCHOOLS. MY CHILDREN WILL BE OUT OF WJH BY THE TIME ANYTHING LIKE THIS HAPPENS, BUT WHAT ABOUT MY NEIGHBORS CHILDREN. I THINK THE ZONING CHANGE MUST REFLECT THE NEED TO EXCLUDE THE DUMPING OF TRAFFIC FROM A PARKING DECK NEXT TO THE SCHOOL OR INTO THE STREET THAT SUPPORTS THIS SCHOOL.

****
****** The 2030 plan does not show a single concept for this area. The plan actually includes 3 different concepts. The page you reference clearly states the concepts are for illustrative purposes only and no single concept is endorsed in any way. It is very common to include illustrated concepts in plans. Sometimes they come to fruition, sometimes they do not. They are used only to explain ideas. For example, illustrative concepts were part of the 2000 Plan Document, Southwest Sector Plan, and the Ogden Avenue Corridor Plan. After meeting with school district officials earlier this month, we will be adding a spotlight to the Transportation Section discussing the importance of the pedestrian environment adjacent to school buildings. I believe this text will address the concerns you have outlined. The city, like the school, considers safety a top priority, particularly as it relates to youth populations.****
****

The city is in no way requiring that development of this block be completed. But the city is tasked with coming up with a vision that prevents the wrong type of development here. Moreover, the city is not acquiring or developing any property. The landowners in this area will ultimately decide if any changes are made to this bock. To that end, city staff have met with School District 203 officials. They understand that this plan concept does not in any way require redevelopment of their parking lot. It may in fact remain a parking lot throughout the life of this plan. For that matter, any property in the Downtown2030 Plan that shows a different land use from the current condition may remain the same. Changes will only occur if property owners pursue change.??Given the 20-year horizon of the Downtown2030 Plan redevelopment of this block is a distinct possibility and the plan simply seeks to indicate that if redevelopment is requested it will only be considered after extensive study and a public approval process. I'M NOT SO CONFIDENT IN THIS SINCE THE WATER STREET APPROVAL. THAT IS WHY THIS ZONING CHANGE MUST BE DONE WITH ABSOLUTE CLARITY TO PREVENT EXCESSIVE HEIGHTS (CERTAINLY BEYOND 60 FEET IS EXCESSIVE). Similarly, the plan outlines some key principals for this area that must be considered with any redevelopment request (e.g. the view at the terminus of Main Street, pedestrian access between Washington and Main Street, open space, use restrictions, etc.)??Thank you again for your feedback. I hope this additional information is helpful. If you have any additional questions, please feel free to contact me at your convenience.??

****
****I am sorry you lack confidence after the Water Street approvals. All I can say is that the Water Street approval is completely separate from the North Downtown Area. What happened in one area does not dictate what happens in the other. The only similarity is in the process. Both of these areas are considered Special Planning Study Areas. I will say that the Downtown Advisory Commission has been very sensitive about height in the North Downtown. It is for this reason the 60 foot height is

stipulated. The 2000 Downtown Plan made no reference to height limit. Having this 60 foot height limitation is a clear indication of their desire to restrict height.****
****

Thank you for responding further to these concerns.

Brian and Danica Hubbard
440 W. Franklin Avenue

From: Witkovich, Susan [mailto:SWITKOVICH@wilton.com]
Sent: Tuesday, October 12, 2010 12:57 PM
To: Emery-Graunke, Amy
Cc: Pradel, George; Boyajian, James; Brodhead, Judy; Fieseler, Robert; Furstenau, Richard; Hinterlong, Paul; Krause, Doug; Miller, Kenn; Wehrli, Grant
Subject: Naperville Downtown 2030

Dear Ms. Emery,

I've been aware of the Naperville Downtown 2030 Plan. However the website said that residents would be involved in the planning process so I thought the changes to the current plan would be minimal since most residents I know have had enough of the downtown "transformation". But somehow this plan has turned out – once again – to be "too much and too big".

Who would benefit from these plan changes? Certainly not the residents of downtown Naperville and their close neighbors. As a side note - why are plans like this even being considered when there are several new buildings downtown that are vacant and/or not even finished yet?

I realize that I have missed the 10/6 deadline for comments, but I will be at the 10/20 meeting to find out how to stop this plan from going forward. I'm not the only voter who thinks downtown Naperville is already "too much and too big", and we need to find a way to stop this bigger is better trend because it is not beneficial to Naperville residents.

Thank you,
Susan Witkovich
129 W 8th Ave
630-439-5849

STAFF RESPONSE:
From: Emery-Graunke, Amy
Sent: Tuesday, October 12, 2010 1:43 PM
To: 'Witkovich, Susan'
Cc: Pradel, George; Boyajian, James; Brodhead, Judy; Fieseler, Robert; Furstenau, Richard; Hinterlong, Paul; Krause, Doug; Miller, Kenn; Wehrli, Grant
Subject: RE: Naperville Downtown 2030

Ms. Witkovich-
Thank you for providing these comments. I will forward with the other written comments received to the Plan Commission for their consideration at the October 20, 2010 Public Hearing. I look forward to meeting you at the hearing.

Amy Emery, AICP
Community Planner
630-420-4179

Naperville Area Homeowners Confederation
Naperville's Neighborhood Network

Based on discussions held at their meeting on October 2, 2010, below are the Naperville Area Homeowners Confederation Board of Directors thoughts regarding the Land Use section of the draft Downtown2030 plan.

Although not specifically in Section 3, we feel the concepts of creating dual walkways, as illustrated for the buildings on the north side of Jefferson, and "Festival Street" along Jackson, west of Washington, are excellent enhancements to the downtown and hope to see these ideas carried out.

Globally, we are concerned with the notable absence of any discussion of the negative impact to the transportation grid from increasing both the area and density of the downtown. It is a given that the network of streets in the downtown area are insufficient to the demands placed on them today, with many intersections exhibiting failing level of service (LOS) ratings. Making matters worse, is the inescapable fact that, aside from minor "tweaks", this is the grid we are stuck with. We cannot widen Washington, we can't align Mill with West, and, for example, we doubt seriously if residents along Chicago would stand for their parkways being removed in order to widen that street. Frankly, it is only the use of the residential streets by people escaping the congestion on the arterials that keeps traffic flowing into and through the downtown area.

We therefore suggest that discussions regarding transportation and land use be merged and not looked at separately. Additionally, there needs to be recognition that development in the downtown area has to observe reasonable limitations so residents are not ultimately faced with complete gridlock.

It is the Confederation's belief that it is time for Naperville to commit itself to improving our dismal LOS ratings in the downtown area to at least a "C". Ignoring projections of further deterioration of LOS in the future, while, at the same time, proposing significantly higher intensity of use in the downtown, is unacceptable in our view. This continued reluctance to face congestion reality will ultimately endanger the viability of the downtown and reduce the quality of life for those who live near, drive through, or use the downtown.

The Board finds the practice of evaluating the additional traffic generated by individual projects to be unhelpful in a thoughtful analysis of future downtown traffic. Based on the "findings" of past proposals, we can all but be assured that the results of any given traffic study will show just a modest increase in traffic from said project. Certainly, if all the approved projects are actually built, there will be, collectively, a significant increase in traffic and resultant congestion in the downtown area. Ignoring this reality, and continuing to analyze additional individual proposals "in a vacuum", is a disservice to the community. Naperville needs to decide, once and for all, how much traffic the downtown area can tolerate and plan accordingly.

The following comments address specific areas highlighted in the NAHC Board of Director's review::

Special Study Area; The Naperville Area Homeowners Confederation Board of Directors is opposed to the strong possibility of essentially creating a "Water Street North", and disagree with the concept of encouraging a large "anchor" or "destination" use (hotel, museum, movie theater, large retailer, etc.), or allowing even greater building height than the proposed 60 foot maximum here. This seems to us to be in complete opposition to the plan's stated desire to "preserve the small town character of the downtown" and "stepping down" in size and intensity of use in order to create a buffer for nearby residential property owners. Here, we feel that Rick Hitchcock's "Terminated View" illustration in the study document more accurately portrays what this area could, and should, look like. The downtown is known for its small town charm and scale. We feel that any expanded development should build on that reputation, not abandon it, as appears to be happening at Water Street.

Expanding the Downtown past Eagle; The Confederation Board is opposed to expanding the downtown into the vibrant residential areas on Jefferson Avenue (between Mill Street and Eagle Street) and Webster Street (between Douglas Avenue and Benton Avenue) where the draft discusses "alternative uses" including home to office conversions. Simply put, Naperville needs to decide on some hard boundaries for the downtown. Residents, and potential future purchasers of these homes, need to know that their neighborhood is not going to disappear into the downtown business district.

