



Legislation Details (With Text)

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

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 2/13/2020      **In control:** Planning and Zoning Commission

**On agenda:** 2/19/2020      **Final action:** 2/19/2020

**Title:** Conduct the public hearing to consider 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

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Petition for Development Approval, 2. Legal Description, 3. Responses to Standards, 4. Lovesac Brochure, 5. Location Map, 6. NDP Letter of Support

Date	Ver.	Action By	Action	Result
2/19/2020	1	Planning and Zoning Commission	approved	Pass

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing to consider 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

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, Community Planner

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 20-1-10 was published in the Daily Herald on February 3, 2020.

**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.

The petitioner's responses to the Standards for Granting a Variance are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends adoption by the Planning and Zoning Commission. Any exterior changes proposed to building facade will be reviewed under a separate building permit.

### ***Key Takeaways***

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