

**REPORT  
ON  
WATER STREET DEVELOPMENT  
PROJECT**

**Prepared by  
NAHC Liaison Committee on Zoning and Land Use  
August 2007**

## I. EXECUTIVE SUMMARY

The Water Street Development Project is the first proposal to be considered by the City of Naperville, which must follow the 2000 Downtown Plan and the Water Street Vision Statement. The proposed project encompasses approximately half of the properties within the Water Street District area. The subject area being the DuPage River to the north, Aurora Avenue to the south, Webster Street to the west and Main Street to the east. The Water Street Development Project as proposed does comply with many of the Water Street Vision Statement guidelines and the Downtown Plan guidelines. Almost all of the recommended uses have been met in this project alone. However, the remaining properties must also follow the stated guidelines and may be severely restricted in future development. A majority of the remaining properties will be further restricted in development as those properties must, in addition, follow “Transitional Use Zoning” Guidelines. These zoning guidelines determine architectural structural design, height, and setbacks, along with specific permitted uses. Therefore, the intensity and structural design of the proposed project must be considered for its ability to complement the surrounding community (the Downtown Core, the Riverwalk, the abutting properties while being sensitive to the current existing uses and to future redevelopment, as well as to the adjacent community consisting of residential neighborhoods, Naper Settlement, and public buildings/structures).

### Future of Water Street Area

The future development of the Water Street area has been under consideration of the City of Naperville for well over 10 years. The Downtown Plan considers this area not as part of the Downtown Core but instead as a border for “secondary commercial uses” and partly as a “transition” to residential neighborhoods. General recommendations and guidelines are provided in the Downtown Plan for the Water Street District area. Fairly recently the City of Naperville completed and approved the Water Street Vision Statement which, while in the same vein as the Downtown Plan, contains more specific guidelines and recommendations for the Water Street District. Both the Downtown Plan and the Water Street Vision Statement are discussed in detail within this report.

It should be noted that the Water Street District does present a unique environment with both positive features and negative constraints. The area has limited accessibility. There is pedestrian-only access from the Webster Street covered wooden bridge from Naperville’s Riverwalk and other downtown amenities. Vehicular access is also limited. From the north (Downtown Core) the access is via Main Street and from all other directions the access is via Aurora Avenue to either Main or Webster Streets.

Two factors are essential to ensure the long-term viability of this area and the downtown as a whole: vehicular flow and pedestrian-friendliness. “Pedestrian-friendliness” should and must be the priority. Both the Downtown Plan and the Water Street Vision Statement use the terminology “pedestrian access”. While “access” is an essential component, the governing principle throughout both Guidelines is to provide for a comfortable environment for pedestrians, simply put – great streets provide for a pleasant, comfortable pedestrian experience, which improves and enriches our community’s use of the downtown areas.

The proposed project has been designed to capitalize on Naperville’s Riverwalk. The Riverwalk has earned and enjoys local, regional, and national acclaim. Improvements to and enhancements of the Riverwalk are beneficial to the City of Naperville this requires that careful consideration be given to insure that any development on the River is an asset to the Riverwalk. Therefore “pedestrian friendliness” and the impact the development has on the Riverwalk needs to become the priority standards versus simply pedestrian access, which is a much lower standard.

One of the largest concerns throughout the City of Naperville is traffic congestion. This is especially the case in and around the Downtown Core. Due to the unforeseen rapid growth in population within the City’s boundaries and the tremendous economic success of the Downtown Core, parking and traffic flow are an issue. The proposed project area, along with the surrounding community, is severely constrained in options available to improve the vehicular situation, and it is probable that future development will only compound this issue. Therefore, detailed consideration must be given to the traffic flow, vehicular parking and deliveries to prevent undue negative impacts.

### Overview

The Water Street Development Project consists of 5 multi-use buildings approximately 5 stories in height; a 5 story parking garage; and a small open-air Plaza. The determination to include various multi-uses within the 5 buildings increases the intensity of usage and consequently the need for commensurate parking. It also increases the height and bulk of the structures. Building height, taken by itself and in the abstract, is not the real issue here. Of course height alone is a factor, however, the underlying issue is the overall compactness of the proposed project combined with the anticipated intensity of use. Further, high-density developments such as this will overburden the already traffic choked streets in the downtown where most, if not all, intersections operate with a level of service of D or F. Naperville needs to carefully consider the advisability of high-density developments in the downtown area serviced by streets designed for much lower populations and which are unlikely to be widened or otherwise improved.

The priority of our City should be to encourage developments that complement the existing Downtown Core and the surrounding community while being sensitive to the precedent for other future developments. We are concerned that the proposed project is too much for the area. Re-evaluation of the multitude of uses and the possible reduction of those uses may be a better complement to the community, and to the proposed development itself for the long term. While the height of all the structures is a concern, we are especially concerned about the height and bulk of the 2 buildings abutting the DuPage River. By reducing the height, and/or increasing the setback from the river, a less overpowering impact may be experienced on the Riverwalk, and from Downtown. This could enhance the “pedestrian-friendly” aspect and offer better accessibility at the same time.

The proposed project maximizes the land usage, while minimizing vital “real life” needs of both the commercial and residential communities. The project design, in a precedent setting move, reduces the Right Of Way from 66ft to 57ft. The traffic lanes, the sidewalk and the width of parking on one side (north) of Water Street all would be reduced. The reduction of the Right Of Way and the average clear width of the proposed projects’ sidewalks along with other pedestrian accessibility make the pedestrian friendliness/accessibility minimal.

In addition, the proposed project provides a single designated loading and unloading area to serve all buildings. The loading/unloading space is to be located on Water Street in front of the “Tower” building. While the loading area is conducive to the “Tower” building, it is wholly impractical for a development of this size and magnitude to only have 1 designated loading/unloading space. It is impractical to believe Water Street and Webster Street will not be temporarily blocked causing undue congestion from illegal parking by delivery trucks.

The issue of precedent remains a deep concern. Notwithstanding the best intentions of Plan Commission and the City Council, it cannot be overlooked that future developers of Downtown properties will contend that the Water Street project (if approved as proposed) will set a standard, guideline, or other form of precedent for all future Downtown re-development projects.

The project is proposed as a PUD (Planned Unit Development), which ordinarily allows significant leverage to the City to extract significant concessions from a developer so as to more completely conform to the City’s overall master plans and the best interests of the community as a whole. Plan Commission did not appear to exert this potential leverage to any meaningful extent. Using the planning leverage afforded by the PUD process, the City should mandate compliance with the Water Street Vision Statement, which this project, *as currently proposed*, fails to meet.

### Recommendations

Overwhelmingly, the Committee finds that this project, as currently proposed, fails to comply with the Water Street Vision Statement nor is it in the best interests of Naperville, and this project, as proposed, has serious flaws and objections that fail to meet the concerns expressed and adopted by the NAHC Board. Therefore, the Committee concludes and recommends that this project not be approved as it is currently proposed.

