



Legislation Details (With Text)

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Title: Pass the ordinance approving bypass lane and signage variances for 1203 Iroquois Avenue (formerly known as 1200 E. Ogden Avenue) (7 Brew) - PZC 23-1-117

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal, 3. Exhibit B - Plat of Survey, 4. Exhibit C - Site Plan, 5. Exhibit D - Sign Plan, 6. Exhibit E - Standards, 7. Exhibit F - Elevations, 8. Application, 9. Development Petition, 10. Landscape Plan, 11. Monument Sign Design, 12. Engineering Plans, 13. Plat of Easement, 14. Public Comments

Date	Ver.	Action By	Action	Result
4/2/2024	1	City Council	approved	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance approving bypass lane and signage variances for 1203 Iroquois Avenue (formerly known as 1200 E. Ogden Avenue) (7 Brew) - PZC 23-1-117

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Sara Kopinski, AICP

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered PZC 23-1-117 on February 21, 2024, and voted to recommend approval of the petitioner’s requests (approved 6-1). Staff concurs with the PZC’s recommendation.

BACKGROUND:

The subject property consists of approximately 0.58 acres located at the southeast corner of Ogden Avenue and Iroquois Avenue. It is zoned B3 (General Commercial District) and is improved with a vacant, one-story bank building and drive-through. At this time, the Petitioner seeks to demolish the bank building and develop the site with a drive-through coffee shop known as 7 Brew. To do so, the petitioner requests approval of a bypass lane variance and a sign variance.

The City’s Land Use Master Plan designates the future place type of the property as Urban Center, which accommodates the coffee shop proposed. Properties designated as Urban Center are primarily located along major transportation corridors and include a diverse mix of uses. Per the adopted plan, “while Urban Centers can provide a pedestrian-friendly site, being situated on major corridors and needing to accommodate significant parking often means that these areas are more

auto-oriented in their overall design, with larger surface parking areas and convenient automobile access”. Staff finds the proposal to complement surrounding land uses and to be consistent with the goals identified in the Land Use Master Plan.

DISCUSSION:

The petitioner intends to demolish the existing bank building on the subject property and construct a drive-through coffee shop that will generally utilize the same parking lot, vehicular circulation pattern, and drive-through configuration that the bank used. Primary access to the site will continue to be provided from Iroquois Avenue. The drive-through only coffee shop will not accommodate walk up customers or provide customer seating or public restrooms on site. Rather, it has been designed to serve customers quickly while they are on the go in their vehicles.

The subject property is limited in lot area and lot width, which limits its physical capacity for commercial redevelopment. However, the proposed 7 Brew building has a small footprint and minimal parking requirements, allowing it to be accommodated on the site. The petitioner’s proposed redevelopment will convert the currently vacant property into an active commercial site with an enhanced appearance.

Site Improvements

Several site improvements are proposed as part of the redevelopment, including the removal of an existing, nonconforming pole sign, installation of a new monument sign that will be consistent with the guidelines provided in the East Ogden Monument Sign Standards, and the addition of parkway trees and perimeter parking lot landscaping along the property’s Ogden Avenue frontage. Additionally, the petitioner proposes quality building materials and a building design that complies with the Citywide Building Design Guidelines.

Two zoning variances are requested to facilitate redevelopment of the property. Neither variance request is a result of the proposed use being a drive-through only establishment.

Drive-through Bypass Lane Variance

7 Brew’s proposed site plan includes two drive-through lanes where employees interact with customers and take their orders early in the drive-through process to ensure orders are ready when customers arrive at the pickup window. The proposed drive-through layout is similar to the bank’s prior configuration and circulation route but does not provide for a continuous bypass lane as required by [Section 6-9-6:2.2 \(Supplemental Standards For Drive-Through Stacking Lanes\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeld=TIT6ZORE_CH9OFSTPA_6-9-6SUSTDRROSTLA) of the Naperville Municipal Code.

The petitioner seeks approval of a variance to Section 6-9-6:2.2 to eliminate the required bypass lane. The petitioner states that the combination of the dual lane drive-through proposed and 7 Brew’s efficient drive-through process minimizes the need for a bypass lane. Strict enforcement of code requirements would result in the need for a parallel pavement section to be added adjacent to the dual drive-through lane system, which would be underutilized and not provide a convenient escape route for customers using the interior drive-through lane. Staff notes that the proposed drive-through operation exceeds the City’s stacking requirements of 4 cars per window.

Staff finds the proposed site layout and drive-through design to be sufficient and is supportive of the requested variance given the size limitations of the subject property, the dual lane drive-through design, and the number of stacking spaces provided. Additionally, it should be noted that adding a

bypass lane is not possible on the site due to the property's restricted lot width and lot size.

Sign Variance

The proposed 7 Brew drive-through coffee shop has a unique design with a building façade measuring less than 20 feet in width, and a canopy measuring more than 50 feet in width when viewed from Ogden Avenue. [Section 6-16-5:2.1 \(Wall Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5SICOINPR) https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5SICOINPR of the Municipal Code identifies that wall signage shall be permitted up to a maximum area of 1.5 square feet for each linear foot of facade.