Washington and Naper Schools; The downtown is coming perilously close to both schools, and in consideration of the safety the young children of these two schools deserve, there needs to be a reasonable buffer from the intensity of use the downtown represents. The downtown, at a minimum, needs to end at the east side of Eagle and the north side of Franklin, and, we would like to see greater emphasis put on the safety of these K-8 students as pedestrians. The transportation section of the draft plan discusses balancing the conflicting needs of the pedestrian with the need to maintain traffic flow. We maintain that the balance needs to be tipped everywhere more in favor the pedestrian, particularly five through twelve year olds, than is currently the case.

FAR (floor area ratio); Naperville needs to revisit the concept of how FAR is calculated as it relates to developments with parking structures. To state that the Water Street hotel proposal has a FAR comparable to Main Street Promenade illustrates that the calculation has become meaningless when considering developments with parking structures. Setting aside developments with parking structures, we wonder why the city feels the need to allow a 60' height limit when the proposed continued use of a 2.5 FAR will, in our estimation, effectively limit both height and intensity of use.

The Confederation Board applauds the efforts that are going into determining this blueprint for our community's future. There are many good things included within the proposal document, and we look forward to seeing those concepts incorporated into future zoning and land use decisions. At the same time, as noted above, we have definite concerns around the impact increased density will have on the quality of life for those who call Naperville their home as well as around the safety and security of our school children. We appreciate your consideration of our comments and welcome the opportunity to engage in further dialogue on the issues, opportunities, and impacts inherent in a far-reaching document such as this.

CITY OF NAPERVILLE
MEMORANDUM

DATE: October 7, 2010

TO: Douglas A. Krieger, City Manager
Marcie Schatz, Director – TED Business Group

THROUGH: Allison Laff, AICP, Planning Operations Manager – TED Business Group

FROM: Amy Emery, AICP, Community Planner – TED Business Group

SUBJECT: **MM Item: Meeting with School District 203 on Downtown2030 Plan**

PURPOSE:
To provide City Council with an update regarding an October 5, 2010 meeting with School District 203 officials about the Downtown2030 Plan.

BACKGROUND:
Stakeholder involvement has been of critical importance in the development of the *Naperville Downtown2030 Plan*. In addition to direct mailings, an interactive project web page (www.naperville.il.us/napervilledowntown2030.aspx), e-news service, and five public workshops, stakeholders have been invited to attend Downtown Advisory Commission, Transportation Advisory Board, and Plan Commission meetings on the document. Beyond these efforts to invite stakeholder participation, city planning staff requested a meeting with School District 203 officials to review the *Downtown2030* plan recommendations relative to school properties in the study area. This special additional meeting is similar to the approach taken during the *5th Avenue Study* to engage school officials in the planning process.

INFORMATION:
On Tuesday, October 5, 2010 Washington Junior High School (WJHS) Principal Bob Ross and Chief Financial Officer David Zager met at the request of city planning staff to discuss the recommendations of the 2030 plan. This meeting provided the school district with the opportunity to provide direct feedback on the plan in relation to Naper School and Washington Junior High School. Information relayed at this meeting was also forwarded to District Superintendent Mark Mitrovitch and Naper Elementary School Principal Julie Beehler.

During the meeting, Mr. Ross and Mr. Zager indicated their desire to retain the residential neighborhood setting adjacent to Naper Elementary School as recommended by the *Downtown2030 Plan*. They also understand the concepts shown for the property adjacent to WJHS would require their participation as they own a significant amount of land in this block (currently a surface parking lot). Like the City of Naperville, safety is a number one priority of the School District. Any decision made in the vicinity of school property would be with full consideration of the safety of the children attending the schools. Based on the feedback received, a spotlight box is being added to the transportation section to showcase the relationship between schools and pedestrians. This section will highlight the common priority of the city and school district to ensure that development and redevelopment proposals should not adversely impact pedestrian connections, routes, and environments, particularly as they relate to schools, parks and similar destinations. The School District has not indicated any outstanding concerns with *Naperville Downtown2030*.

RECOMMENDATION:
Include this information in the October 7, 2010 Manager's Memorandum.

NAPERVILLE DOWNTOWN2030 SPOTLIGHT: Pedestrian Safety Adjacent to School Facilities

During the development of *Naperville Downtown2030*, officials from School District 203 met with city staff to acknowledge the challenges with the existing circulation for drop-off, pick-up, and bus queuing during the school day at Washington Junior High School and Naper Elementary School. Moreover, they expressed the benefits of maintaining safe walking routes for students to and from all downtown school facilities.

In reviewing development requests, it is the standard practice of city staff to consider the potential for impact on the pedestrian environment, particularly in areas near pedestrian destinations like schools, museums and parks. In conjunction with the stated desires of School District 203, the following policy is recommended:

Development and redevelopment proposals should not adversely impact pedestrian connections, routes, and environments, particularly as they relate to schools, parks and similar destinations.

Naper Elementary School: Naper Elementary School is recognized in *Naperville Downtown2030* not only as an important educational facility, but as a cultural landmark. Its location denotes the historic city limit of Naperville as planned by Joe Naper and is a beautiful terminated vista on Van Buren Avenue. The continued use of this facility as a neighborhood school is encouraged by the plan. To that end, the Future Land Use Map (pg. 21) recommends only single-family residential uses adjacent to Naper School. It is worth noting that home-occupations, which are permitted by right in all residential zoning districts today are possible. Home occupations allow homeowners to use a small portion of their home for low-intensity office uses. Home occupations provide homeowners with a convenient work-from-home option and are particularly relevant given the current economy and telecommuting trends.

Washington Junior High School: Washington Junior High School (WJHS) is situated immediately north of the northern limits of the *Naperville Downtown2030* Study Area. Like Naper Elementary School, WJHS is a school that many students walk to and from each day. Adhering to the policy noted above will help to maintain a safe pedestrian environment for students who attend this school. In addition, implementation of the previous transportation improvements recommended through the 5th Avenue Study will continue to positively impact WJHS and surrounding areas.

While WJHS is not within the 2030 study area, the WJHS surface parking lot is within the North Downtown Special Study Area described in detail in the Land Use Section (pg. 26-28). *Naperville Downtown2030* includes several concepts and ideas for this North Downtown Special Study Area*. Any modification to this surface parking lot is at the discretion of School District 203 as the owners of this property. It must be clearly stated that School District 203 has no plans or intention of modifying the parking lot in the foreseeable future. *Naperville Downtown2030* simply acknowledges the possibility that this surface parking lot may be redesigned, reconstructed or otherwise modified, perhaps in conjunction with additional development within the North Downtown Special Study Area. Such a project may even including changes to Douglas Avenue to more efficiently accommodate parking at WJHS, bus circulation, and pedestrian access to the school.

Naper Elementary School
Photo by City of Naperville

Washington Junior High School
Photo by City of Naperville

** None of the concepts are specifically endorsed. They are provided for illustration purposes only.*

TRANSPORTATION

ATTACHMENT 5

DRAFT *Naperville Downtown2030* Action Agenda

LAND USE AND DEVELOPMENT Action Items

Future Land Use	
1	Consider amendments to the B4 (Downtown Core) zoning district to achieve the intent of the Downtown Naperville 2030 plan. Amendments for consideration include restricting certain uses from location on the first floor, reviewing permitted and prohibited uses (including hours of operation), establishing a setback requirement to achieve consistency with the existing streetwall, and establishing new bulk restrictions, such as a 60' maximum height limitation.
2	Consider amendments to the B5 (Secondary Commercial) zoning district to achieve the intent of the Downtown Naperville 2030 plan. Amendments for consideration include refining the intent and title of the district, reviewing permitted and prohibited uses, refining the setback and parking requirements, and establishing new bulk restrictions, such as a 60' maximum height limitation.
3	Consider amendments to the TU (Transitional Use) zoning district to achieve the intent of the Downtown Naperville 2030 plan. Amendments for consideration include refining the intent of the district, reviewing permitted and prohibited uses, refining the setback and parking requirements, and establishing new bulk restrictions, such as the establishment of a lot size or lot width limitation and residential density allowances.
4	Evaluate existing multi-family residential zoning districts (R3, R3A, R4) to determine modifications needed to achieve the intent of the Downtown Naperville 2030 Future Land Use plan with respect to the multi-family future land use category density allowance of 15 units per acre.
5	Work with the Naperville Development Partnership, the Downtown Advisory Commission, and/or the development community to periodically review and modify the code, as necessary to accommodate new desired uses identified by the City.
6	Establish policies requiring the integration of Riverwalk amenities on private properties that abut the Riverwalk.
7	Incorporate active uses at surface parking lots, where possible and when not detrimental to the existing downtown parking supply, to eliminate or minimize identified pedestrian gaps.
8	Incorporate ground floor retails uses, where possible, within newly constructed or reconstructed decked parking located within the downtown core.
Height	
9	Evaluate a policy to guide consideration of developments requesting to exceed the 60' height limitation, when appropriate, based upon items such as site characteristics, design features, or other notable development qualities.
10	Investigate innovative zoning tools, such as required "stepping back" of upper stories, to help minimize the impact of height in the downtown and amend the zoning code as needed.
Liquor	
11	Complete FY10-11 Strategic Plan Goal to "analyze the restaurant and bar mix in the Downtown and consider corresponding amendments to the Naperville Liquor Code".
Mobile Vending Carts	
12	Conduct an annual review of downtown mobile vending operations based upon the policy adopted by the City Council