Additionally it is recommended that:

- The overall height of all structures are reduced with special emphasis on the buildings to be adjacent to the DuPage River. The reduction would be more in accordance with the Water Street Vision Statement and the Downtown Plan.
- The pedestrian and vehicular aspects of the proposed project are further developed with the focus on a “pedestrian-friendly” environment and effective traffic management. The Right Of Way should remain at 66ft allowing for a pedestrian experience comparable to what Main Street Promenade offers. Additional attention to pedestrians should be provided in regards to: (a) accessibility to/from the garage; (b) safety in the tunnel and in the garage; and (c) increased pedestrian-friendliness from the south.
- Public opinion from all stakeholder groups should be actively solicited regarding this project. In the absence of a demonstrated general consensus of community opinion in favor of this project, *as proposed*, the NAHC should exercise its leadership role and seek, as time permits, the full authority of its Member Associations to take a Public Stand that asks the City Council (and the Developer) to modify the project to reduce the height of the buildings to a maximum of 45ft; to retain the current width of Water Street; to reevaluate the traffic flow and impacts; and to create sidewalk streetscapes similar to those developed/being developed on the north side of Downtown.
- That the NAHC register as a “stakeholder” regarding the TIF and that the Committee’s report and recommendations be made available to assist in the TIF process.

## **II. ATTACHMENTS LISTING**

- A. Water Street Vision Statement
- B. Developer's Drawings  
Staff Memorandums
- C. Requested Variances
- D. NAHC Position on "Tall" Buildings"
- E. NAHC letter presented May 2007 to Plan Commission
- F. Richard W. Strawbridge's Statement given 7/25/07 at Plan Commission
- G. Dan Bulley's Summary of Statement given 7/25/07 at Plan Commission
- H. Patricia Meyer's Statement given 7/25/07 at Plan Commission
- I. Thomas Higgin's Statement given 7/25/07 at Plan Commission
- J. Plan Commission Minutes of 7/25/07 Public Hearing

### **III. BACKGROUND**

#### **A. Downtown Plan and Relation to Water Street**

The Downtown Plan was completed and approved in 2000. It was developed as a 10-year plan and recently there has been discussion to update this Plan. It is the current guidelines for development in the Downtown area.

There are 14 objectives in the Plan:

- Maintain Downtown as a small, compact and well-defined geographic area
- Reinforce Downtown as an exciting and diverse “mixed-use” area with a strong retail and entertainment focus
- Promote improvement and intensification of the Downtown Core as a highly active shopping and business environment
- Encourage improvement and development of the secondary commercial and transitional areas that border the Downtown Core
- Maintain and protect adjacent residential neighborhoods
- Create improved linkages and connections between Downtown and nearby cultural, recreational and institutional areas
- Preserve and retain buildings with architectural and historic interest
- Ensure that new construction is compatible with existing building fabric
- Improve access to Downtown from the surrounding community
- Establish more effective “wayfinding” to and within the Downtown
- Minimize conflicts between vehicles and pedestrians
- Ensure an adequate supply of appropriately located and attractively designed parking
- Continue to enhance Downtown as a safe, convenient and “hospitable” pedestrian environment
- Create attractive and visually distinctive “streetscapes” that unify, enhance and interconnect the various parts of Downtown

The general boundaries of the Downtown Core are Washington Street to the east, Webster Street to the west, Benton Avenue to the north, and the DuPage River to the south. According to the Downtown Plan, the Downtown Core should be bordered by “secondary commercial areas” (i.e. retail, office and services uses as well as parking facilities) to support the Downtown Core.

“In contrast to the Core, which is characterized by interconnected, “in-line” buildings located at the sidewalk line, Secondary Commercial Areas may include separate, free-standing buildings set back from the sidewalk. The intensity of development within these areas should also be less than that permitted in the Core”. (Downtown Plan, Executive Summary, page IV)

According to the Downtown Plan, “Transitional Use” areas, in this case the properties along Aurora Avenue “should provide sites for low-intensity office and services uses, townhomes, small condominiums, bed and breakfast inns, and similar uses.” (Downtown Plan, Executive Summary, page IV) These sites should be designed and developed in a manner that is compatible with adjacent neighborhoods.

In the Downtown Plan, Water Street is specifically mentioned as a likely candidate for development/redevelopment: “The Water Street corridor between Main and Webster, which is recommended for pedestrian-oriented retail, office and service development” (Downtown Plan, Executive Summary, page vii).

This Plan further states that it is essential that new buildings be compatible with the traditional scale and character of Downtown and that all Downtown buildings should be generally compatible in terms of building height, placement, orientation, materials and façade articulation, particularly buildings within the same block.

Interestingly, under the Downtown Plan, while not specific, Water Street is to be improved as a pedestrian route. It is implied that the current Water Street area has an “attractive pedestrian scale”. It further states that future development in the Water Street area should enhance this pedestrian scale.

The Downtown Plan calls for the development of a “new urban plaza” at the south end of the pedestrian bridge over the DuPage River at Webster Street. This development is to be done to “improve and upgrade the Downtown Parks and open space.”

## B. Water Street Area

It is this Committee’s understanding that as few as two other development proposals have been presented to the City of Naperville prior to the Water Street Vision Statement being approved. This Committee has filed a Freedom of Information request in order to further understand the history of this area. For whatever reason those developments did not occur. The current Water Street Development Proposal is the most inclusive of the Water Street area as multiple properties recently became available and will be under the control of one entity (Marquette Partnership, LLC).

The most recent additions to the Water Street area are the Moser Building (southeast corner of Main and Water Streets) and the Township Building (northeast corner of Webster and Water Streets). These buildings are not part of the current Water Street Development Project. During the redevelopment of the Township Building improvements to the area best described as the “south-side Riverwalk” were completed which involved brick- work, landscape terracing and plantings. The Township Building is between 48-52 feet from the DuPage River.

The remainder of the properties on Water Street itself which are also not included consist of the Pottery Bayou with no known future plans; the parking lot which is depicted as “green” on the current proposal, however intended use has not been part of these discussions; the Animal Hospital of which the Committee has been shown concept drawings for a 2-3 story retail development, however as of this writing no concept plans in process with the City of Naperville.

There appears to be a small “property” on the northeast corner of Webster and Squaw Alley. Drawings depict a foundation of some sort, which currently exists, and will remain, as it is not part of this Project.

With the exception of the northeast corner property on Webster and Aurora, the properties located on Aurora Avenue between Main and Webster, are not a part of the current proposed project. However, these properties are governed by the Water Street Vision Statement and will be impacted both in the current state and in any future redevelopment by this proposed project.

## C. Water Street Vision Statement

The Water Street Vision Statement was approved by City Council at the end of 2006. The Vision Statement was the result of studies, stakeholder discussions and the gathering of input to provide “An Opportunity to Proactively and Comprehensively Plan for the Redevelopment of the Water Street Area”.