Based on a 20-foot-wide building façade, 7 Brew's allowable signage is limited to 30 square feet in size. It should be noted that the drive-through canopy is considered an accessory structure and is not considered when determining allowable wall sign area.

The petitioner's primary wall signage is 6 feet in diameter and approximately 28 square feet in size. It consists of a circular logo and will be centered on 7 Brew's front façade. This primary signage is permitted and consistent with the intent of the City's sign regulations. The petitioner has proposed a second, directional wall sign measuring approximately 5 square feet in size. When combined with 7 Brew's primary sign, the total amount of permissible wall signage is exceeded; therefore, the petitioner seeks approval of a variance to Section 6-16-5:2.1 to increase the amount of permissible wall signage on the front elevation.

Staff does not have any concerns with the sign variance requested due to the unique circumstances of the building design. The signs proposed are proportionate to the building façade and compatible with the surrounding commercial area. Furthermore, the petitioner states that 7 Brew's business model is based on moving cars through drive-through lanes efficiently, and signage expressing the direction of traffic is important to keep cars circulating.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments for each entitlement requested. Upon review, the PZC and staff agree with the petitioner's Findings and recommend their adoption by City Council.

Land Use Considerations and Pedestrian Accommodations

As noted in the sections above, the petitioner proposes a drive-through only coffee shop that does not accommodate walk up customers or provide customer seating or public restrooms on site. Rather, it has been designed to serve customers quickly while they are on the go in their vehicles.

Drive-through only businesses are permitted in the B3 zoning district and nothing in the City's Zoning Ordinance requires businesses to provide interior seating or accommodations for pedestrians or walk-up customers. Further, the City's Land Use Master Plan notes that properties designated as Urban Centers, such as the subject property, will be more auto-oriented in their design. The plan further notes that although auto-oriented development is likely, convenient and direct access for pedestrians and cyclists should also be provided from adjacent areas. This has been met through the inclusion of sidewalks along the Ogden and Iroquois frontages and an on-site bicycle rack. Finally, while there is a key consideration in the plan for urban centers to "work with property owners and developers to implement best practices for Walkability, such as connections to adjacent areas, walkways through surface parking, and pedestrian amenities", staff finds that the limited property size and the intended business model is largely prohibitive in achieving significant on-site pedestrian amenities (beyond the

sidewalk along both frontages).

The City's Transportation Plan also provides adopted policy direction to ensure adequate pedestrian facilities are provided, with an emphasis on pedestrian connectivity within the public right-of-way. The pedestrian and bicycle components of the City's Transportation Plan acknowledge that safety is a critical element to be considered when establishing pedestrian connections and notes that issues including safety and the intended use of the property need to be balanced when considering proposals.

The proposed site design is auto oriented and to maintain safety for customers, does not include any internal pedestrian connections which could create potential conflict points for vehicular and pedestrian traffic. To ensure pedestrian connectivity is maintained, sidewalks will continue to be provided along the subject property's Iroquois Avenue and Ogden Avenue frontages. Staff finds these pedestrian amenities to be sufficient for the subject property given the intended use as a drive-through only coffee shop.

While the current Zoning Code does not require pedestrian service/walk up windows or interior seating for any commercial use, the City Council may direct staff to amend the Code to require such improvements if they find it appropriate. Such an amendment will likely necessitate petitioners to provide additional restrooms, rework interior floorplans, and provide significant site modifications to limit potential pedestrian and vehicle conflicts.

Staff does not have concern with drive-through only requests and finds these types of establishments to be appropriate in the B3 zoning district and within urban centers as provided in the adopted Land Use Master Plan. Staff notes that drive-throughs are prohibited in the Downtown B4 and B5 Districts, where there is a stronger emphasis on pedestrian-oriented environments.

Planning and Zoning Commission

The Planning and Zoning Commission considered this matter at their meeting on February 21, 2024. One member of the public provided testimony and expressed concerns about the proposal's impact on walkability in the area. Commissioner Bansal commented that the elimination of a bypass lane is a concern in an emergency situation and Commissioner Robbins expressed concern that the proposal does not meet the City's walkability goals. Following limited discussion, the PZC closed the public hearing and recommended approval of the petitioner's requests (approved 6-1). Commissioner Bansal cast the dissenting vote. Staff concurs with the Planning and Zoning Commission's recommendation.

Key Takeaways

- The petitioner requests approval of a variance to Section 6-9-6:2.2 to eliminate the required bypass lane. The PZC and staff supportive of the request given the size limitations of the subject property, the dual lane drive-through design, and the number of stacking spaces provided.
- The petitioner requests approval of a variance to Section 6-16-5:2.1 to increase the maximum permitted wall signage area. The PZC and staff are supportive of the request and find the signs proposed to be proportionate to the building façade and compatible with the surrounding commercial area.