ATTACHMENT 6

NAPERVILLE DOWNTOWN2030 SPOTLIGHT: Main Street at Terminus with Franklin Avenue

As noted in *Section 3 Land Use and Development*, limited expansion of the downtown is appropriate to create a firm northern downtown edge (pg. 26). Upon expansion, this area will play a significant role in the landscape of downtown and, as a result, requires a higher level of design and amenity to both mark its importance, as well as to draw downtown shoppers, visitors, and residents to the area.

The overall objectives for this area, including the creation of new public spaces, provision of parking, preservation of existing historic structures, and inclusion of a development area, are illustrated in the general development concept plan included on page 28. The two concepts below provide examples of how the terminated vista in the North Downtown Special Planning Area could be developed*. As discussed on page 72, the inclusion of a terminated vista will play a pivotal role in the success of the North Downtown Special Planning Area.

Main Street at Terminus with Franklin Avenue (Concept #1)
Illustrations Provided by Hitchcock Design Group

Features of Concept #1

- Public art and a distinctive building as a terminated vista
- Assumes a 40 foot building height along Main Street
- Continuation of the downtown streetscape

Main Street at Terminus with Franklin Avenue (Existing)
Photo by Hitchcock Design Group

Main Street at Terminus with Franklin Avenue (Concept #2)
Illustrations Provided by Hitchcock Design Group

Features of Concept #2

- Public art and a distinctive building as a terminated vista.
- Assumes a 60 foot building height along Main Street, with an upper story setback
- Continuation of the downtown streetscape

** None of the concepts are specifically endorsed. They are provided for illustration purposes only.*

URBAN ENVIRONMENT

ATTACHMENT 7

Naperville

PLAN COMMISSION
AGENDA ITEM

PC CASE: 10-1-113 **AGENDA DATE:** 10/20/2010
SUBJECT: Small Wind and Solar Renewable Energy Text Amendment
Petitioner: City of Naperville

LOCATION: N/A

☐Correspondence ☐New Business ☐Old Business ☒Public Hearing

SYNOPSIS:
This is a request to amend Title 6 (Zoning Ordinance) of the Municipal Code to establish zoning regulations pertaining to small wind and solar renewable energy.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item	Action
9/15	D2	Opened the public hearing and continued to October 6
10/6	D1	Conducted the public hearing and continued to October 20

ACTION REQUESTED/RECOMMENDED THIS MEETING:
Recommend approval of the Small Wind and Solar Renewable Energy Ordinance.

PREPARED BY: Suzanne Thorsen, AICP, Project Manager

BACKGROUND
The proposed Small Wind and Solar Renewable Energy Ordinance would create a new chapter within Title 6 (Zoning Ordinance) of the Municipal Code to establish zoning regulations for small wind and solar renewable energy. The ordinance has been drafted to provide guidance that will appropriately direct the installation of small wind and solar technology in the city. Currently, wind and solar renewable energy installations are governed by the Accessory Structures regulations contained in Section 6-2-10 of the Municipal Code. This ordinance does not adequately address the physical requirements and related considerations associated with these uses.

Previous Plan Commission Meetings
The Plan Commission opened the public hearing for this matter on September 15, 2010. Three people provided testimony in support of the amendment during the public hearing. Following public testimony the Plan Commission commented on additional items for staff consideration and continued the public hearing to October 6, 2010. At the October public hearing, five people provided testimony in support of the. The Plan Commission discussed turbine height, aesthetic considerations, lot coverage and lot area restrictions, the proposed conditional use standards, and

wildlife considerations. The commission requested a voting matrix and continued the hearing to October 20, 2010.

DISCUSSION:

The city has recognized the value of encouraging green technology, including renewable energy sources. If these systems are desired, allowances must be made to accommodate them. Such allowances include recognition that the systems will be visible and will have some visual impact in order to be functional and effective.

The proposed ordinance is intended to allow for the installation of renewable energy systems, which provide a benefit to the community and individual property owner, in balance with rational limitations on bulk, height and placement. A review of other ordinances adopted throughout the Chicago area demonstrates that the proposed recommendations are generally in line with those adopted throughout the region. Furthermore, staff has sought and incorporated feedback from residents and a variety of stakeholder groups, including the Illinois Solar Energy Association, Illinois Wind Energy Association, Naperville for Clean Energy and Conservation, and Naperville Area Homeowners Confederation.

A "tracked changes" version of the ordinance is provided as Attachment 1. A voting matrix requested by the Plan Commission and corresponding analysis are included as Attachments 2 and 3. Many suggestions of individual commissioners are not incorporated in the revised draft; where this is the case staff has provided additional discussion for consideration.

SUMMARY:

Staff requests that the Plan Commission recommend approval of the Small Wind and Solar Renewable Energy Ordinance, as drafted.

ATTACHMENTS:

1. Proposed Small Wind and Solar Renewable Energy Ordinance (tracked changes) – PC 10-1-113
2. Voting Matrix – Small Wind and Solar Renewable Energy Ordinance – PC 10-1-113
3. Analysis of Voting Matrix Items – Small Wind and Solar Renewable Energy Ordinance – PC 10-1-113
4. Solar Diagram – Small Wind and Solar Renewable Energy Ordinance – PC 10-1-113
5. Building-Integrated Solar Technology – Small Wind and Solar Renewable Energy Ordinance – PC 10-1-113
6. Zoning District Height Comparison – Small Wind and Solar Renewable Energy Ordinance – PC 10-1-113
7. Regional Ordinance Comparison – Small Wind and Solar Renewable Energy Ordinance – PC 10-1-113

Chapter 15
SMALL WIND AND SOLAR RENEWABLE ENERGY SYSTEMS

SECTION:

6-15-1: Purposes
6-15-2: Definitions
6-15-3: General Requirements
6-15-4: Small Wind Energy Systems
6-15-5: Solar Energy Systems
6-15-6: Conditional Uses
6-15-7: Maintenance
6-15-8: Severability
6-15-9: Conflicts Resolved

6-15-1: **PURPOSES:** The purposes of this chapter are to:

1. Provide zoning regulations to guide the installation and operation of Small Wind and Solar Renewable Energy Systems in City of Naperville.

2. Accommodate sustainable energy production from renewable energy sources.

3. Preserve the aesthetics of the zoning districts in the interest of property values, public health, and welfare.

6-15-2: **DEFINITIONS:** As used in this chapter, the following terms shall have the meanings indicated:

LARGE WIND ENERGY SYSTEM: A wind energy conversion system consisting of a wind turbine, a tower or mounting, and associated control or conversion electronics, which is intended primarily to generate utility power at a commercial scale.

NET METERING: An arrangement by which excess energy generated by a Renewable Energy System is distributed back to the electrical utility grid.

RENEWABLE ENERGY SYSTEM: A system that generates energy from natural resources such as sunlight, wind, and geothermal heat. As used herein, the term “Renewable Energy System” refers to Small Wind Energy Systems and Solar Energy Systems only.

SMALL WIND ENERGY SYSTEM: A wind energy conversion system consisting of a wind turbine, a tower or mounting, and associated control or conversion electronics, which is intended primarily to reduce on-site consumption of utility power.

SMALL WIND ENERGY SYSTEM, GROUND-MOUNTED: A Small Wind Energy System that is not attached to another structure and is affixed to the ground, or that is attached to an antenna, light pole or other utility facility.

SMALL WIND ENERGY SYSTEM, ROOF-MOUNTED: A Small Wind Energy System affixed to the roof of a principal structure.

SOLAR ENERGY SYSTEM: A system that uses the power of the sun to capture, distribute and/or store energy for on-site consumption of utility power ~~within a principal or accessory structure~~.