This Vision Statement consists of nine (9) Guidelines:

1. Design and Character
2. Multi-Use Development
3. Pedestrian Access
4. Riverwalk and Naper Settlement
5. Streetscape
6. Parking/Access
7. Traffic
8. Stormwater Management
9. Planned Unit Development District

Each Guideline lists numerous “Considerations” with the exception of #9 Planned Unit Development District, which instead lists five (5) “Goals”.

A copy of the Water Street Vision Statement is attached (See Attachment A). It is this Water Street Vision Statement, which provides the guidelines for future development and redevelopment in the Water Street Study Area (bounded by DuPage River to the north, Aurora Avenue to the south, Webster Street to the west, and Main Street to the east).

The current proposed development project is to be in accordance with the Water Street Vision Statement.

## **IV. WATER STREET DEVELOPMENT PROJECT**

### **A. Developer's Proposal**

The principals and owners of the project properties for this proposed project are Moser Enterprises Inc., Moser Plaza LLC., Marquette Water Street Partnership LLC., Marquette Property Investments, Inc., and Stron Enterprises LLC.

The Developer proposes six (6) structures and a plaza to be built in the area best described as a majority of both sides of Water Street from the DuPage River in the north to, and including, Squaw Alley in the south and the east side of Webster Street between Water and Aurora (Township Building excluded and a small portion just north of Squaw Alley).

There are five (5) multi-use buildings proposed: the "Loggia" and the "Theatre" on the north (river) side of Water Street; the "Tower" on the south side of Water Street; the "Multi-Use" on the east side of Webster between Water and Squaw Alley; the "Office" on the east side of Webster between Squaw Alley and Aurora.

The buildings will consist of a mix of residential, retail, commercial offices, and restaurants.

There is to be a "Plaza" with a fountain placed between the "Loggia" and the "Theatre". This "Plaza" is intended to have multiple steps up from the river and the "south-side Riverwalk" encouraging pedestrian access from the Downtown Core to this development. The Plaza has also been shown used as outdoor seating for proposed restaurants in the neighboring buildings.

The remaining structure is a multi-story parking deck behind the "Tower" and "Multi-Use" buildings. Vehicle access to the parking deck is to be from Squaw Alley. Squaw Alley is to be widened to a degree to the north under this project and widened to a degree to the south as properties on Aurora Avenue redevelop.

The proposed parking deck provides the minimum required parking spaces for the proposed development itself and is anticipated to have 147 additional spaces available.

Details and drawings provided by the City of Naperville and the Developer are attached (See group Attachment B).

### **B. Staff's Review**

Overall, Staff has stated that the Proposed Project is in "substantial compliance" with the Water Street Vision Statement and is within the "spirit" of the Water Street Vision Statement.

Minor changes and requests have been made since initial plans were presented as is customary in the concept process. A major concern of Staff was the non-compliance with the 40 ft height maximum for properties under Transition Use Zoning (the "Office" property is zoned Transitional Use). The Developer agreed at the July 25, 2007 Plan Commission Hearing to the 40ft height maximum.

There are variances/deviations requested for this project consisting primarily of setbacks from the lot lines and resubdivision of parcels of properties. A copy of the requested variances is attached (See Attachment C).

## **V. Naperville Area Homeowners Confederation**

### **A. Basis for NAHC's Involvement**

Under its Charter and By-Laws, the NAHC is charged with the responsibility to engage in public affairs as the representative body of Naperville Area Homeowners. As provided in the NAHC By-Laws, this includes acting

- To establish public policy on issues that affect Confederation Members at all levels, and to take concerted action that secure policies consistent with the Confederation;
- To operate as an independent entity that will allow the Confederation to take substantive positions as described in the By-Laws.

### **B. Deemed Conflicts/Concerns with NAHC**

Over 18 months or more ago, the NAHC conducted an informal survey of its members on the subject of "Tall Buildings" in Naperville's Downtown. This survey led to a NAHC report of these results to the City Council, directly presented orally to Councilmen in attendance during a joint City – NAHC meeting. In these formats, the NAHC reported the nearly unanimous (or totally unanimous) opinions of our respondents to the effect that buildings to be constructed in Naperville's Downtown should be limited to 3 stories in height and/or otherwise conform to the Downtown Plan adopted by the Council in 2000. The NAHC as a result of this survey adopted and ratified a "Position" on "Tall Buildings". A copy of the Position Statement is attached (See Attachment D).

At a Plan Commission Public Hearing in May, 2007, and as the NAHC's Vice President, Rick Strawbridge advised the Commissioners of the NAHC's informal survey, and NAHC Board's subsequent position. He also provided Plan Commissioners and the Commission secretary with copies of the NAHC letter report to Council. A copy of the letter is attached (See Attachment E).

Following the Plan Commission's May meeting, the NAHC heard a well-done and well-received presentation about this project given during the Confederation's June meeting by City Staff engineer Bill Novak, in which Mr. Novak outlined the essential features of this project. After his presentation, NAHC Board members and member association representatives extensively questioned Mr. Novak, in a general discussion of the project.

On June 29<sup>th</sup>, the NAHC's Zoning and Planning Liaison Committee met with the Developer and his team, gaining further insights and important information, and then provided the NAHC Board with its report at the Board's July 11<sup>th</sup> meeting. At that meeting, the Board instructed the Committee to appear before Plan Commission on July 25<sup>th</sup> to express its collective concerns.

The "concerns" consisted of: the height of the proposed buildings; the density/intensity of the overall project; the traffic/congestion impacts; the "pedestrian-friendliness" of the overall project; and impacts to the Riverwalk.

## **VI. THE PLAN COMMISSION PUBLIC HEARING ON 7/25/07**

### **A. City Staff's Position**

At the Plan Commission's Public Hearing on July 25<sup>th</sup>, City Staff Planner Greg Jones stated that, with some relatively minor objections to a few proposed set-backs, and to the proposed height of the "office building" to be constructed at Webster and Aurora (which is in a transition use, or "TU," zoning district), and with the Developer's promise to participate in a future regional traffic study, Staff recommended full approval for the project as proposed. When asked directly by one of the Plan Commissioners whether this project met the height requirements of the Water Street Vision Statement, Planner Jones replied without hesitation that it did.

### **B. Developers' Position**

Attorney Kathy West of Dommermuth, Brestal, Cobine, represented the Developer and West along with project architect Mark Sullivan. Kathy West made mention of the "new building height chart" which was presented to the City demonstrating various other buildings within Naperville which are approximately the same height or taller than the proposed project structures. Mention was made of the minor changes, which have been done at Staff's request consisting of cornices of all buildings visually being at the same height, complying with 4-sided buildings. The Developer agreed to the 40ft ht requirement of the "Office" building. Ms. West mentioned that the newest traffic study was completed and presented to Staff earlier that day. The Developer also stated a willingness to be part of a future regional traffic study and to share its proportionate share of the expense of the study.

