



**NAPERVILLE PLANNING AND ZONING COMMISSION
DRAFT MINUTES OF MAY 2, 2012**

Call to Order

7:02 p.m.

A. Roll Call

Present: Frost, Coyne, Gustin, Herzog, Meyer, Messer, Trowbridge, Williams
Absent: Bruno
Student Members:
Staff Present: Planning Team – Ying Liu, Tim Felstrup
Engineering – Trude Terreberry

B. Minutes

Approve the minutes of April 18, 2012.

Motion by: Meyer
Second by: Gustin

Approved
(8 to 0)

C. Old Business

D. Public Hearings

**D1. Case #12-1-047
Aquatic Visions**

The petitioner is requesting a variance in order to have window signage that covers more than fifty (50) percent of the window-surface area of Suite 109 at 2695 Forgue Drive.

Terreberry, Engineering Services Team, gave an overview of the request.

- The petitioner indicated the sign was installed for safety reasons due to a recent break-in incident. The Police Department indicated that there is no criminal record associated with the subject property or the surrounding commercial development.
- The building code does not prevent people from blocking their windows. However, window signage is subject to the 50% requirement.

Michael Elmore, Aquatic Visions, spoke on behalf of the petitioner.

- The proposed signage is to improve the appearance of the storefront.
- Window covering is to protect the fish tank behind the window.
- The false dry wall serves the purpose of blocking the sun light.

Planning and Zoning Commission inquired about

- Whether the “window-surface area” includes the door and transom.
- What would be considered window signage? Staff responded that a blank film or generic graphic patterns covering the window are not considered

signage. However, if the graphics are associated with the logo or products/services of the business, they are considered signage. A graphic pattern of fish would be considered a sign.

- Whether the false wall behind the window violates the building code. Staff responded that it doesn't violate the building code.
- The purpose of requiring 50% of the windows free of signage. Staff indicated that the purpose is to prevent sign clutter.
- Whether the proposed sign should be considered a wall sign.
- Whether the fish tank can be relocated away from the window in the store. The petitioner responded no.
- Whether the regulations are different for signage inside the window.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – Likes the design of the sign. However, concerned that this sign would set a precedent.
- Gustin – Agrees with Coyne. Suggests that the petitioner change the sign to a generic pattern and remove the text. Feels that a fish pattern is generic.
- Messer – It is an eye-catching sign. Agrees that a fish pattern is generic. Would like the petitioner to modify the sign.
- Trowbridge – Agrees with Gustin and Messer. Suggests that the petitioner reduce the sign to 50% of the window area and remove the text.
- Herzog – The sign is well-designed. However, the sign creates signage clutter on the storefront. Would prefer a blank covering for the window.

Planning and Zoning Commission moved to recommend approval of PZC 12-1-047 for a variance in order to have window signage that covers more than fifty (50) percent of the window-surface area of Suite 109 at 2695 Forgue Drive.

Motion by: Gustin

Seconded by: Trowbridge

The Planning and Zoning Commission moved to amend the main motion to approve window signage to cover 100% of the window-surface area subject to the condition that the text of the sign be removed and the graphic provide a fish and coral pattern similar to the existing design. Not Approved
(2 to 6)

Motion by: Gustin

Seconded by: Messer

Ayes: Gustin, Messer

Nays: Coyne, Frost, Meyer, Trowbridge, Williams, Herzog

The Planning and Zoning Commission voted on the main motion.

Not Approved
(0 to 8)

**D2. Case #12-1-051
Midwest Title Loans**

The petitioner requests a variance in order to replace the face panels on an existing, nonconforming pole sign without bringing the sign into compliance with the current monument-sign regulations for the property located at 905 E. Ogden Avenue.

Felstrup, Planning Services Team, gave an overview of the request.

Kevin Booker, Vertex Signs, spoke on behalf of the petitioner

- The customer has leased the building with the assumption that the sign could be reused.
- The ability to use the existing sign is critical to their business.
- Proposes to use the sign for a definite period of time and then comply with the code requirement once the business is established.
- The measurement of the property frontage is more than 100' which allows for a freestanding sign.