SOLAR ENERGY SYSTEM, BUILDING-MOUNTED: A Solar Energy System affixed to either the principal or accessory structure.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED: A Solar Energy System that is not attached to another structure and is affixed to the ground, or that is attached to an antenna, light pole or other utility facility.

TOTAL SYSTEM HEIGHT: The total height of the tower and the wind turbine of a Small Wind Energy System, as measured from the average grade at the base of the system to the top of the blade or rotor.

6-15-3: **GENERAL REQUIREMENTS:** The requirements set forth in this Section shall govern the construction and/or installation of all Renewable Energy Systems governed by this Chapter.

1. Applicability: The provisions of this ordinance are intended to establish zoning parameters by which Solar and Small Wind Energy Systems may be installed in the City of Naperville. Large Wind Energy Systems are not permitted. Additional renewable energy installations not addressed explicitly herein may be authorized subject to compliance with the applicable codes and standards of the City of Naperville.

2. Use: Except as authorized by the City Council for public utility purposes, a Renewable Energy System shall be accessory to the principal permitted use of a site.

3. Approvals: ~~No a~~Approval granted to an individual property owner for a Renewable Energy System under the provisions of this ordinance shall not be construed to bar~~prevent~~ owners or tenants of any adjacent property from ordinary or permitted building, landscaping or other accessory improvements, even if such improvements may diminish the function of said Renewable Energy System ~~on adjacent properties~~.

4. Permitting and Installation:

   4.1 Unless otherwise exempted by the Director of Transportation, Engineering and Development, a City of Naperville building permit is required prior to the installation of any Renewable Energy System.

4.2 Renewable Energy Systems that do not require a building permit in accordance with Section 6-15-3:4.1 shall not be subject to the requirements of this Chapter.

4.3 The owner of a Renewable Energy System shall ensure that it is installed and maintained in compliance with applicable building and safety codes adopted by the City and any other state or Federal agency of competent jurisdiction.

4.4 All Small Wind Energy Systems shall be equipped with manual and/or automatic controls to limit rotation of blades to a speed ~~below~~ within the manufacturers designed limits.

4.5 All wiring associated with a Renewable Energy System shall be underground or contained within a raceway that complements the building materials of the principal structure.

5. Interconnection with Department of Public Utilities – Electric:

5.1. Energy produced by a Renewable Energy System shall be utilized on-site, except for Net Metering as authorized by the Department of Public Utilities and other appropriate regulatory agencies required by law.

5.2. The interconnection of any Renewable Energy System to the City of Naperville Department of Public Utilities – Electric distribution grid shall be in accordance with the Department's Service Rules and Policies, including standard practices as may be amended from time to time.

6. Illumination of a Renewable Energy System shall be prohibited, except to accommodate co-installation of parking lot lighting luminaires in accordance with the provisions of Section 6-14 (Performance Standards) of this Title or as required by the Federal Aviation Administration (FAA) or other state or Federal agency of competent jurisdiction.

7. Signage: No commercial signage or attention-getting device is permitted on any Renewable Energy System

7.1. A sign of a plain white background with black lettering not exceeding four (4) square feet in size shall be provided on each Small Wind Energy System which indicates the emergency contact information of the property owner or operator.

8. Screening: There shall be no required mechanical screening for Renewable Energy Systems.

9. Historic Structure: ~~Building Mounted~~ Renewable Energy Systems shall comply with Chapter 6-11 (Historic Preservation) of this Title.

6-15-4: **SMALL WIND ENERGY SYSTEMS**

1. Authorization of Use

1.1. Roof-Mounted Small Wind Energy System:

1.1.1. Permitted Use: Roof-Mounted Small Wind Energy Systems ~~shall be permitted~~may be authorized administratively in all Business Districts listed in Chapter 7 -and Industrial Districts listed in Chapter 8 -in accordance with the requirements of this Title and subject to approval by the Director of Public Utilities and the Director of Transportation, Engineering and Development, or their designees.

~~1.1.~~1.1.2. Conditional Use: Roof-Mounted Small Wind Energy Systems may be authorized as a conditional use for any institutional, utility or non-residential use in a Residence District listed in Chapter 6 in accordance with the procedures established in Section 6-3-8 (Conditional Use) of this Title and the provisions of Section 6-15-6 of this Chapter.

1.2. Ground-Mounted Small Wind Energy System:

1.2.1. Permitted Use: Ground-Mounted Small Wind Energy Systems may be authorized administratively in the I (Industrial), ORI (Office, Research and Light Industrial), RD (Research and Development) and BP (Business Park) Districts in accordance with the requirements of this Chapter and subject to approval by the Director of Public Utilities and the Director of Transportation, Engineering and Development, or their designees.

1.2.2. Conditional Use: A Ground-Mounted Small Wind Energy System may be authorized as a conditional use in any Business District except the BP (Business Park) District or in any Residence District in accordance with the procedures established in Section 6-3-8 (Conditional Use) of this Title and the provisions of Section 6-15-6 of this Chapter.

2. Height:

2.1 Roof-Mounted Small Wind Energy System: The total height of a Roof-Mounted Small Wind Energy System shall not exceed ten feet (10') above the peak roof height or ten feet (10') above the maximum permitted height of the zoning district, whichever is less.

2.2 Ground-Mounted Small Wind Energy System:

2.2.1 In all districts except the I (Industrial), ORI (Office, Research and Light Industrial), RD (Research and Development) and BP (Business Park) Districts, Ground-Mounted Small Wind Energy Systems shall be limited to a maximum Total System Height of sixty feet (60').

2.2.2 In the I (Industrial), ORI (Office, Research and Light Industrial), RD (Research and Development) and BP (Business Park) Districts, Ground-Mounted Small Wind Energy Systems shall be limited to a maximum Total System Height of one-hundred fifty feet (150').

2.2.3 In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground shall be fifteen feet (15').

2.2.4 Any Small Wind Energy System that exceeds the height limitations defined in this Section shall be required to obtain approval of a zoning variance in accordance with Section 6-3-5 (Variances) of this Title.

3. Location:

3.1. Roof-Mounted Small Wind Energy Systems:

3.1.1. Roof-Mounted Small Wind Energy Systems shall be affixed to the roof deck of a flat roof or to the ridge or slope of a pitched roof and may not be affixed to the parapet or chimney of any structure.

3.1.2. Such systems must be set back a minimum of five feet (5') from the edge or eave of the roof.

3.2. Ground-Mounted Small Wind Energy Systems:

3.2.1. Ground-Mounted Small Wind Energy Systems, including all appurtenances and anchoring equipment, shall not be located within the required front yard or corner side yard or in any utility, water, sewer, or other type of public easement.

3.2.2. Ground-Mounted Small Wind Energy Systems, including all appurtenances and anchoring equipment, shall be set back a distance equal to 1.1 times the system height, from the base to all property lines, third party transmission lines, Ground-Mounted Small Wind Energy Systems, overhead electric distribution systems and communication towers.

4. Noise: Sound levels for any Small Wind Energy System shall not exceed the maximum decibels established in Chapter 14 (Performance Standards) of this Title. The city may, at its discretion, require a professional sound measurement by a third party expert at the expense of the property owner, to confirm performance of the wind energy system, in accordance with the Performance Standards, as measured from the ground level at the nearest property line.

5. Color: Small Wind Energy Systems ~~shall~~ may remain finished in the color originally applied by the manufacturer, unless otherwise authorized by the building permit. Finishes shall be non-reflective, neutral and ~~be~~ monochromatic in color and shall minimize visual disruption to the surrounding area. ~~, finished with a neutral and non-reflective coating, such as white or light grey.~~ Ground equipment, such as cabinets and associated facilities, shall be factory finished to match or complement the color of other structures on the lot.

6. Unauthorized Access: Ground-Mounted Small Wind Energy Systems and all components thereof shall be protected against unauthorized access by the public. No climbing ladder, foot pegs or rungs shall be permanently attached below a height of twelve feet (12') above grade.

6-15-5: **SOLAR ENERGY SYSTEMS**

1. Authorization of Use:

1.1. Permitted Use:

1.1.1. Building-Mounted Solar Energy Systems may be authorized administratively in all zoning districts in accordance with the requirements of this Chapter and subject to approval by the Director of Public Utilities and the Director of Transportation, Engineering and Development, or their designees.

1.1.2. Ground-Mounted Solar Energy Systems may be authorized administratively in the Industrial and Business Districts in accordance with the requirements of this Chapter and subject to approval by the Director of Public Utilities and the Director of Transportation, Engineering and Development, or their designees.

