



Legislation Details (With Text)

File #: 20-245B **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/20/2020 **In control:** City Council

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Title: Pass the ordinance approving a variance to Section 6-7D-4 to allow a general service use (Lovesac) to be located below the second floor in the B4 District at 12 W. Jefferson Avenue - PZC 20-1-10

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Letter, 4. Exhibit C - Standards, 5. Petition for Development Approval, 6. Lovesac Brochure, 7. Location Map, 8. NDP Letter of Support, 9. PZC Meeting Minutes 2-19-20 DRAFT

Date	Ver.	Action By	Action	Result
3/3/2020	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance approving a variance to Section 6-7D-4 to allow a general service use (Lovesac) to be located below the second floor in the B4 District at 12 W. Jefferson Avenue - PZC 20-1-10

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission conducted a public hearing on February 19,2020 and provided a positive recommendation on the request (approved 6,0). Staff concurs.

BACKGROUND:

The subject property is located near the intersection of Washington Street and Jefferson Avenue with a common street address of 12 W. Jefferson Avenue. The property consists of approximately 3,250 square feet, with a 1,400 square foot tenant space on the first floor and is improved with an existing multi-tenant commercial building. The subject tenant space was formerly occupied by Serendipity Resale Shop and is located between Naper Nuts and Sweets to the east and Two Brothers Barrel House to the west. The subject property is zoned B4 (Downtown Core District).

DISCUSSION:

The proposed business, Lovesac is a furniture company that sells sectional couches, foam beanbag chairs, and other home décor accessories. The petitioner seeks to operate a showroom with a retail component in the existing tenant space on the subject property. Per Municipal Code Section 6-7D-4 (B4: Required Conditions), a variance is required to permit a showroom, which is classified as a general service, on the first floor in the B4 District.

The B4 District permits retail, eating and drinking establishments and commercial services (which includes banks, beauty shops/salons, and dry cleaning) on any floor of a building. It also allows general services, such as showrooms, but restricts their location to the second floor. The objective of this restriction is to provide opportunities for retail type businesses on the street level that encourage pedestrian traffic. Staff has reviewed the proposal and finds that while Lovesac will operate as a showroom, the retail component will allow customers to purchase merchandise such as pillows, blankets, beanbags, and other home décor accessories and leave the store with the item(s). Staff finds this provides shopping opportunities for pedestrian traffic within the downtown and contributes to the existing retail mix.

In 2010 based on the recommendations of the Naperville Downtown 2030 plan, a text amendment was processed to include the ability for petitioners to seek approval of a variance for general service uses seeking a first-floor location for review on a case-by-case basis. Any exterior changes proposed to building facade will be reviewed under a separate building permit.

Planning and Zoning Commission

A public hearing was held by the Planning and Zoning Commission on February 19, 2020. Commissioner Margulies and Commissioner Van Someren expressed support for the proposal finding businesses like Lovesac to be the future of retail. Following limited discussion, the Planning and Zoning Commission voted to recommend approval of the variance to allow Lovesac to operate a showroom on the first floor at 12 W Jefferson Avenue (approved 6,0). The petitioner's responses to the Standards for Granting a Variance are included in the Development Petition. Staff and the Planning and Zoning Commission are in general agreement with the petitioner's Findings and recommend adoption by the City Council.

Key Takeaways

- The petitioner requests a variance in the B4 district to operate a showroom on the 1st floor at the subject property.
- Staff and the finds the retail component of Lovesac will contribute to pedestrian traffic within the downtown and is in support of the proposal.

FISCAL IMPACT:

N/A