Planning and Zoning Commission inquired about:

- The goal of the Ogden Avenue Corridor Study is to beautify the corridor and provide a connection to the Downtown area.
- Temporary use of the existing sign is subject to the City Council's consideration.
- Whether the business is a national business. The petitioner indicated yes, and there are about 600 stores nationwide.
- Whether the design and colors of the proposed sign can be improved. Petitioner indicated that the design of the sign is the business' national model.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – The sign is in conflict with the Ogden Avenue Corridor Study which is intended to improve the appearance of the Ogden Avenue Corridor.
- Gustin – Agrees with Coyne. Doesn't think it is an appealing sign.
- Messer – Concur with other commissioners.
- Meyer – The sign is in conflict with the recommendations of the Ogden Avenue Corridor Study.

Planning and Zoning Commission moved to recommend approval of PZC 12-1-051 for a variance to allow replacement of the face panels on an existing, nonconforming pole sign without bringing the sign into compliance with the current monument-sign regulations for the property located at 905 E. Ogden Avenue.

Motion by: Meyer
Seconded by: Williams

Not Approved
(0 to 8)

**D3. Case #12-1-043
719 Prairie Avenue**

The petitioner requests a variance from Section 6-6B-7:1 (R1B Low Density Single-Family Residence District: Yard Requirements) of the Naperville Municipal Code to reduce the 30' front yard setback requirement as well as reduce the 15' corner side yard setback in order to construct a covered front porch at a distance of 26' from the front lot line and 9.83' from the corner side yard lot line for the property located at 719 Prairie Avenue.

Felstrup, Planning Services Team, gave an overview of the request.

Adam Someren, Casa by Charleston, spoke on behalf of the petitioner.

- The proposed wrap-around front porch greatly improves the home's appearance.
- The design of the front porch is consistent with the style and size of the surrounding homes in the area.
- Presented the exterior elevations of the home.
- The width of the porch has been reduced to save a tree in the front yard.

Planning and Zoning Commission inquired about

- Whether changing the orientation of the house from Prairie Avenue to Columbia Street will affect the determination of the front yard for the property. Staff responded that the determination of the front yard is not dependent upon the orientation of the home.
- Whether a variance is required for the current encroachment of the existing home.
- Whether a variance was approved for the current encroachment of the home.
- How much of the front porch is in the setback. The petitioner indicated about 4' of the porch is in the setback and this additional width allows the porch to be more usable.

Public Testimony: None

Planning and Zoning Commission inquired about

- Whether the porch encroachment would create a safety concern for vehicles travelling along Columbia Street. Staff responded that the proposed porch maintains a 25' setback from the street and is out of the

sight triangle. Staff doesn't believe it will be a problem.

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Gustin – The hardship of the case is that the existing home can't be shifted. Will support the variance based on the hardship. The proposal will be a wonderful addition to the home.
- Messer – Commends the owner for trying to work with the existing home rather than tearing it down.
- Williams – The proposed addition is excellent. Believes the impact on the surrounding properties is minimal. Commends the petitioner for trying to stay with the home and preserve the tree in the front yard. Williams also noted that the current encroachment doesn't give the permission to new encroachment.

Planning and Zoning Commission moved to recommend approval of PZC #12-1-043 for a variance from Section 6-6B-7:1 (R1B Low Density Single-Family Residence District: Yard Requirements) of the Naperville Municipal Code to reduce the 30' front yard setback requirement as well as reduce the 15' corner side yard setback in order to construct a covered front porch at a distance of 26' from the front lot line and 9.83' from the corner side yard lot line for the property located at 719 Prairie Avenue.

Motion by: Trowbridge
Seconded by: Williams

Approved
(8 to 0)

**D4. Case #12-1-045
30 S. Ellsworth St.**

The petitioner requests a variance to reduce the 25' front yard setback requirement in order to construct a new single-family structure 19.75' from the front lot line and a covered front porch 15.75' from the front lot line for the property located at 30 S. Ellsworth Street.

Liu, Planning Services Team, gave an overview of the request.

Paul Nordini, Owner and Petitioner, spoke on behalf of the petitioner

- Provided an overview of the history of the property and the reasons why construction was stopped in 2010.
- Wishes to redevelop the property to conform to its original design.
- Reviewed the historical function of a summer kitchen. The proposed summer kitchen is part of the home.
- The home was designed based on the historical footprint of the original home, which is smaller than the current footprint of the existing structure.
- The proposed encroachment in the setback is in keeping with the adjacent structures. Without the variance, the home would appear out of

place.