1.2. Conditional Use: A Ground-Mounted ~~Small Wind~~Solar Energy System that is accessory to a principal institutional, utilities or non-residential use may be authorized as a conditional use in any Residence District in accordance with the procedures established in Section 6-3-8 (Conditional Use) of this Title and the provisions of Section 6-15-6 of this Chapter.

2. Height:

2.1. Building-Mounted Solar Energy System: A Building-Mounted Solar Energy System may have a maximum height of ten feet (10') as measured from the roof surface on which the system is mounted to the highest edge of the system provided, however, that the system shall not

exceed five feet (5') above the peak roof height or five feet (5') above the maximum permitted height of the district, whichever is less.

2.2. Ground-Mounted Solar Energy System: The maximum height of a Ground-Mounted Solar Energy System shall be six feet (6') as measured from the average grade at the base of the pole to the highest edge of the system.

3. Location:

3.1. Ground-Mounted Solar Energy Systems:

3.1.1. Ground-Mounted Solar Energy Systems shall not be located within the required front yard or corner side yard or in any utility, water, sewer, or other type of public easement.

3.2. All parts of any Ground-Mounted Solar Energy System shall be set back at least five feet (5') from the interior side and rear property lines.

6-15-6: **CONDITIONAL USES**

1. Application: A petition for a conditional use permit for a Renewable Energy System shall be initiated by application in accordance with the provisions of this Section, and may be issued in accordance with this Section.

2. Issuance: The City Council may issue or deny a conditional use permit pursuant to this Chapter and the procedures described in Section 6-3-8 of this Title.

3. Standards for Granting a Conditional Use:

3.1. The City Council shall determine that the application has met all of the general requirements of this Chapter, except those for which a variance has been specifically granted or sought; and

3.2. The proposed energy system shall ~~provide demonstrable benefits in~~ further~~ing~~ the intent of this Chapter and ~~providing~~ provide renewable energy to the property on which it is proposed; and

3.3. The proposed Renewable Energy System is located in such a manner as to minimize intrusions on adjacent residential uses through siting on the lot, selection of appropriate equipment, and other applicable means; and

3.4. The proposed Renewable Energy System complies with the service rules and policies of City of Naperville's Department of Public Utilities – Electric as may be amended from time to time; and

3.5. The establishment of the proposed Renewable Energy System will not prevent the normal and orderly use, development or improvement of the adjacent property for uses permitted in the district.

6-15-7: **MAINTENANCE AND REMOVAL OF RENEWABLE ENERGY SYSTEMS**

1. Renewable Energy Systems must be maintained in good repair and operable condition at all times, including compliance with all standards in applicable building and technical codes to ensure structural and technical integrity of such facilities, except for maintenance and repair outages. If a system becomes inoperable or damaged, operations must cease and be promptly remedied.

2. If the City determines that a Renewable Energy System fails to comply with the applicable provisions of this Code, the City shall provide written notification to the property owner. The property owner shall have a period of ~~120~~ ninety (90) days from the date of notification to either restore the Renewable Energy System to operation or remove the system.

3. In the event such Renewable Energy System is not brought into compliance with this Code within the specified time period, the City may remove or cause the removal of said facility at the property owner's expense.

4. The City may pursue any and all available legal remedies to ensure that a Renewable Energy System which fails to comply with this Code or which constitutes a danger to persons or property is brought into compliance or removed.

5. Any delay by the City in taking enforcement action against the owner of a Renewable Energy System and the owner of the property if such owner is different from the owner of such facility, shall not waive the City's right to take any action at a later time.

6. The City may seek to have the Renewable Energy System removed regardless of the owner's or operator's intent to said facility, and regardless of any permits that may have been issued or granted.

7. After the ~~Small Wind~~Renewable Energy System is removed, the owner of the Subject Property shall promptly restore the Subject Property to a condition consistent with the property's condition prior to the installation of the system.

6-15-8: **SEVERABILITY**: If any section, subsection, sentence, clause, phrase or portion of this Chapter is held invalid or unconstitutional for any reason by a court of competent jurisdiction, such

portion shall be deemed a separate, distinct and independent provision and such judgment shall not affect the validity of the remaining portions hereof.

6-15-9: **CONFLICTS RESOLVED**: This Chapter supersedes all chapters or parts of ordinances adopted prior hereto which are in conflict herewith, to the extent of such conflict.

Voting Matrix: Plan Commission Modifications to Proposed Small Wind and Solar Renewable Energy Ordinance

	Suggested Modification	Notes	Aye	Nay
	General Requirements			
1	Require screening for Building-Mounted Solar			
2	Require screening for Roof-Mounted Wind			
3	Establish standards for shading or shadows			
	Roof-Mounted Wind			
4	Allow as a permitted use for residential uses			
5	Allow as a conditional use for residential uses			
6	Increase maximum height of roof-mounted turbines to 15'			
	Ground-Mounted Wind			
7	Ground-Mounted Wind: Limit height in Residential and Business Districts to 60' or 10' above the maximum height of the zoning district, *whichever is less*			
8	Ground-Mounted Wind: Limit height in Industrial Districts and BP District to 100' or 10' above the maximum height of the zoning district, *whichever is less*			
9	Ground-Mounted Wind Turbines: establish a lot size requirement of ½ acre			
	Building-Mounted Solar			
10	Allow as permitted use *only* for low profile installations on facades that do not abut public right-of-way.			
11	Allow as conditional use on facades that abut a public right-of-way			
	Ground-Mounted Solar			
12	Allow as a permitted use for residential uses			
13	Allow as a conditional use for residential uses			
14	Limit lot coverage to 0.5% of total lot area or a minimum of 20 square feet, *whichever is greater*			
15	Limit lot coverage in accordance with the Accessory Structure Regulations (25% of required setback area *cumulative for all accessory structures)*			
	Conditional Use Standards			
16	Provide a list of required reports in standard 3.2			
17	Delete standard 3.2			
	Additional Topics			
18	Provide a mechanism for future review of ordinance			
19	Create additional allowance for Homeowners Association involvement regarding aesthetics			

Attachment 2

Analysis of Voting Matrix Items for Small Wind and Solar Renewable Energy

General Requirements

Items 1 & 2: *Screening Requirements*

Staff does not concur with screening requirements for building-mounted energy systems for the following reasons:

- Screening systems can impair the function of solar installations by shading the systems during certain periods of the day, substantially reducing output (see Attachment 4).
- For wind systems, screening can introduce turbulence to the air flow around wind turbines or completely block wind, limiting their function and lifespan or rendering them altogether inoperable.
- In some instances, such as where a solar system is mounted to a pitched roof, a screening system will be more obtrusive than the system itself.
- The design of Renewable Energy Systems may be integrated into to the design of a building, such as on a canopy, building façade, or other feature (see Attachment 5). Screening requirements in such instances would interfere with the design intent of the building.

Item 3: *Standards for Shading or Shadows*

Staff has evaluated shading and shadow impacts associated with the Renewable Energy Systems addressed in the proposed ordinance and recommends no additional standards for the following reasons:

- "Shadow flicker" is sometimes associated with large wind turbines, which typically operate at a lower rotor speed. Due to the rotor speed of small wind systems, "flicker" is imperceptible and therefore is not a documented impact of this technology.
- The conditional use standards for Renewable Energy Systems include the following provision related to property impacts, which staff finds adequate to address any remaining concerns specific to wind turbines:

> 3.3. The proposed Renewable Energy System is located in such a manner as to minimize intrusions on adjacent residential uses through siting on the lot, selection of appropriate equipment, and other applicable means

Roof-Mounted Wind

Items 4 & 5 *Roof-Mounted Wind Turbines in Residential Areas*

The commission may move to recommend that roof-mounted turbines be authorized as a permitted or conditional use in residential areas. Staff has proposed that these types of not be authorized for residential uses at this time for the following reasons:

- Roof-mounted turbines must operate within the "turbulence zone" in residential areas. Turbulent wind conditions may result in greater wear and tear on systems including increased noise.

Item 6 *Roof-Mounted Turbine Height*

The typical height of roof-mounted turbines varies depending on the model, wind conditions and application; however, the height generally ranges between 6' and 15'. Staff recommends that the height of roof-mounted turbines be limited to 10' feet for the following reasons:

- 10' corresponds to the average height of a building story. The majority of buildings within Naperville are two stories in height (up to 35' depending on architectural design); therefore, a maximum height of 10' is proportional to the physical character of the community.
- The proposed height limitation of 10' is roughly the mean height of roof-mounted turbine systems. Proposals to exceed this height may be approved through a zoning variance.

