



## Legislation Details (With Text)

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**File created:** 10/3/2019      **In control:** City Council  
**On agenda:** 10/15/2019      **Final action:**  
**Title:** Consider the petitioner's appeal to that portion of the Downtown Design Standards (2011) that prohibit painting of the existing masonry surface at the subject property located at 22 E. Chicago Avenue, Naperville (River Square)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Appeal letter, 2. River Square Facade Update, 3. Paint specs, 4. Location Map, 5. 10.2.19 PZC Minutes DRAFT, 6. Public Comment

| Date       | Ver. | Action By    | Action | Result |
|------------|------|--------------|--------|--------|
| 10/15/2019 | 1    | City Council | tabled | Pass   |

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Consider the petitioner's appeal to that portion of the Downtown Design Standards (2011) that prohibit painting of the existing masonry surface at the subject property located at 22 E. Chicago Avenue, Naperville (River Square)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered this matter on October 2, 2019 and voted to deny the petitioner's appeal regarding 22 E. Chicago Avenue (8-0).

**BACKGROUND:**

The subject property is located at the southeast corner of Chicago Avenue and Washington Street and has a common address of 22 E. Chicago Avenue. It is improved with an approximately 59,000 square foot mixed used building known as River Square. The petitioner, Mid-America Asset Management, Inc., proposes to paint the existing red brick building light and medium tone gray. Additionally, the petitioner proposes to remove the existing awnings and update the lighting and signage.

The City's [Downtown Design Standards](https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cmp-dpa-downtown-design-standards.pdf) <<https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cmp-dpa-downtown-design-standards.pdf>> prohibit the application of paint to a masonry surface that was previously unpainted; the petitioner has submitted an appeal to this standard. Per the Naperville Municipal Code, the Planning and Zoning Commission is the body that reviews the appeal. Following the

PZC's denial of the petitioner's request at the October 2 PZC meeting, the petitioner indicated desire to appeal the decision to the City Council.

**DISCUSSION:**

The [\*Downtown Design Standards\*](#)

<https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cmp-dpa-downtown-design-standards.pdf> were developed in 2011 as a companion document to the *Naperville Downtown 2030 Plan* and are intended to serve as the single controlling design reference for the City's downtown. The document establishes standards for building placement, scale, and style for both new and remodeled buildings in the downtown.

The Design Standards state that paint should not be applied to a masonry surface that was not previously painted. Painting natural masonry is discouraged due to durability concerns with the paint, such as peeling and chipping. The petitioner proposes to use a breathable style paint that is specifically designed for exterior masonry applications and will limit peeling and chipping. The petitioner has also committed to maintaining the building with regular touch ups and a complete repainting every 5 years.

The River Square building, constructed in 1989, is not identified as a historic building per the City's 2010 survey of downtown buildings. The building is also located on the periphery of the downtown, outside of the historic core and lacks significant architectural interest today. Given these factors, as well as the proposed maintenance plan, staff does not have the same concerns regarding the proposed painting of the brick as would apply to other architecturally or historically significant building located within the downtown.

***Planning & Zoning Commission Action***

The Planning and Zoning Commission considered this matter at their meeting on October 2, 2019. Isabelle Granahan-Field and Katie Lambert with OKW Architects and Marget Graham, Cole Eisses, and Kay Nelson with Mid-America spoke on behalf of the petitioner. One member of the public, Marilyn Schweitzer, voiced her opposition to the request... PZC found that the request was inconsistent with the Downtown Design Standards and the existing buildings in the area and made a motion to deny the petitioner's appeal. (Approved, 8-0).

***Key Takeaways***

- The petitioner requests the Planning and Zoning Commission provide an interpretation with respect to the *Downtown Design Standards (2011)* in order to permit the painting of the building located at 22 E. Chicago Avenue.
- The petitioner proposes to use a durable paint and commits to maintaining the building.

**FISCAL IMPACT:** N/A