



## Legislation Text

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File #: 20-797B, Version: 1

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### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass the ordinance approving a major change to the Naperville Crossings PUD allowing for deviations to permit a drive-through on Building 7 Lot 16 - PZC 20-1-044

**DEPARTMENT:** Transportation, Engineering and Development

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

#### **BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered PZC 20-1-044 on July 15, 2020 and voted to approve the request (approved 9,0), staff concurs.

#### **BACKGROUND:**

The subject property is zoned B2 PUD (Community Shopping Center District - Planned Unit Development) and is 9.55 acres in size. The property is known as Lot 16 of the Naperville Crossings PUD and is located north of Cantore Road on the west side of Route 59.

A major change to the Naperville Crossings Final PUD plat for lot 16 was reviewed and approved by City Council on July 21, 2015 (Ord. 15-118). The major change revised the 2006 plat (Ord. 06-212) to establish controlling plans for two retail buildings and one future outlot building in addition to the two existing outlot buildings on site. The major change also approved multiple deviations to the drive-through and drive-through stacking requirements for a future restaurant user in one of the retail buildings located north of the future outlot building (Ord. 15-119). The two retail buildings have since been constructed. At the time, it was identified that the outlot building would be constructed at a later date.

The petitioner, Naperville Crossing Station LLC, submitted a request for a minor change to the 2015 revised Final PUD plat to construct a multi-tenant building on the vacant outlot, also known as Building 7 on Lot 16. This request was reviewed and approved by the City Council on April 7, 2020 (Ord. 20-032). Since approval by the City Council, the petitioner has revised the plans for Building 7 to include a drive-through for the tenant located on the south side of the building. The current request is for approval of a major change to the Naperville Crossing's PUD to alter the layout and approve deviations to the PUD for the drive-through design.

#### **DISCUSSION:**

The petitioner, Naperville Crossing Station LLC, is proposing to construct a 4,678 square foot multi-tenant building at 2736 Showplace Drive. The proposal requires approval of a major change to the existing PUD in order to revise the site plan which was approved by the City Council on April 7, 2020 to establish the drive-through. The original design for Building 7 did not include a drive-through and

two deviations from the Naperville municipal code are required, thereby triggering the need for a major change to the PUD. The proposal also reduces the square footage of the building from 4,782 square feet, as approved by City Council on April 7, 2020, to 4,678 square feet.

Staff notes the elevations for the proposed building are consistent with the materials and design approved by the City Council on April 7, 2020. The building elevations display a modern and contemporary look consistent with the approved renderings for the existing buildings in lot 16. Minor changes to include the drive-through window on the south elevation are shown.

#### *Stacking Lane Variance*

The petitioner is requesting a deviation to Section 6-9-6:2.3.3 (Supplemental Standards for Drive-through Stacking Lanes) and Section 6-9-3:5 (Stacking Requirements for Use with Drive-through Facilities) to reduce the number of required drive-through stacking spaces from 12 to 8. The petitioner has indicated that the tenants for the building have not yet been identified, but the tenant occupying the drive-through space will be a restaurant user. Per Code, a restaurant user is required to have 12 stacking spaces with a minimum of five spaces between the order and pickup windows. The petitioner is able to meet the five-space minimum between windows, but cannot meet the total stacking spaces required. The proposed plan provides eight total stacking spaces, requiring a variance of four spaces. Adding more stacking spaces would eliminate a portion of the open space area west of the building.

Staff supports the reduced stacking spaces with the condition that the tenant shall be required to submit data confirming that 8 stacking spaces will adequately serve the future user, once identified. This data shall include, but is not limited to, data surveying the stacking needs of the same business in a comparable location, or surveying a different business with a similar business model. This data will be subject to the review and approval by the Zoning Administrator. If the Zoning Administrator does not find that the data supports the available stacking spaces for that tenant, it will not be administratively approved; in that instance, the tenant may seek approval of a stacking space variance, subject to the review and approval by the Planning and Zoning Commission and City Council.