Ground-Mounted Wind

Items 7 & 8: *Wind Turbine Height*

A maximum height of 60' is recommended for ground-mounted turbines in all districts, except for the I, ORI, RD and BP Districts where a maximum height of 150' may be permitted, for the following reasons:

- The alternate height limitations proposed in Matrix Items 6 & 7 would result in maximum heights that are consistent with the current recommendation across most districts (see Attachment 6)
- The proposed tower height restrictions reflect precedent already established in the Municipal Code related to telecommunications facilities (max. 150' in I, RD, ORI and BP, max. 60' in all other districts).
- The proposed tower height restrictions are consistent with data indicating the height at which turbines must generally be positioned for proper and efficient function.

Item 9: *Minimum Lot Area for Ground-Mounted Wind Turbines*

Staff has reviewed publications from the American Wind Energy Association on the topic of lot area. The organization recommends against lot area requirements, as stated in its 2008 publication, *In the Public Interest: How and Why to Permit for Small Wind Systems*:

> "Some zoning rules limit turbines and/or their heights to a corresponding property size… This regulatory approach, however, usually has no meaningful effect simply because sound and setback requirements, which are usually more restrictive, make such a stipulation redundant. Such a requirement may contribute only to additional administrative burdens and unnecessarily limit the use of wind turbines."

Any rationale that would support a minimum lot area is already addressed by the setback and conditional use provisions of the draft ordinance; therefore, does not recommend lot area requirements.

Building-Mounted Solar

Items 10 & 11: *Building-Mounted Solar Systems as a Permitted or Conditional Use*

Building-mounted solar systems should be authorized as a permitted use in all areas of the city, regardless of building face, for the following reasons:

- Solar technology generally requires a southern exposure (see Attachment 4). On an east-west right-of-way, approximately one-half of the buildings will have optimal solar access on a rear façade, and one-half will have optimal solar access on a front façade. Requirements that essentially allow building-mounted solar installations for north-facing property owners by right, yet require south-facing property owners to obtain entitlements through a conditional use would be inequitable to those property owners who are distinguished from their neighbors on the sole basis of building orientation.
- Requiring that front-facing solar installations be subject to a conditional use presents interpretive difficulties for flat roofs, on which a solar array may be visible from all sides of a building.
- The proposed height limitation of 5' is adequate to accommodate most types of rooftop solar installation, as solar arrays must be positioned at an angle of 42 degrees perpendicular to angle of the sun in the Chicago region. The extent to which a solar energy system projects from a roof is dependent upon the nature of the installation and the pitch of the roof, and the technology selected.
- Rooftop projections are permitted and commonplace in the community in the form of chimneys, satellite dishes, antennas, cupolas, elevator shafts and the like.
- Using the Zoning Ordinance to restrict solar applications, such as limiting to only solar shingles or low profile photovoltaic installations, may unintentionally and unnecessarily limit other unobtrusive and functional applications of solar technology. Further, such specificity will likely create future administrative burdens as technology continues to change and present different applications not presently contemplated.
- Aesthetic considerations related to the attractiveness of one solar system as opposed to another are a subjective matter most appropriately addressed outside of the Zoning Ordinance, either by private covenants (e.g., homeowners association) or guidelines (which provide flexibility that zoning does not offer).

Ground-Mounted Solar

Items 12 & 13: *Ground-Mounted Solar Systems as a Permitted or Conditional Use*

Staff has modified the proposed ordinance to allow ground-mounted solar applications as a conditional use in residential areas for the following reasons:

- The preferred application is for building-mounted applications, which make use of existing surface area on either principal or accessory structures.
- Although ground-mounted systems present limited applications in a residential area, there may be certain circumstances (such as structural impediments or incompatible roof type) that warrant ground applications of solar systems.
- The conditional use process allows for a review of numerous factors that would encourage appropriate placement on the lot.

Items 14 & 15: *Lot Coverage*
A maximum lot coverage requirement is not recommended for ground-mounted solar systems for the following reasons:

- In non-residential areas, the setback and site development requirements (building, parking, landscaping and stormwater) impose limitations that, when combined with siting needs for solar systems, will impose a natural limit on the size of such systems.
- The conditional use process to permit ground-mounted systems in residential areas will allow for a public hearing and consideration of numerous factors that would encourage appropriate placement on a lot.
- The economic factors that influence selection of a renewable technology will ultimately dictate the size and placement of solar systems (in terms of square footage or location of mounting).

Conditional Use Standards
Items 16 & 17: *Conditional Use Standard 3.2*
Staff has reviewed concerns expressed by the Plan Commission with regard to the proposed conditional use standard 3.2, and recommends the following revised language:

> 3.2. The proposed energy system shall further the intent of this Chapter and provide renewable energy to the property on which it is proposed;

The proposed language provides support to the ordinance without setting an arbitrary standard to which conditional use applications must rise.

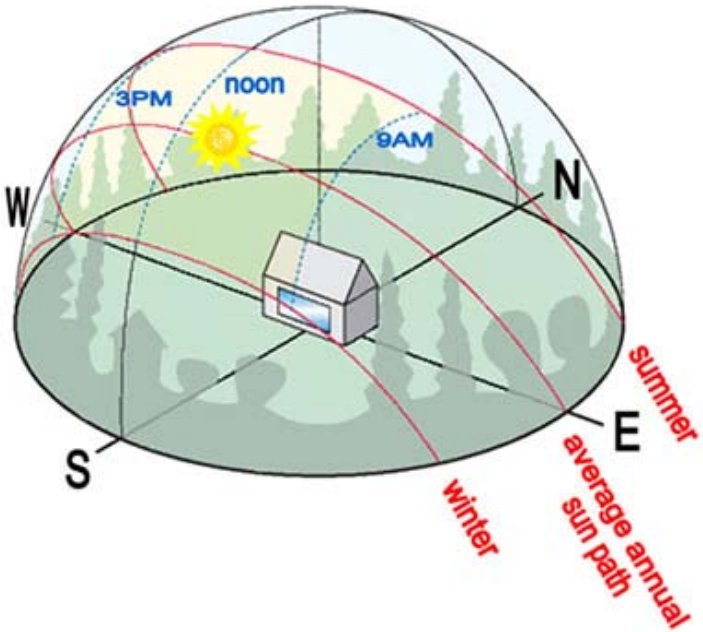
Additional Topics
Item 18: *Future Review of Ordinance*
It is not necessary to set a requirement that this ordinance be reviewed. If deemed necessary, the Plan Commission or City Council may initiate a review of the Zoning Ordinance at its discretion at any point in the future, and has done so from time to time. Likewise, if staff determines problems with the adopted ordinance, we will also initiate further amendment.

Item 19: *Homeowners Association Input on Renewable Energy Systems*
Additional code provisions for homeowners association input regarding aesthetics are not recommended for the following reasons:

- The proposed ordinance establishes certain applications of Renewable Energy Systems as a conditional use. In these instances, the public is notified of the application and a public hearing is held before the Plan Commission. The conditional use process is adequate to provide neighborhood or homeowner association input on myriad aspects of a proposal, including aesthetics.
- Staff meets with the Naperville Area Homeowners Confederation on a regular basis to review zoning and development-related topics, a summary of which is distributed to all member organizations.

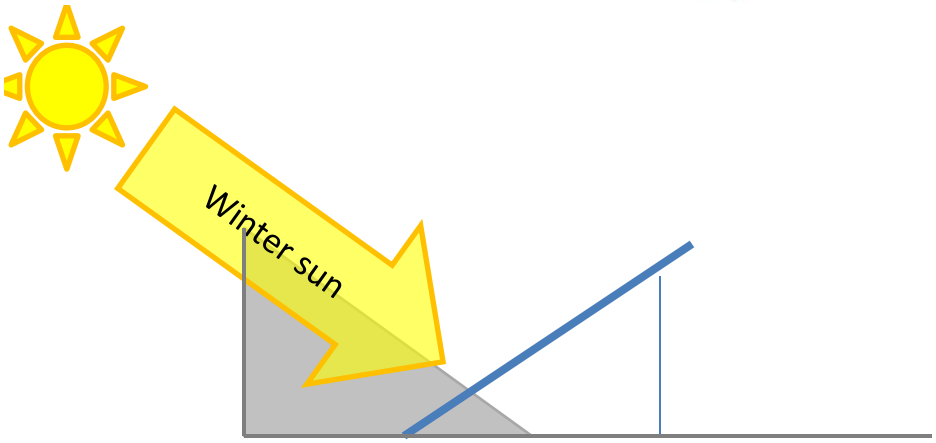
- There are numerous neighborhoods within the community that do not have a homeowners association, or have an inactive homeowners association.
- Recent state law (Solar Rights Act HB5429) requires mandatory HOA's to adopt "acceptable" design guidelines for the installation of solar panels on homes up to thirty feet (three stories) in height
- Homeowners associations may restrict renewable energy systems at their discretion without city involvement. Homeowners associations routinely impose restrictions on building material/style/color, fences, accessory structures, and other site or building features that are otherwise permitted by the Zoning Ordinance. The City does not enforce private homeowners association covenants.