### **C. NAHC's Speakers and Concerns Raised**

The NAHC Liaison Committee's leadoff speaker stated with emphasis that the NAHC's current "position" was neither for nor against this Project, and that while expressing the concerns of the NAHC Board, the Committee's purpose was to advance the public discussion over this project.

It was first noted that this proposed project offers many positive features, which include (but are not limited to) the following:

- The opportunity to develop several individual parcels under a more comprehensive concept, with a single and locally based development group.
- The project as proposed follows the Water Street Vision Statement in many areas.
- The project will provide significant improvements to, and expansion of, the Riverwalk, with proposed tie-ins to future development along the Riverwalk.
- The project may provide (or at least hopes to provide) possible solutions to storm water retention issues.
- The project will provide upgrades and other infrastructure elements, some of which are said to be desirable, or even needed, no matter what development occurs in the Water Street District.
- The project will provide a parking facility to help accommodate the increased traffic, not only of this development, but also for some future developments.
- The project offers some creative and attractive architecture.

The NAHC speakers then expressed the following concerns of the Confederation's Board, all of which relate directly or indirectly to the proposed height of the new buildings within the compacted space (a) available for the project in the first place, and (b) the proposed reduction of Water Street from 66 feet to 57 feet, and (c) the proposed reductions to building set-backs:

- **Excessive building height. Although the underlying issue is the overall intensity of use in a fairly confined space, if approved as proposed, this level of density may very well reduce, or even compromise, the pedestrian-friendly character of this project. The Statement by Richard W. Strawbridge as presented to Plan Commission is attached (See Attachment F) and summarized below.**

### **Proposed Development in Terms of Building Height, Compactness and Intensity of Use**

While this narrative attempts to verbally describe the proposed re-development project in terms of building height, the reader should refer to the architectural renderings that are attached to this report for a better understanding of the concepts. (See Attachment B.)

The Developer proposes to construct six buildings in total, all of which were proposed to consist of five stories, each of which were to be about or slightly over 60 feet in height. Two (a "theatre" building of 60.8 feet, and a "loggia building" of 72.3 feet) are to be constructed between 29 to 36 feet from the river bank on the north side of Water Street, with a pedestrian plaza between them of an average of 43 feet in width. A five-story building with a taller "tower" roughly in the middle (the "tower building") is proposed for the south side of Water Street, to extend completely from the existing three-story (but 40-plus foot tall) Moser Building on the southeast corner of Water and Main Street. The "tower" itself will reach 83.2 feet in height, although the setback fifth story will be about 52 feet in height. This building's fourth story cornice will be the same height as the Moser Building cornice line. A new five-story "mixed use" building is to be constructed on the southeast corner of Water and Webster reaching 64 feet in height. Another five-story "office building" was proposed to be constructed on the northeast corner of Webster and Aurora Street, but during the Plan Commission Public Hearing the Developer agreed to reduce the height of this building to conform with current height restrictions (40 feet), eliminating the need for the only height variance required under the current City Code. None of the reported heights include (or are required by Code to include) the roof-mounting HVAC and other utility-related mechanical equipment, which will be located toward the middle of the buildings. In addition, a multi-story parking garage is proposed with a height of 67 feet.

To offset the street-level perception of height and building bulk, the Developer's design calls for all of these buildings, notably the riverside "theatre building" and the main "tower building" to be stepped-back. The "office building" at Webster and Aurora also originally featured stepped-back heights, but with the Developer's concession at the Public Hearing to redesign this in conformance with Code we cannot say how it will eventually be configured. We are however concerned that the "office building" as currently designed does not follow the Transitional Use zoning guidelines by being "residential" in nature.

In addition to these buildings, the Developer proposes to construct a 5-story parking deck to the south of and in close proximity to or contact with the "tower building," and to the south abutting the existing "Squaw Alley." At present, this will not be screened from view looking north from Aurora Street, which has led to concerns that the existing properties along the north side of Aurora Street will also be subject to future "tall building" re-development.

Collectively and in general, the entire development is intended for the mixed uses that include restaurants and shops (mostly on ground-level), offices on the second floors, and condominiums at the higher floors. The Developer's design concept is to create a discreet Downtown section that will be "pedestrian-friendly" with a semi-European milieu and internal parking space that will promote shopping and public gathering, plus an attractive overall environment for patrons of the businesses and the condo owners.

### **Proposal conflicts with the Water Street District Vision Statement**

The Committee disagrees with City Staff and the Developer that this proposal meets the City Council-approved Vision Statement for this area, referred to as the "Water Street District." Specific provisions of particular interest to the issues of height and bulk include the following:

#### **1. Design and Character**

The **unique character of Downtown Naperville** has been established through the incorporation of a variety of design elements into the buildings, streetscapes, and amenities. Building on the success of Downtown Naperville, the Water Street Study Area should include some predominate characteristics of the existing downtown, such as building materials, **scale**, and pedestrian amenities

Considerations:

6. Arrange the buildings in a manner which capitalizes on the Riverwalk and Naper Settlement, while also **maximizing open space** and pedestrian connections.
7. Utilize the grade differential from Aurora Avenue to the Riverwalk (downward sloping towards the Riverwalk) to minimize the height of buildings on Aurora Avenue.
8. **Consideration shall be given for predominately 2 story or taller buildings where appropriate. Taller structures of 3 to 5 stories may be suitable if minimal impact is imposed upon the surrounding area. (This is not intended as an absolute maximum number of stories.) The height guidelines established through the Downtown Plan [i.e. – 2 and 3 stories] as well as the site topography and existing building heights within the general area will be utilized the determine appropriate height for each building. Each building should not exceed the floor-area ratio ["FAR"] or maximum height established within the respective zoning district in which the property is located.**  
(Emphasis and bracketed material added.)

There is concern that the FAR (Floor Area Ratio) is greater than allowable under the zoning guidelines, which states a maximum FAR of 2.5. The Developer has stated the project is within the 2.5 FAR. It is believed that the FAR has been manipulated to allow for a far greater density than the 2.5 ratio by including the parking deck area as "open space" for calculation purposes

- **The impact of the 5-story structures on the Riverwalk, the “jewel” of Naperville, especially given the relatively small-proposed setbacks. A summary of Statements made by Dan Bulley are attached (See Attachment G) and a Committee summary is below.**

Growth and Development are good for Naperville but the growth must be smart. This Proposed Project has exciting potential. There is much concern about the impact to the Riverwalk. Naperville is a big success and Naperville’s parks are a big part of that success. Of these parks the Riverwalk is significant in its impact to Naperville both from a recreation side and as a driver to Naperville’s economic development.

