



## Legislation Text

---

File #: 21-0248, Version: 1

---

### **BUILDING REVIEW BOARD AGENDA ITEM**

#### **ACTION REQUESTED:**

Consider the requested variance to Section 5-10-3 Subsection 12 of the Naperville Municipal Code (Rooftop Structures and Equipment) - BRB Case #106.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Amy Emery, AICP - TED Operations Manager

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

N/A

#### **BACKGROUND:**

The subject building at 808 S. Route 59 was constructed more than 20 years ago as part of the Fox River Commons Shopping Center. It was occupied by Sam's Club from the time of construction until it was vacated in 2014. The building was constructed prior to the implementation of the city's current requirements for rooftop unit (RTU) screening which was enacted by ordinance in 2004. The existing building includes a parapet along the west elevation (nearest to IL Route 59) and portions of the south elevation. There is no parapet wall along the north (abutting Mall of India) and east side (rear) of the building. Many existing RTU units are clustered within metal screens.

The current requirements for RTU screening require that all roof structures and equipment, such as heating, air conditioning, ventilation, exhaust or other mechanical equipment, located on the roof of any building or structure shall be screened or enclosed in a manner that will mask the equipment from view. The screening in the form of a parapet wall, unless otherwise approved by the Chief Building Official due to structural reasons, shall be installed such that the entire piece of equipment is completely enclosed on all sides for the full height of the unit plus any supporting curb work.

The applicant, Project Naperville 808 LLC, KPW Investments, LLC is proposing to convert the existing building into mixed use space with multiple tenants, including a banquet facility, theater, and sports courts. The significant scope of the proposed work requires the building to be compliant with the current Municipal Code including the rooftop screening requirements outlined in Section 5-10-3 Subsection 12. The applicant has requested a variance from this section of the code.

#### **DISCUSSION:**

Based on the roof plan provided, the proposed development will include additions to the parapet on the west façade to be compatible with the materials, style and redesign of the building. The parapet will effectively screen rooftop mechanical equipment from view along the west façade. New HVAC rooftop units will be provided that will be unscreened, due to a lack of parapet, on the east, north and

south sides of the building necessitating a variance.

City staff has reviewed the proposed plans and considered the applicant's request for a variance. Staff is supportive of the variance for the following reasons:

- Unit placement is respectful of the existing parapet wall to maintain screening along IL Route 59. Screening along this façade has the most impact on the community as it the façade visible to the thousands of motorists passing by each day
- The petitioner has provided a line of site study to denote the RTUs are not visible from the east and south property lines given distance to the property lines and existing landscape (tree) buffers.

If the Building Review Board finds that the applicant's request meets the standards for granting a variance, staff recommends that the Board recommendation for approval be subject to a condition that defines the city's requirements for the development of the property. Specifically, staff recommends that approval of the variance be subject to the condition that the additional screening proposed in the application is installed, and that additional screening meeting city ordinance be provided for all future RTUs.