Solar Diagram

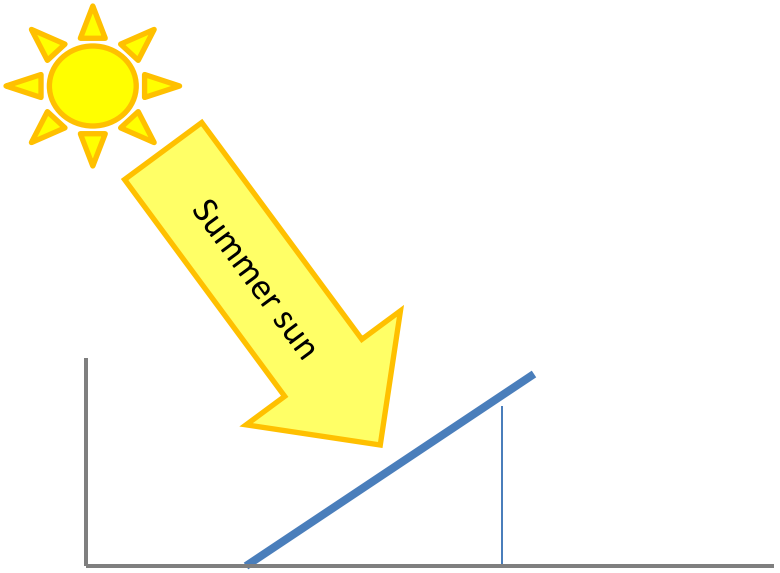


Solar panels require south exposure in order produce the most energy. Although these panels are at peak performance at noon, they begin producing energy as the sun rises in the east, and continue production until it sets in the west.

The sun is highest in the summer and lowest in the winter.



Winter: The sun is lower in the sky. A shadow is cast upon the solar panel, resulting in a corresponding decrease in productivity



Summer: The sun is higher in the sky with more hours of daylight. Shadow is less of a concern.

Attachment 4

Building-Integrated Solar Technology

The images at left are examples of photovoltaic integration with a curtain wall system.

The images at left are examples of photovoltaic panels applied to an awning or canopy.

Zoning District Height Comparison

District	Max Building Height	Max Building Height + 10' (Matrix #7 & 8)	Recomm. Max Wind Tower Height	Max Telecomm. Height
Residence Districts (Ch. 6)				
R1A (Low Density Single-Family)	35' (2.5 stories)*	45'	60'	60'
R1B (Medium Density Single-Family)	35' (2.5 stories)*	45'	60'	60'
R2 (Single-Family and Low-Density Multiple-Family)	35' (2.5 stories)* – SF & duplex 40' (3 stories) -- all other	45' 50'	60'	60'
R3A (Medium Density Multiple-Family)	35'	45'	60'	60'
R3 (Medium Density Multiple-Family)	43'	53'	60'	60'
R4 (High Density Multiple-Family)	75'	85'	60'	70'**
R5 (Mobile Home Park)	35' (2.5 stories)	45'	60'	70'**
E1 (Low Density Estate)	35' (2.5 stories)	45'	60'	60'
E2 (Medium Density Estate)	35' (2.5 stories)	45'	60'	60'
E3 (Estate Transition)	35' (2.5 stories)	45'	60'	60'
AG (Agricultural)	35' (2.5 stories) – house 50' – barns & silos	45' 60'	60'	60'
R1 (Low Density Single-Family)	35' (2.5 stories)*	45'	60'	60'
Business Districts (Ch. 7)				
B1 (Neighborhood Convenience Shopping Center)	40'	50'	60'	70'**
B2 (Community Shopping Center)	None	--	60'	70'**
B3 (General Commercial)	None	--	60'	70'**
B4 (Downtown Core)	None	--	60'	70'**
B5 (Secondary Downtown)	None	--	60'	70'**
OCI (Office, Commercial, Institutional)	43' – residential None – non-residential	53' --	60'	70'**
CU (College/University)	None	--	60'	70'**
BP (Business Park)	40'	50'	150'	150'**
TU (Transitional Use)	40'	50'	60'	70'**
Industrial Districts (Ch. 8)				
RD (Research and Development)	100' – by right 150' – by conditional use	110' 160'	150'	150'**
ORI (Office, Research and Light Industry)	100' – by right 150' – by conditional use	110' 160'	150'	150'**
I (Industrial)	None	--	150'	150'**
* Teardown/Infill properties are subject to a height limitation of 35' to the mean of the roof, 40' to the peak.				
** Additional height allowances are in place for co-location of antennas.				

Attachment 6

Regional Ordinance Comparison

Ground-Mounted Solar Energy Systems			
Community	**Use**	**Height**	**Setback**
Naperville (proposed)	• Permitted: Accessory use in Industrial and Business Districts • Conditional: Accessory to institutional, utilities or non-residential use in a Residence District	Maximum of 6’	• Front yard: not permitted • Corner side yard: not permitted • Interior side yard: 5’ • Rear yard: 5’
Buffalo Grove	Permitted as an accessory use	• Nonresidential: comply with the height limitations of the zoning district. • Residential: maximum height of one story or 15', whichever is less.	• Front yard: not permitted • Corner side yard: not permitted • Rear Yard: set back 3' from the interior lot line, and 5' from the rear lot line. • Side yard: Conform to the side yard setback of the district
Lincolnshire	Not permitted	n/a	n/a
New Lenox	• Permitted Use: All zoning districts in a rear or side yard • Special Use: Non-residential district, located beyond the front building setback but in front of the principal structure.	• Residential: maximum height of 6’ • Non-residential: maximum height of 15’ • Other: maximum height of 4’ if permitted in the front yard through a special use permit	• Front Yard: Not permitted unless by a special use permit. • Side yard: 6’ • Rear yard: 6’
Schaumburg	Permitted	• Maximum height of 15’ • Additional height may be approved as a special use	• Front yard: not permitted • Corner side yard: not permitted • Interior side yard: 10’ • Rear yard: 10’

Attachment 7

Building Mounted Solar Energy Systems			
Community	**Use**	**Height**	**Setback**
Naperville (proposed)	Permitted as an accessory use	Maximum height of 10', not to exceed 5' above the peak roof height or 5' above the maximum permitted height of the district, whichever is less.	n/a
Buffalo Grove	Permitted as an accessory use	• Nonresidential: comply with the height limitations of the zoning district. • Residential: maximum height of one story or 15', whichever is less.	n/a
Lincolnshire	Permitted subject to review by Architectural Review Board and approval by Village Board.	Shall not extend above the maximum building height permitted by the zoning district and beyond the existing limits of the roof.	n/a
New Lenox	Permitted: • Roof-mounted in all zoning districts • Wall-mounted on rear or side wall in all districts Special Use: • Wall-mounted facing a public or private street in a non-residential zoning district.	• Shall not exceed the max height allowed by the underlying zoning district. • On pitched roofs, not to project higher than 8" from the roof surface.	Front yard: Not permitted Side or rear yard: Wall-mounted residential attached system shall extend more than 50% into any required side or rear yard setback.
Schaumburg	Permitted	• Maximum height of 15' not to extend more than 5' above the roof peak. • May project up to 4' from a building façade or roof edge	No closer than 5' to side or rear property line.