The Committee is concerned that the Proposed Project will be detrimental to the Riverwalk. The proposed 60-70ft buildings along the Riverwalk are too high. Naperville highly promotes and relies upon its Riverwalk, however the only consideration being given to the Riverwalk is an extension of the walkway on the southern edge and one “shadow study”. Is this preservation and protection of the Riverwalk? According to the Developer, the “shadows” from the proposed buildings upon the DuPage River and the Riverwalk are not detrimental to wildlife and shade is a preference for users of the Riverwalk, therefore shade is important. The “shadow study” is not questioned, however, what is questioned is whether the shade/shadow provided by the buildings is beneficial and will sustain a pedestrian friendly atmosphere. What is commonly known as “beneficial shade” (that caused by the trees) is eliminated from this proposed project. An entire line of shade trees along the DuPage River would be lost. The existing trees are not anticipated to be replaced. Additionally, during winter months when sunlight warms the Riverwalk, this “south side Riverwalk” will remain in shade/shadows caused by the buildings.

Also of concern is the mention of “improvements to the Riverwalk”. It is the understanding of this Committee that the “south-side Riverwalk” is actually private property and not considered “Naperville’s Riverwalk”. It is further the Committee’s understanding that a public easement has been or will be granted for this “south-side Riverwalk”.

Currently Naperville’s Riverwalk Commission is planning to widen the Riverwalk to make it more pedestrian friendly. Also being discussed is improving the handicapped accessibility to the Riverwalk. In this proposed project the Developer depicts a 5ft wide walkway throughout the riverside of the proposed development. There is currently a 3-5ft wide walkway in place, which could be much improved both from a safe passage perspective and from a landscape beautification perspective. Concerns have been raised that if the walkway by the river is to be improved and is intended to encourage access into this development from the Downtown Core, it should be initially widened to at least 7-8ft.

This usage of the walkway (aka “south-side Riverwalk”) as an access into the proposed development is a dramatic change to the current usage of Naperville’s Riverwalk. This is the first commercial development which has the opportunity to capitalize on the Riverwalk. It is this Committee’s opinion that additional studies regarding the impacts to the environment should be considered. Consideration should be given to widening the walkway by the river and creating a more pedestrian friendly environment.

- **The amount of traffic this development will generate on Downtown streets that are already highly challenged, plus the traffic problems associated with this project that were identified by TAB. [TAB voted 6-1 in its July meeting that the project failed to meet the applicable traffic guidelines and goals.] Beyond the problems identified by TAB, the Committee is concerned of additional traffic impacts and practicality. The Statement presented at Plan Commission by Patricia Meyer is attached (See Attachment H) and a summary is below.**

Properties in the Water Street area could be put to better use when redeveloped. The Water Street Vision Statement provides guidelines, which encourage development that compliments the downtown core and encourages commercial entities, which may be lacking in the specific area and, frankly, could bring **significant** tax revenues to Naperville in the coming years. There are however concerns regarding the proposed project.

The Vision Statement promotes mixed-use development. Mixed use development, when done successfully, will bring traffic (be it pedestrian and/or vehicles) and add to congestion. This is a reality. For a development to be successful there should be the assurance that infrastructure is in place and able to handle this increase. The concern has been raised that due to Naperville's current congestion issues, Naperville should be more proactive in its infrastructure by considering not only the project at issue but also those in the future.

On July 7, 2007 TAB voted against the traffic related components of the proposed project and questioned the Water Street Traffic Impact Study stating it did not meet the Vision Statement Guidelines.

There is concern that the Traffic Study may not be accurate and should encompass all aspects of traffic patterns both in the present and which are probable in the future and should take into account the usage of Aurora Ave as both a "gateway" into the Downtown Core and as an "alternate route" around the Downtown Core.

The most striking missing component noticed in the Traffic Study was the exclusion of the school year traffic. Most significantly – the added traffic from Central High School (consisting of students, staff, and buses) but also of the elementary schools and North Central College were not included as the study was done during the summer and on a Saturday.

Aurora Avenue is a highly utilized roadway especially the section from Eagle to Washington. The Traffic Study depicts the intersection of Aurora and Washington as "near failure" and the intersection of Aurora and Main as "poor". One must consider that this Study was done on current traffic patterns. Traffic generated by the proposed project was not included and will only add to congestion.

It is only fair to note that *any* development in the Water Street area will impact Aurora Ave and Main Street. The concern is not to prevent the proposed project, it is to address and improve an already heavily congested intersection with the knowledge that additional congestion is in the future.

This development proposes a parking garage for just over 400 cars, on street parking for about 25 vehicles, not to mention the delivery trucks, which will be necessary, and refuse removal. 400 plus vehicles adds to congestion.

The proposed project is for about half of the Vision Statement area. The proposed parking garage provides 147 spaces beyond what is minimally required for this project alone. Does this project take into account how the surrounding properties (also bound by the Vision's guidelines) will develop or could develop to fit the Vision Statement guidelines?

Does the traffic study and the impacts this proposed development may have take into account other developments such as possible changes in traffic patterns at Central High School and at Naper Settlement? Aurora Avenue is key in all these developments.

At what point will “grid-lock” be reached? At what point will consumers decide not to endure the congestion? Unlike other developments in the downtown core, there are 2 legal ways out of the Water Street area – Aurora or Main (Main loads traffic either onto Aurora or into downtown). How is gridlock going to be avoided? According to recent studies Aurora/Washington is “near-failure” now.

This project alone addresses many of the goals and desires of the Vision Statement. Is it too much? Is it too intense? What will be the end result for the area?

Specific to the Preliminary Drawings and details provided to date, there are some questions:

- The tightness of turns onto Water (11ft lane) and onto Squaw (10-11ft lane). Truck drivers seem to prefer wide turns (wider than what has been designated often times). Pedestrian traffic is directed to these intersections. If this is a tight turn (by truck preferences), should pedestrians be directed to that area?
- Where is the dedicated delivery zone for the proposed mixed use building on Webster? Will on-street parking spaces be designated as delivery zones (similar to the Tower Building)? While delivery times may be regulated, will it be practical or enforced? i.e. FedEx and UPS usually do not follow the schedule of delivery trucks. Where is the refuse area and collection for this building? None of these items are addressed in the proposed design.
- Where is the delivery zone (FedEx, UPS, etc.) for the proposed office building on Webster? There is no dedicated parking in front of or on the side of this building. This is not addressed in the proposed design.
- Where is the delivery zone for the proposed Loggia Building and the Theatre Building? Across the street? The street parking is planned to be 7ft feet wide – many family vehicles (SUV’s) are wider than 7ft, delivery trucks are wider than 7ft. This is not practical and needs to be addressed.
- How can double parking or illegal parking resulting in blockage of Water, Webster and Squaw be avoided? Blockages such as these could result in a domino effect onto surrounding roadways and cause backups. By addressing delivery/loading zone issues, this could be improved.
- Has the feasibility of exiting from Squaw and getting into the left turn lane on Main at Aurora and Main been considered? How many cars can be in the “Q-ing” on Main? How many cars can be in the “Q-ing” on Aurora and Washington? Is this practical?
- What type of traffic control is planned for Squaw/Main and Water/Main? This development proposes adding a significant number of pedestrians and vehicles into a relatively small area while “normal” circumstances would not support additional controls, does this proposed development support it?
- Will Webster be changed to “right turn only” or will there be traffic signals/controls at every intersection on Aurora from Eagle to Washington?