Planning and Zoning Commission inquired about

- Reasons to stop construction in 2012.
- Comparison of the footprint of the proposed structure and the existing structure.
- The necessity for the setback variance since it is new construction.
- The function of a summer kitchen.
- The status of the litigation between the petitioner and his construction load lender.
- The timeline for completion of the project. The petitioner indicated that he hopes to finish the project by next Spring.

Public Testimony: None

Planning and Zoning Commission inquired about:

- What is a Certificate of Appropriateness (COA).
- The mission of the Historic District. Staff indicated that the purpose of the city's historic preservation regulations and guidelines is to preserve the character and appearance of the Historic District, rather than the materials.

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – The proposed home is in keeping with the surrounding properties.
- Gustin – The existing structure is a dilapidated. Gustin is leaning toward approving the variance in order to allow consistency with the adjacent homes.
- Messer – As the PZC representative on the Historic Preservation Commission, Messer reviewed the rationale of the Historic Preservation Commission for approving the COA and the variance. Although the HPC didn't want to see the structure to be demolished, they felt that the proposed structure is appropriate in terms of its size and its compatibility with the adjacent properties.
- Herzog – Appreciate Messer's explanation on the HPC's decision, which provides contexts for the case. Will support the case for reasons noted by the other Commissioners.

Planning and Zoning Commission moved to recommend approval of PZC #12-1-045 for a variance to reduce the 25' front yard setback requirement in order to construct a new single-family structure 19.75' from the front lot line and a covered front porch 15.75' from the front lot line for the property located at 30 S. Ellsworth Street.

Motion by: Williams
Seconded by: Meyer

Approved
(8 to 0)

D5. Case #12-1-023
First Community
Bank of Joliet

The petitioner requests approval for five zoning variance, a subdivision deviation and a landscape variance in order to add a drive-through facility for the building located at 24 W. Gartner Road.

Liu, Planning Services Team, gave an overview of the request.

Kathy West, Attorney, Dommermuth, Brestal, Cobine & West, Ltd. Spoke on behalf of the petitioner

- The proposed drive-through matches the footprint of the previous drive-through and does not increase the encroachment into the required setbacks.
- The proposed variances will not have a negative impact on the surrounding areas.
- The petitioner made the effort to reach out to the adjacent residential community. No oppositions were heard.
- City staff reviewed the sight line for the fencing on top of the retaining wall and found the proposed fence acceptable.
- If noise ever becomes a problem, the speaker system volume at the drive-up window can be adjusted.

Planning and Zoning Commission inquired about:

- Whether the limits of the previous drive-through coincide with the existing retaining wall.
- The rationale for requiring a bypass lane. Staff indicated that a bypass lane is required to improve circulation of the site as well as to provide a means of escape in case of an accident.
- Whether the reduced widths of the drive-through lanes are sufficient. The commission noted that the cars traveling through the drive-through are at a low speed.
- Whether the retaining wall provides sufficient separation between the street and the drive-through.
- The location of the columns for the portico above the drive-up window. Staff clarified that they are pilasters affixed to the wall.
- The commission observed that existing building protrudes into the setbacks and the parking lot to the north of the subject property is very close to Washington Street.
- Whether Washington Street has changed since the previous drive-through was removed.
- Concerned with traffic exiting the drive-through turning left into the drive aisle. Recommends limiting the exit to right-turn only. David Zientek, Ruettiger, Tonelli and Associates, Inc. spoke on behalf of the petitioner and indicated that the distance between the drive-through exit

and the Washington Street curb line is 55' – 60'.

- Busy hours of the shopping center.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Coyne – Supports the project.
- Gustin – The elevation changes are a wonderful enhancement to the building. Supports the variances as they are consistent with the previous use. Still concerned with the left turn movement of the exiting traffic from the drive-through.
- Herzog – Appreciates the redesign of the building. The proposal is just to recreate what was originally there. The proposal is well-thought through.
- Meyer – The redesign of the building is outstanding.
- Williams – The project is very well-done. The shopping center is busy seven days a week. But feels that the proposed use can be handled by the existing facilities.

Planning and Zoning Commission moved to recommend approval of PZC #12-1-023 for a number of zoning/landscaping variances and a subdivision deviation as detailed in the staff report dated May 2, 2012 to allow the construction of a drive-through facility for the building located at 24 W. Gartner Road.

Motion by: Williams
Seconded by: Messer

Approved
(8 to 0)

**E. Reports and
Recommendations**

F. Correspondence

G. New Business

H. Adjournment

9:20 p.m.