If the Zoning Administrator approves the occupancy of the proposed tenant and that tenant's stacking subsequently causes circulation issues on Showplace Drive, the owner will be required to take adequate measures to adjust their business operations such that the stacking needs can be accommodated. These measures may include, but are not limited to, providing a limited drive-through menu, providing an employee on-site to facilitate drive-through customer transactions, providing reserved parking spaces for customers to pick-up carry-out orders, constructing additional stacking spaces, and/or ceasing use of the drive-through. Such measures will be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to accommodate the tenant's stacking needs may result in the City's revocation of the variance.

All of the above conditions would be added to the ordinance approving the requested stacking space variances. The petitioner's responses to the standards are included in the attachments. Staff and the PZC are in general agreement with the petitioner's Findings and recommends adoption by the City Council.

#### *Drive-through Bypass Lane Variance*

The petitioner is also requesting a deviation from Section 6-9-6:2.2 (Supplemental Standards for Drive-through Stacking Lanes) to allow a bypass lane that does not extend the full length of the drive-through. The drive-through lane is 12' wide and is partially accompanied by an 11' wide bypass lane. As proposed, the bypass lane begins at stacking space 5 and extends to the off-street parking area. The bypass lane is not provided for the portion of the drive-through that is parallel to Showplace Drive. The petitioner has also provided an emergency exit through the loading zone for stacking space 6. Re-locating the drive-through stacking lane adjacent to building in order to accommodate the bypass lane would eliminate sidewalks, landscape, and open space west of the building. Given that a partial bypass lane is included and an emergency exit is provided by use of the loading zone for the stacking spaces which are not adjacent to the bypass lane, staff finds the variance request is reasonable. Staff finds the design addresses safety concerns since options to exit the bypass lane and loading zone are provided in the instance of an emergency. The petitioner's responses to the Standards are included in the attachments. Staff and the PZC are in general agreement with the petitioner's Findings and recommends adoption by the City Council.

### *2017 Parking Variance*

In 2017, a parking variance was approved for Naperville Crossings reducing the number of required parking spaces from 2,218 to 1,997 spaces (Ord. 17-050). The parking variance identified future development of the outlot located in lot 16 of Naperville Crossings to be a 6,500 square foot eating establishment. The current request is for a build out of a 4,678 square foot multi tenant commercial building. Staff finds the proposed use to be consistent with the approved parking variance and identifies that the reduced square footage results in a reduced parking demand for the building.

### *Landscaping*

Given the location of the drive-through, landscaping which was proposed on the south side of the building is disrupted. The petitioner has indicated they plan on providing additional landscaping around the building to offset the loss in plantings. This landscaping includes foundation landscaping, landscaping in the parking lot islands nearby the drive-through exit, screening for the refuse and loading areas, and installation of additional landscaping in areas along the east and west elevations. An outdoor dining area has been allocated along the east elevation for the future tenant, if required by the tenant's use. The existing bike racks, benches, walkways, curbs, and most of the existing landscaping, including parking lot trees, will remain. Staff supports the landscape plan as proposed.

### *Planning and Zoning Commission*

The Planning and Zoning Commission opened the public hearing for PZC 20-1-044 on July 15, 2020. No members of the public spoke on the request. The PZC discussed the proposed stacking space variance raising concern for the number of spaces provided without an identified tenant and questioned the timing of the proposed variance. The petitioner stated the variance requirement is a barrier when searching for tenants and obtaining approval of the variance in advance increases the marketability of the site. The Commission moved to approve the request (approved 9,0), staff concurs.

### **Key Takeaways**

- The current request is for approval of a major change to the Naperville Crossings Planned Unit Development and revised final PUD plat to allow for the development of the outlot on Lot 16 at Naperville Crossings with deviations for a drive-through.
- Staff finds the proposed build out is compatible with the existing buildings and is consistent with the controlling documents for the PUD. Staff also finds the partial bypass lane deviation to

be reasonable and is in support of the stacking lane deviation subject to the conditions noted above. Staff and the Planning and Zoning Commission recommend approval of the major change.

**FISCAL IMPACT:**

N/A