Under the Vision Statement both vehicles and pedestrians are attracted to this area – in order for this to have long term viability, both vehicular traffic and pedestrian access/friendliness must be thoroughly addressed and accounted for.

The Water Street area can be a tremendous asset to Naperville. This project has many merits and benefits – the questions are: is it too much and how does it fit now and in the future. We believe that the traffic components of the proposed project need to be re-evaluated and improved.

- **This Project might have a potential precedential effect on future re-development projects in the Downtown area, which could substantially change the character of Downtown and possibly put at risk its “charm” and “uniqueness,” the preservation of which is clearly a goal of the Water Street Vision Statement. This includes the width of sidewalks and open space, which fosters a pedestrian friendly environment. The Statement presented at Plan Commission by Thomas Higgins is attached (See Attachment I) and is summarized below.**

### **Concerns regarding the quality of the pedestrian environment**

There is a charm, a sense of place in downtown Naperville, and perhaps the best way to describe it is a “small town feel” that brings shoppers and diners back time and time again to this increasingly rare environment. The atmosphere of Downtown is almost unique; that the charm and economic vitality of Downtown is the envy of many towns and cities. This is something rare and something to be protected at all costs.

The Committee disagrees with the claim that the Proposed Project will be a pedestrian friendly environment for the following reasons:

The developer has attempted to maximize the space for structures by minimizing the street, sidewalk, and plaza; the public spaces. The Developer is requesting a 9ft vacation of the Right Of Way that will be added onto the building on the South side of Water. All of the Right Of Ways, or the distance between buildings downtown, is 66ft or greater. If approved the distance between buildings on Water will be just 57ft.

The rationale that reducing the width of the street will cause it to have an European, “Old World” feel, is wholly unpersuasive, and brings to mind the old joke about the best defense is a good offense. Unless we are all going to trade in our cars for Mini’s, and overlook cars parking on the sidewalk as seen all over Europe, the result will be an uncomfortable pedestrian and vehicular experience, especially when there will be 5 story buildings on both sides of the street. In Urban Planning today, one of the most important themes is the extensive use of “open” or “green” space, with generously sized sidewalks to make the area pedestrian friendly, there is simply no accepted rationale for narrowing a street this excessively especially considering the proposed height of all the buildings.



**Widths of sidewalks proposed for Water Street  
are inadequate**

Compare Water Streets proposed width for the sidewalks and parking stalls vs. the new in Downtown Naperville, as illustrated by Main Street Promenade and the old, Jefferson at Main.

Here's Jefferson at Main with 18 feet of sidewalk and one of downtowns loveliest spots, because of the generous sidewalks



Main Street Promenade has essentially a 20ft wide sidewalk **BEFORE** any parking stalls, comprised of an 11½ft clear width sidewalk, 6ft wide planters, and a 2ft buffer at curb. All before the parking stalls. This allows for comfortable strolling, and the space between the planters allow people coming out of Hugo's to wait for the valet attendant without blocking the flow of passerby's. **This is an excellent example of the current thinking of how to create a pedestrian friendly streetscape.** There is simply no reason why this can't be accomplished on Water Street.



**You could put Water Street's sidewalk AND it's parking onto Main Street Promenade's sidewalk and still have 2 ½ ft left over.**

This is simply inadequate, and will not create any kind of pedestrian friendly atmosphere. Quite the contrary it will feel narrow and cramped. So the question is, which will serve the needs of the shoppers and diners better, and entice them to return again and again, Main Street Promenade, or Water Street?



Compare these pictures of an older couple passing 1 person on the 6ft wide sidewalk in front of Main Place.

The gentleman has to move over uncomfortably close to the wall of the building, and the women instinctively angles her shoulders to create space between her and the passerby.

Can it be duplicated on Water Street? Yes of course, but it is hardly a comfortable experience.



With the amount of pedestrian traffic such a dense development as Water Street will create, why not provide the kind of sidewalks that will allow people to enjoy the experience, and encourage people to use the sidewalks, instead of just providing the bare minimum?

## **The heights of the buildings are too tall for the width of the street and the plaza**

The Committee received the comments made by a Planner with whom the proposed project was discussed.

***The height and massing of the building will inhibit pedestrian activity:** Given the mixed-use nature of the project, residents, planners and developers can likely agree that fostering new street activity will be crucial to the project's success. Unfortunately, it is far too tall relative to the street and will discourage pedestrian mobility. Water Street and its sidewalks, for example, have been planned at 57' in the site plan given to me. The cornice line on both sides of this street is just above 52', but the slight setback actually puts the top floor of the project at 61' just beyond that cornice line. As a general rule, buildings taller than the width of their street tend to discourage pedestrian activity. The height of the buildings relative to Water Street is probably best illustrated by the massive shadows it casts on PC-4 of the site plan.*

In the same vein the plaza is even a worse example of too narrow a space between buildings. The width of the plaza is 47ft between the buildings to the south and 39ft between the buildings on the north. It is quite a narrow plaza that is significantly overwhelmed by buildings that are 60ft and 72ft tall beside it. All the concerns about the pedestrian friendliness of Water Street itself are magnified here, as instead of 57 feet apart they are on average 43ft apart.

Below are the Planner's statements when he was of the understanding that the plaza is 50ft wide, not an average of 43ft.

***The Gateway Fountain fails as a plaza concept:** Only 50 feet wide, the massing of its neighbors ensures that the Gateway Fountain will not succeed as a public space. Public spaces tend to fail when surrounded by shade and canyon-like human development. This is problematic, as desolate public spaces tend to discourage human activity, which in turn can increase crime and vandalism. Naperville does not need a poorly planned plaza space immediate to its Riverwalk.*

This is troubling in and of itself, but consider this is right on the Riverwalk (the crown jewel of our downtown), it is imperative that anything built here clearly becomes an asset to the Riverwalk and an example of excellent pedestrian design.

Lastly, the Planner comments about desolate public spaces possibly increasing crime and vandalism. Individuals have raised concerns about the pedestrian tunnels from Water Street to the parking garage behind. Frankly, the parking garage can be viewed as isolated. Comments have been that these individuals would not feel comfortable in the passageways, alley, or the garage itself late at night. Contrast this proposed parking garage to the Van Buren or the Chicago decks which are located on a busy public street. It's these details of making people feel safe and comfortable which often makes the difference in whether a project succeeds or fails.

It seems that this proposal is a big time rule changer, in height, density, and for the first time a significant reduction in the ROW, this proposal is a significant change in course from Naperville's distant past as represented by Jefferson between Washington and Main, but also the present, as Main Street Promenade illustrates.