Attachment 7

Ground Mounted Small Wind Energy Systems			
Community	**Use**	**Height**	**Setback**
Naperville (proposed)	• Permitted: I, ORI, RD and BP • Conditional: In any Business District except BP or any Residence District	• Maximum height of 150' in I, ORI, RD and BP • Maximum height of 60' in all other districts	• Front yard: not permitted • Corner side yard: not permitted • Interior side yard: Minimum 1.1 times system height (inclusive of all equipment and guy wires) • Rear yard: Minimum 1.1 times system height (inclusive of all equipment and guy wires)
Aurora	• Permitted: Commercial & Manufacturing Districts • Special Use: Residential Districts	n/a	n/a
Batavia	Permitted	50 ft. unless the provided setback allows a taller tower.	Front yard: not permitted Commercial & Residential: • Towers up to 35': 15' from property lines Towers 35' – 50': 20' from property lines • Towers > 50': Setback from property lines equal to the height of the tower. Industrial: Towers within 200' of residential shall be set back a distance at least 110 percent of tower height.
Buffalo Grove	Special Use	n/a	n/a
Lake in the Hills	Conditional Use	30' above the height limit for the principal structure.	• Front yard: not permitted • All other yards: minimum setback a distance at least 110% of the height

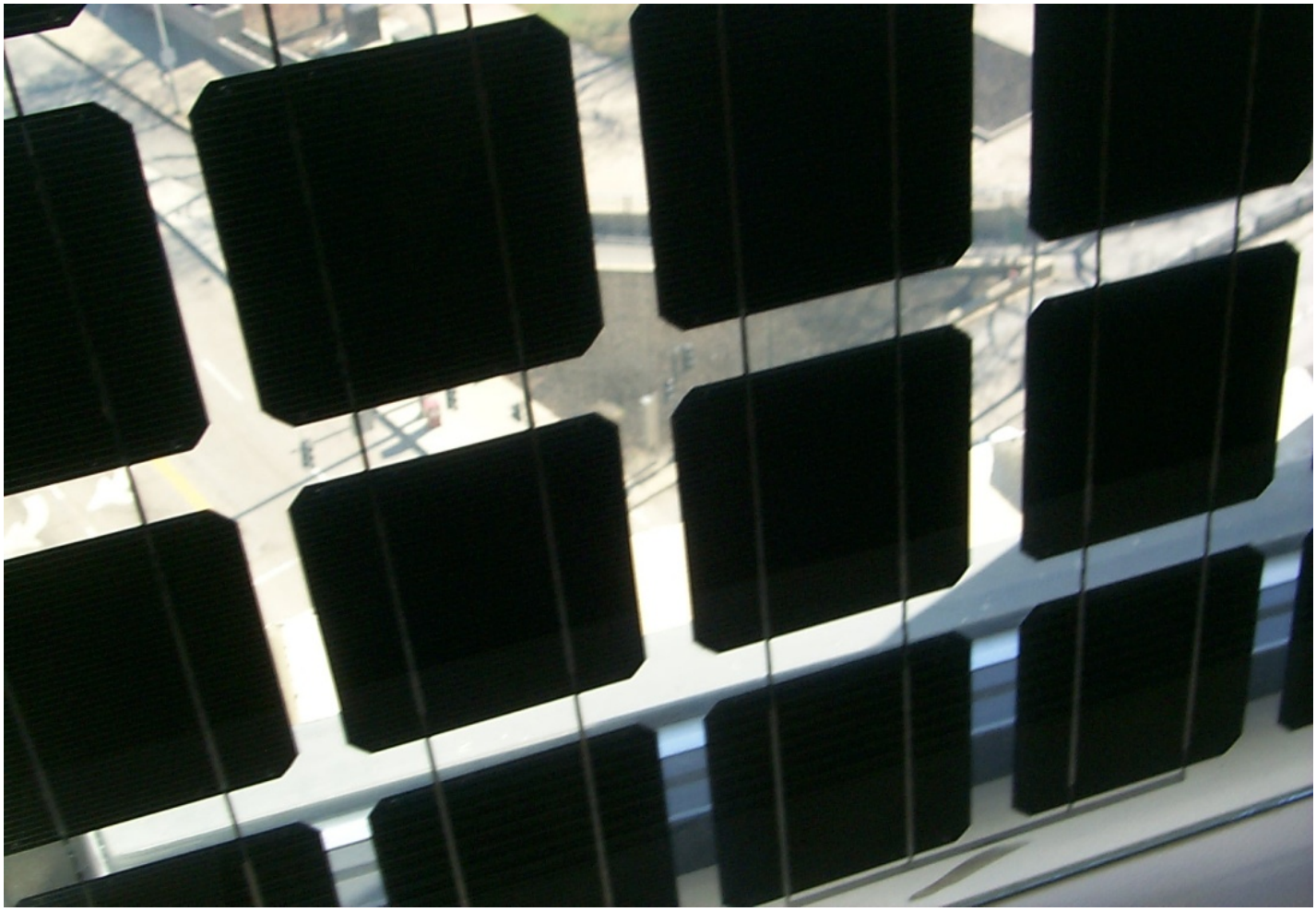
Attachment 7

Lincolnshire	Special Use: B1, B2, E, & O/I Z	20' above the principal structure, or the maximum structure height of the zoning district, whichever is less.	• Front yard: not permitted (also cannot project beyond front plane of principal structure) • All other yards: a minimum distance equal to the total height from all property lines. • Abutting residential the setback shall be 110% of total height.
New Lenox	Special Use	Horizontal-Axis Wind Turbine: • Properties < 5 acres, max height 60'; • Properties >5 acres, max height 80'; • Properties >= 20 acres, max height 120' Vertical Access Wind Turbine: • Residential Districts, max height 35'; • All other Districts, max height 60'	• Front yard: not permitted • Corner side yard: not permitted • Interior side yard: not permitted • Rear yard: Minimum setback 110% of tower height. Vertical-Axis Wind Turbine: • Properties < 1 acre, minimum setback equal to 50% of the total height. • Properties > 1 acre, minimum setback equal to total system height.
Schaumburg	Conditional Use, except residential uses in R6, R6C, R7	• 70' in R1, R4, and non-residential uses in R6, R6C and R7 • 90' in all commercial and industrial districts	• Front yard: minimum 10' from property line (conditional use) • Corner side: minimum 10' from property line (conditional use) • Interior side: minimum 10' from property line (permitted) • Rear yard: minimum 10' from property line (permitted)

Attachment 7

Roof-Mounted Small Wind Energy Systems			
Community	**Use/Permitted Location(s)**	**Height**	**Setback**
Naperville (proposed)	• Permitted: Business & Industrial Districts • Conditional: Any institutional, utility or non-residential use in a Residence District	Maximum height of 10' above the peak roof height or 10' above the permitted height of the zoning district, whichever is less.	5' from the edge or eave of the roof
Aurora	• Permitted: Commercial and Manufacturing Districts • Special Use: Residential Districts	n/a	n/a
Batavia	Permitted	15 ft. above roof	• Front yard: not permitted • All others: 10 ft. from all property lines
Buffalo Grove	Special Use	n/a	n/a
Lake in the Hills	Permitted	May extend 15' above the height limit for the principal structure or 15' above the highest point of the roof, whichever is greater	• Flat roofs: the support structure shall be set back from the side(s) of the building facing a street at least one-third of the depth of the roof. • Pitched roofs: no more than 50 percent of the support structure shall be mounted to any portion of the roof facing any street.
Lincolnshire	Permitted Use: Residential Permitted Use: B1, B2, E, & O/I subject to review by the Architectural Review Board	Residential: Maximum 5' above the principal structure. B1, B2, E, & O/I: Maximum 20' above the principal structure, or the maximum structure height permitted by the district	Shall not extend into the required building setbacks.
New Lenox	Special Use	Maximum 15' above the highest point of the principal structure	n/a
Schaumburg	Permitted	Maximum 15' above roof, but not to exceed10' above highest peak	n/a

Attachment 7



DESIGN

Prepared for the City of Naperville

by

A Design Consulting, 463 Bourbon Lane - Naperville, IL 60565

630.947.5440

Solar Verde Green Development

95th & Marquette, Chicago, IL.

Developer: Schmidt & Assoc.

Designer/Architect: Kelly Jon Andereck, LEED AP - A Design Consulting

Open Energy, SolarSave Roof Tiles with a rated 4.1 kW Output

1067 Shermer Road

Northbrook, IL.

Developer: Schmidt & Assoc.

Designer/Architect: Kelly Jon Andereck, LEED AP - A Design Consulting

Open Energy, SolarSave Roof Tiles with a rated 4.5 kW Output

South Facing Roof Tiles, SCE Service Territory – So. California

Open Energy, SolarSave Roof Tiles with a rated 5.0 kW Output

Math & Science Building, Kankakee College, Kankakee, IL

Atlantis Energy Systems – Integrated Curtainwall with a rated 6.5 kW Output

South Facing Vertical Curtainwall

Unisolar Thin Film Amorphous Photovoltaic Array rated 47 kW Output.

Optimal performance June 21, 10AM - 1PM

Applied to roof membrane with a Ethylene propylene copolymer adhesive & sealant

Unisolar Thin Film Amorphous PVL rated at 4.89 kW Output.

South Facing roof facing street for optimal performance from sunrise to sunset

Urbana, IL

Barrows Residence Retrofit, Oak Park, IL

SunTech STP170 – Atop Solarium with a rated 4.1 kW Output