**File #:** 20-202, **Version:** 1

## DOWNTOWN ADVISORY COMMISSION AGENDA ITEM

**ACTION REQUESTED:**
Provide follow-up information on general services uses below the second floor in the B4 (Downtown Core) zoning district.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Allison Laff, AICP, Deputy Director

**BOARD/COMMISSION REVIEW:**
At the November 14, 2019 DAC meeting, Larry Kling, Newmark Knight Frank, provided a presentation regarding current trends in the retail market. DAC generally discussed these trends as they apply to Downtown Naperville.

**BACKGROUND:**
Per the Naperville Municipal Code, “general service uses” (see definition below) shall not be permitted below the second floor of any building or structure located within the B4 (Downtown Core) zoning district. Petitioners may request consideration to locate a general service use in a first-floor tenant space on a case-by-case basis through the variance process, which is subject to review by the Planning and Zoning Commission and City Council.

| | |
|---|---|
| SERVICES, GENERAL: | The business or occupation of doing work for others for a fee with a primary business, office, showroom or training component. General services are typically scheduled by appointment. Uses include business, professional, medical or dental offices, workrooms or studios of artists, authors, interior designers, sculptors or other trades people, instruction in music, dance, fitness, home crafts and art, showroom and meeting/conference space, health spas without lodging facilities/massage establishments, and similar uses. Accessory retail is allowed, up to a maximum of ten percent (10%) of the customer area, in conjunction with permitted general service uses. |

**DISCUSSION:**
During discussion at the November 14, 2019 DAC meeting, staff and DAC members noted that the existing variance process appears to be working well to allow review of proposed general services on the 1st floor in the B4 on a case-by-case basis.

Following the November DAC meeting, staff from the City, Naperville Development Partnership, and

Downtown Naperville Alliance met to further discuss criteria which may be appropriate to consider when reviewing these variance cases, as follows.

*The following characteristics of the proposed general service use may be considered in support of a variance from Section 6-7D-4:1 of the Code (i.e., prohibition of general services uses on first floor in B4):*

- *The proposed general service use generates sales tax;*
- *The proposed general service use includes retail items on display for purchase and carryout from the business;*
- *The proposed general service use relies on walk-in customer traffic and is not appointment based;*
- *The proposed general service use is proposed for a geographic location in the B4 district in which retail uses may be more difficult to sustain;*
- *The proposed general service use will not create a pedestrian dead zone, as defined in the Naperville Downtown2030 plan; or*
- *The proposed general service use exhibits other unique or special characteristics which would make it appropriate for inclusion below the second floor of a building or structure in the B4 district.*



powered by Legistar™