We do not agree that this project is pedestrian-friendly nor do we agree with the reduced Right of Way given the height and density of the proposed project.

## D. Plan Commission's Comments and Vote

During the hearing, the Developer's attorney (Kathy West, of Dommermuth, Brestal, Cobine and West) contended that height is not and should not be an issue. Attorney West referred to other "Tall Buildings" mentioned in a list she provided to Plan Commission in her July 20, 2007 letter. Among these were included the North Central College's Performing Arts Center (now under construction), Edward Hospital, the DePaulo Building (the 7-story condo building on South Washington Street), the River Place condominiums, the Van Buren Parking Deck, Main Street Promenade, and the Barnes & Noble building. In rebuttal to Attorney West, the NAHC pointed out that none of these structures offer a fair comparison, because they are all set back from the street significantly, and do not have other "Tall Buildings" right across the street, as the Water Street project proposes to build. Further, neither Edward Hospital, River Place condos, nor the DePaulo Building is Downtown.

In general, the Commission did not have issue with the "tall buildings" that are being proposed. However, a majority (if not all) of the Plan Commissioners expressed serious reservations with the two proposed buildings that will abut the River. Chairman Price expressed these reservations succinctly when he said that he would prefer to have this area developed in the manner of Jefferson Street, but in his view the constraints on re-development in this area imposed by the City Council will not permit that as a practical matter.

Commissioner Paul Hinterlong explained, that he conducted a personal investigation, which included standing by some other higher buildings in the general downtown area and looking at them from different distances. He also explained how he believes the two riverside buildings in particular will adversely affect the present "this is Naperville" view of Downtown from Aurora Street. A persuading fact for him, he said, was that the location of the Water Street project is not in Naperville's "Old Downtown," so that more leeway might be accorded to the present Developer. He concluded that 60 feet tall was the maximum he believed appropriate, and that since the proposal was close to that, he would not vote against the proposal.

Commissioners Brown and Jepson stated that they shared some or many of Commissioner Hinterlong's opinions, especially in regard to the buildings proposed to abut the river. Commissioner McElroy struggled in reaching his declaration of vote, primarily because, he said, of the long shadows the "tall buildings" will create on the Riverwalk.

Commission Chairman Derke Price stated that he, too, was troubled by the height issue, and would prefer that this area might be re-developed in a manner to more or less replicate the scale and feel of Jefferson and Main. However, he stated that (1) the Council has previously rejected the concept of either eliminating or re-locating Water Street, which in turn restricts the design options of potential developers, and (2) the location of this project across the river and to the south of "old Downtown," combined with the failure or previous re-development proposals to win the City's approval, convinced him that leeway should be granted to this proposal for what it seeks. He also stated that this Developer is willing to expend "private funds" to make various improvements (to the Riverwalk, for parking, infra-structure, and perhaps other things) that neither the City nor other formerly prospective developers have been willing to fund. Essentially, Mr. Price repeatedly stated (and pressed NAHC's speaker and Board Member Dan Bulley to say yes or no to – which Dan politely declined to do), that this project presented a choice to the Commission of either (a) allowing the Water Street district to remain un-redeveloped with a semi-blighted appearance as it currently has, with unattractive features along the south side of the river, or (b) to accept a less-than-perfect project that will at least (in his view) solve many existing problems while bringing a potentially creative and successful new development to the south edge of Downtown.

Commissioners Ann Edmonds and Reynold Sterlin voted against the project, stating that they could not accept the package as proposed because it was neither consistent with the Vision Statement, nor "pedestrian-friendly." In the draft Minutes for the meeting, the Minority Opinion is recorded as follows: "The Commissioners who voted in the minority stated that the development was too large for the site and that the proposed scale and the ancillary impacts brought about by the scale (traffic, etc.) did not comply with the provisions of the Water Street Vision Statement." A copy of the Minutes is attached (See Attachment J).

## VII. COMMITTEE'S COMMENTS

Building height, taken by itself and in the abstract, is not the real issue here. Of course height alone is a factor (as Dan Bulley, Commissioner Hinterlong and others explained). However, the underlying issue is the overall compactness of the proposed project combined with the anticipated intensity of use. This creates the problems with traffic, "pedestrian-friendliness," and also drives up the costs that the Developer insists must be funded in part by a TIF (which, by way of a shorthand explanation, costs for various items are redirected to Naperville's taxpayers, ultimately including Homeowners). Building height drives up the intensity of area use, creating the need for more parking, improved infra-structure, and also adds to the already "Grade F" traffic problems.

The Developer has stated to our Liaison Committee that he cannot economically do this project unless the City approves the five-story ("tall") buildings. Yet no one really knows if this is totally correct (although the NAHC accepts the profit incentive for development projects in general). Naperville's Code requires evidence to support requests for variances (of which the Developer seeks many) to show that the developer cannot enjoy a "reasonable return" if the requested variances are not granted. Plan Commission Chairman (a lawyer practicing in the field of municipal law) has said that decisions from the Illinois appellate courts preclude such inquiries. While the NAHC should give this researched consideration, this would mean that Naperville's Code is either legally defective, or that its provisions mean something less than a full accounting, which then leaves open the question of whether the Code-mandated "evidence" is merely the word of the developer. This matters because we cannot determine whether the current proposal is truly a "take it or leave it" proposition, or whether there remains room through negotiations to accommodate this Developer's economic incentives, the City's overall development goals, and the opinions of the NAHC on "tall buildings" in the Downtown area.

The issue of precedent remains a deep concern. Notwithstanding the best intentions of Plan Commission and the City Council, it cannot be overlooked that future developers of Downtown properties will contend that the Water Street project (if approved as proposed) will set a standard, guideline, or other form of precedent for all future Downtown re-development projects. Even though Plan Commissioners Hinterlong and Price strongly articulated what the Committee deems to be solid reasons to view this area a separate and unique part of Downtown, will (or can) their views be maintained in the future?

The point to be made here is that, even if Naperville approves this "tall building" project for the Water Street District – which has been regarded as special enough to give rise its own Council-approved Vision Statement, that does not preclude the influence of this project elsewhere, and especially along Washington Street (both north and south). Will there be future "vision statements" that gives room for tall and dense projects?

The project is proposed as PUD (Planned Unit Development), which ordinarily allows significant leverage to the City to extract significant concessions from a developer so as to more completely conform to the City's overall master plans and the best interests of the community as a whole. Plan Commission did not appear to exert this potential leverage to any meaningful extent. It may be speculated that the reasons for this might include the City Council's recent rejection of Plan Commission recommendations for other major projects (the Nichols Library for example), the recognition that this project has been "on the drawing board" for years with no overt objections from Council (and even some statements by Councilmen expressing at least a general form of approval), and the practical constraints imposed on the Developer as outlined by Chairman Price during the Public Hearing. Nevertheless, the City Council has not yet heard the researched "concerns" of the NAHC, which therefore the NAHC should present to Council.

