



**NAPERVILLE PLANNING AND ZONING COMMISSION
MINUTES OF JUNE 1, 2016**

**UNOFFICIAL PRIOR TO PZC APPROVAL
APPROVED BY THE PZC ON JUNE 15, 2016**

Call to Order

7:00 p.m.

A. Roll Call

Present: Crawford, Hansen, Hastings, Martinez, Peterson, Williams
Absent: Bansal, Hajek
Student Members: Butler
Staff Present: Planning Team – Sara Kopinski, Erin Venard
Engineering Team – Andy Hynes

B. Minutes

Approve the minutes of the May 18, 2016 Planning and Zoning Commission meeting.

Motion: Williams Approved
Second by: Hastings (6 to 0)

C. Old Business

D. Public Hearings

**D1.
PZC 16-1-056
Naperville Oral
Surgery Signage
Variance**

The petitioner requests approval of a variance from Section 6-7I-4 (Transitional Use District: Required Conditions) of the Naperville Municipal Code to permit an internally illuminated monument sign in the Transitional Use District for the property located at 605 S. Washington Street, Naperville, Illinois.

Sara Kopinski, Planning Services Team, gave an overview of the request.

Len Monson, Attorney with Kuhn, Heap, & Monson, spoke on behalf of the petitioner:

- Subject property is in the TU district and is required to comply with the downtown district requirements, which do not allow internally illuminated signs.
- Subject property is attractive and well-maintained.
- Other than lighting, the sign is fully compliant.
- Reviewed the surrounding area, lighting, and signs.

- There are several existing internally illuminated signs in the area. These signs are in both the OCI and TU districts.
- Subject property would be permitted to have an externally illuminated sign, but find it would not be in the character of the neighborhood.
- Sign is perpendicular to the street and the neighborhood behind the subject property, so light from the sign would have a minimal impact on the surrounding residential properties.

Planning and Zoning Commission inquired about:

- Williams – The sign is presently internally lit? Monson – Yes, but is not turned on. Williams – What happens if you are not granted the variance? Monson – We will disable the electric. The cost is approximately \$1,000.
- Martinez – Are the signs from your presentation internally lit or externally lit, such as by flood lights? Monson – They are internally lit.
- Hansen – Can you explain how this sign was installed and not the sign that was actually submitted for permit? Monson – There was confusion and miscommunication between the contractor and the subcontractor.
- Peterson – Just to clarify the process on how this happened, this sign was not permitted and it was installed. Now you are asking for a variance, correct? Monson – Yes.
- Williams – Why does the staff oppose this? Kopinski – There are a few other internally illuminated signs on the corridor; however, the majority are on the other side of the street and are zoned OCI. Most of those buildings are of a larger scale and a different design. Most of the buildings on this side of Washington Street are retrofitted single-family homes. Many of these properties have wood monument signs instead of a masonry base. The sign proposed here evokes a commercialized feel and is not consistent with TU.
- Hastings – Other signs that are internally illuminated on the west side, did they have to go through the variance process? Kopinski – They did not. The signs are permitted because the properties are zoned OCI. The gas station south of the property is zoned B3 and it preceded the City's Downtown Design Standards.

Public Testimony: none

The petitioner responded to the testimony

- The transitional district is supposed to be an area between commercial and residential with limited lighting.
- In this situation, the property is consistent with what is surrounding or less intense.
- Will be no light overflow to the lots behind subject property.
- External lights on the sign will be brighter to the neighbors.
- Williams – Is the sign for your office internally lit? Monson – Yes. Williams – And you are on the other side of the street. Monson – Yes.

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Williams – Stumped. Don't like the arguments on either side. Transitional area does not make a difference. A gas station is not comparable to the property. Do not like amplifying or supplementing signs. Inclined to support staff.
- Hansen – Supporting staff. Regulations are evolving in the TU district. As properties turn over, that is the chance to bring them into conformance. Have a problem with the process of this request. Appreciates that a miscommunication happened but don't ask for forgiveness later.
- Crawford – Agree with Commissioner Hansen. Not supporting.
- Hastings – Relatively complicated. Don't like asking for the variance after the fact. On the other hand, there are other signs that are illuminated. Will not support.
- Martinez – Complicated, but also pretty black and white. Wanting a variance but the sign is already out of Code.
- Peterson – Not supporting. Pretty crystal clear. The arguments that are before us are that we should approve the sign because it is an attractive area or well maintained; neither of those are relevant. We do not set or follow precedent. TU is for externally illuminated signs.
- Butler – Agree with staff. Not supporting.

Planning and Zoning Commission moved to recommend approval of PZC 16-1-056, a variance from Section 6-7I-4 (Transitional Use District: Required Conditions) of the Naperville Municipal Code to permit an internally illuminated monument sign in the Transitional Use District for the property located at 605 S. Washington Street, Naperville, Illinois.

Motion by: Williams
Seconded by: Crawford

Not Approved
(0 to 6)

Ayes: None

Nays: Crawford, Hansen, Hastings, Martinez, Peterson,
Williams

Absent: Bansal, Hajek

**D2.
PZC 16-1-057
989 Oswego Road
Variance**

The petitioner requests approval of variances to Section 6-6A-7 (R1A District: Yard Requirements) to reduce the required interior and rear yards on the subject property in order to enclose an existing deck at the property located at 989 Oswego Road, Naperville, Illinois.

Erin Venard, Planning Services Team, gave an overview of the request.

Len Monson, Attorney with Kuhn, Heap, & Monson, spoke on behalf of the petitioner:

- Requesting interior and rear yard setback variances to enclose a deck.
- Directly behind the property is open space; variance will not have an impact on surrounding properties.
- Client reached out to neighbor immediately to the east, and other surrounding neighbors, about the project and received no objections.

Public Testimony: none

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission moved to recommend approval of PZC 16-1-057, variances to Section 6-6A-7 (R1A District: Yard Requirements) to reduce the required interior and rear yards on the subject property in order to enclose an existing deck at the property located at 989 Oswego Road, Naperville, Illinois.

Motion by: Williams
Seconded by: Hastings

Approved
(6 to 0)

Ayes: Crawford, Hansen, Hastings, Martinez, Peterson,
Williams

Nays: None

Absent: Bansal, Hajek

**D3.
PZC 16-1-068
827 N. Washington
Street Variance**

The petitioner requests approval of a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Municipal Code to reduce the number of required off-street parking spaces for the property located at 827 N. Washington Street.

Erin Venard, Planning Services Team, gave an overview of the request.

Matt Goodman, Attorney with Rosanova & Whitaker, spoke on behalf of the petitioner:

- Petitioner has spent large sums of money upgrading the property including: new masonry façade, decorative awnings, new monument sign and new trash enclosure.
- Strive operates a drop-off business, which is why this variance works. Caregivers drop-off their kids and run errands while kids are in class.
- Strive's hours are Monday-Friday from 4pm-8pm and Saturday from 9am-12pm.
- Less intensive use than the former Blockbuster previously located on site.
- Approval of this variance will allow the building to be revived.
- Any other permitted use will also require a variance.

Public Testimony: none

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission moved to recommend approval of PZC 16-1-068, a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Municipal Code to reduce the number of required off-street parking spaces for the property located at 827 N. Washington Street

Motion by: Williams
Seconded by: Hastings

Approved
(6 to 0)

Ayes: Crawford, Hansen, Hastings, Martinez, Peterson,
Williams
Nays: None
Absent: Bansal, Hajek

**E. Reports and
Recommendations**

F. Correspondence

G. New Business

H. Adjournment

7:31 p.m.