The NAHC Liaison Committee joins with the majority of the Plan Commission in noting the many positives of this proposed development, as well as the constraints imposed by prior Council decisions.

Using the planning leverage afforded by the PUD process, the City should mandate compliance with the Water Street Vision Statement, which this project, *as currently proposed*, fails to meet.

## VIII. COMMITTEE'S CONCLUSIONS AND RECOMMENDATIONS

Overwhelmingly, the Committee finds that this project, as currently proposed, fails to comply with the Water Street Vision Statement nor is it in the best interests of Naperville, and this project, as proposed, has serious flaws and objections that fail to meet the concerns expressed and adopted by the NAHC Board. Therefore, the Committee concludes and recommends that this project not be approved as it is currently proposed.

### **Details of Recommendations that would lead to approval of the project**

The Water Street Development Project consists of 5 multi-use buildings approximately 5 stories in height; a 5 story parking garage; and a small open-air Plaza. The determination to include various multi-uses within the 5 buildings increases the intensity of usage and consequently the need for commensurate parking. It also increases the height and bulk of the structures. Further, high density developments such as this will overburden the already traffic choked streets in the downtown where most, if not all, intersections operate with a level of service of D or F. Naperville needs to carefully consider the advisability of high density developments in the downtown area serviced by streets designed for much lower populations and which are unlikely to be widened or otherwise improved.

The priority of our City should be to encourage developments that complement the existing Downtown Core and the surrounding community while being sensitive to the precedent for other future developments. We are concerned that the proposed project is too much for the area. Re-evaluation of the multitude of uses and the possible reduction of those uses may be a better complement to the community, and to the proposed development itself for the long term. While the height of all the structures is a concern, we are especially concerned about the height and bulk of the 2 buildings abutting the DuPage River. By reducing height and/or increasing the setback from the river, a less overpowering impact may be experienced on the Riverwalk and from Downtown. This could enhance the "pedestrian-friendly" aspect and offer better accessibility at the same time.

**Therefore it is recommended that the overall height of all structures be reduced with special emphasis on the buildings to be adjacent to the DuPage River. The reduction would be more in accordance with the Water Street Vision Statement and the Downtown Plan.**

The proposed project maximizes the land usage, while minimizing vital "real life" needs of both the commercial and residential communities. The project design in a precedent setting move reduces the Right of Way from 66ft to 57ft. The traffic lanes, the sidewalk and the width of parking on one side (north) of Water Street all would be reduced. Demographics within Naperville show a majority of families. It is reasonable and practical to assume the average consumer will not be alone but instead will be part of a unit (i.e. couple, parent(s) with child (ren), and groups). The reduction of the right of way and the average clear width of the proposed projects' sidewalks along with other pedestrian accessibility make the pedestrian friendliness/accessibility minimal.

In addition, the proposed project provides a single designated loading and unloading area to serve all buildings. The loading/unloading space is to be located on Water Street in front of the "Tower" building. While the loading area is conducive to the "Tower" building, it is wholly impractical for a development of this size and magnitude to only have 1 designated loading/unloading zone. It is impractical to expect delivery personnel to transport items across Water Street to the "Loggia" and "Theatre" buildings, or to Webster Street to the "Multi-Use" and "Office" buildings. It is impractical to believe Water Street and Webster Street will not be temporarily blocked causing undue congestion from illegal parking by delivery trucks. Additionally, no on-street handicap parking was depicted in the proposed project design nor was it noted that the proposed design is in accordance with the American Disabilities Act (ADA).

The existing alley (Squaw) will be improved by widening (both at the time of project development and again as redevelopment occurs with other properties for eventual full width providing 2 way access into the parking garage). It is intended that pedestrians will use the alley for access to the garage along with 15ft wide tunnels in the buildings. These tunnels have caused concern in regards to personal safety and comfort. This is especially an issue at night after business hours as the tunnel and the garage itself will be perceived as being isolated.

**Therefore is it recommended that the pedestrian and vehicular aspects of the proposed project be further developed with the focus on a “pedestrian-friendly” environment and effective traffic management. The Right of Way should remain at 66 feet allowing for a pedestrian experience comparable to what Main Street Promenade, and Jefferson at Main offers. Additional attention to pedestrians should be provided in regards to: (a) accessibility to/from the garage; (b) safety in the tunnel and the garage; and (c) increased pedestrian-friendliness from the south. The proposed projects designs are depicted and shown as focusing on the north access. Real life practicality is consumers will arrive in their vehicles from the south (Aurora Avenue) and then after parking become pedestrians. A greater number of suitable loading facilities need to be included.**

The Water Street Development Project has the potential to be a tremendous benefit to the City of Naperville. These benefits include complementing the goods and services offered in the Downtown Core; providing a commercial development in a convenient location on the Downtown area’s southern edge; additional parking spaces; increasing tax revenues benefiting the City of Naperville; enhancing and improving Naperville’s Riverwalk; and providing a pedestrian link to other amenities in the surrounding area. While many benefits are foreseen, the Water Street Development Project as currently proposed has flaws. Once the perceived flaws are addressed and mitigated, the proposal may well be fully supported and highly anticipated. Absent mitigation of these items, the proposed project may not have long-term viability.

**It is recommended that public opinion from all stakeholder groups should be actively solicited regarding this project, so as to better advise the City Council as fully as possible on how Napervillians would like the Council to vote. In the absence of a demonstrated general consensus of community opinion in favor of this project, *as proposed*, the NAHC should exercise its leadership role and seek, as time permits, the full authority of its Member Associations to take a Public Stand that asks the City Council (and the developer) to modify the project to reduce the height of the buildings to a maximum of 45 feet; to retain the current width of Water Street; to reevaluate the traffic flow and impacts; and to create sidewalk streetscapes similar to those developed/being developed on the north side of Downtown.**

According to the Developer the proposed project depends upon a TIF. Without a TIF, the Developer will be financially unable to proceed with this project. At this time the City of Naperville is beginning the public process for the consideration of a TIF. Currently “stakeholders” are being registered and determined. Detailed information regarding the financials and the specific “improvements” to be undertaken has not yet been provided.

This Committee has focused upon the project design as directed by the NAHC. Therefore, we are hesitant to make a recommendation regarding a TIF. However as we do not support this project as proposed because of its numerous perceived design flaws, it is logical to assume that a TIF based on the same proposed project without the recommended changes and improvements would also not be supported.

**It is recommended that the NAHC register as a “stakeholder” regarding the TIF and that the Committee’s report and recommendations be made available to assist in the TIF process.**

Unless the project is modified in the foregoing manner, the NAHC should take a Public Stand to oppose the project. The Water Street District will eventually be developed, but so long as Naperville’s Downtown remains as attractive for developers as it has been – a trend with no end in sight – Naperville can remain confident in its long-term planning, as reflected by the Water Street Vision Statement, and even by its Downtown Plan of 2000.