



**NAPERVILLE PLANNING AND ZONING COMMISSION
MINUTES OF FEBRUARY 22, 2012**

Call to Order

7:00 p.m.

A. Roll Call

Present: Frost, Coyne, Bruno, Trowbridge, Gustin, Herzog, Meyer, Messer, Williams

Absent:

Student Members:

Staff Present: Planning Team – Ying Liu, Allison Laff, Ashley Hagen
Code Enforcement Team – Trude Terreberry

B1. Minutes

Approve the minutes of the January 25, 2011 Planning and Zoning Commission Workshop.

Motion by: Gustin

Approved

Second by: Bruno

(9 to 0)

B2. Minutes

Approve the minutes of the February 8, 2012 Planning and Zoning Commission meeting, subject to the amendment that the last sentence under “Plan Commission Discussion: Gustin” on Page 7 of the minutes be changed to “Gustin was comfortable with the additional signage requested if staff was in support of it.”

Motion by: Gustin

Approved

Second by: Meyer

(9 to 0)

C. Old Business

D. Public Hearings

**D1. PCS 12-1-013
Domino’s Express**

The petitioner is requesting a variance from Section 5-4-5:1.7 (Commercial Signs; Wall Signs; Permitted Secondary Business Wall Signage) of the Naperville Municipal Code in order to install a wall sign for a secondary business that is larger than ten percent (10%) of the area of the wall sign displayed for the primary business.

Terreberry, Code Enforcement Team, gave an overview of the request.

- The primary business of the building is the Am/PM store.
- A Domino’s Express sign has been placed on the multi-tenant monument sign on Route 59.

John Streetz, representing Domino's Express, spoke on behalf of the petitioner:

- The building is setback 190 ft. from Route 59.
- The combined square footage (100 sq. ft.) of the requested sign and the existing Am/Pm sign would not exceed the maximum permissible signage area for the building (137 sq. ft.).
- Believes that the 10% rule is designed for large retail outlets.
- Due to the uniqueness of the subject property being a gas station, believes the existing allowance for secondary signage wouldn't provide sufficient visibility for the business.
- Trying to properly identify the Domino's Express in the gas station. .

Planning and Zoning Commission inquired about

- The possibility of having one large combined sign. The petitioner responded that the Am/Pm store does not want to give up their existing sign.
- Clarification on the name of the primary business (Am/Pm or BP).
- 4.9 sq. ft. may be too small. However, agrees with staff on the issue of imbalance of the proposed signage. The petitioner disagreed and indicated that both signs are about the same height, but the background of the proposed sign makes it appear bigger.
- Whether the petitioner is willing to reduce the proposed sign area to find a middle ground. The petitioner responded that the visibility of the sign would be compromised if the area is reduced.
- The maximum area of the secondary sign that staff is comfortable with. Staff responded that staff would be comfortable with 15 sq. ft. for the secondary sign which would be 10% of the maximum allowable signage area for the building.
- The visibility of the sign in relationship to the signage area and building setback. Staff responded that the existing monument sign along Route 59 has given the businesses sufficient visibility. Building setback is not a factor in considering the area of the signage.
- Asked staff to show photos of other secondary signs in the City.

Public Testimony:

None

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Trowbridge – understands the need to identify the Domino's Express business. But the monument sign gives identification already. The proposed Domino's sign looks like a primary sign. Would not support the sign as presented, but would support a 15 sq. ft. secondary sign in agreement with staff's recommendation.
- Frost – The combined size of the proposed and existing signs would be 2/3 of the amount they could have for the primary sign. The owners are

willing to give the two businesses equal identification. The obstruction caused by the gas station canopy and the setback from Route 59 justify the proposed sign area.

- Coyne – The 10% rule is impractical in this case. Doesn't believe 15 sq. ft. is enough, either. Would support a reduced size such as ½ of the size proposed.
- Bruno – Proportion is important. The combination of the proposed and existing signs is imbalanced and unattractive. Would not support the variance. Would be in favor of a different design and a reduced size. Doesn't believe the proposed sign needs to be so long and dominant. A smaller and more compact sign would be more favorable.
- Gustin – Agrees with Bruno. The monument sign provides advertisement for the business. The sign as proposed would result in signage clutter. Not sure whether the size of the sign would make a difference because of the gas station canopy in front of the building. Would be open to modifications suggested.
- Messer – Signs on the building are difficult to see from the road due to the canopy. The multi-panel monument sign gives the businesses visibility from Route 59. Would be open to modifications for a smaller sign.
- Herzog – Agrees with Frost's comments. The total area of both signs on the building would be under the maximum allowable area. The building is large enough to have two signs similar to a multi-tenant building. Believes that you can see the signs from Route 59 as you see below the canopy. Domino's Express will be a destination business. The setback from Route 59 poses a hardship for the business. Would support the variance.

Planning and Zoning Commission moved to recommend approval of PCS 12-1-013 for a variance from Section 5-4-5:1.7 (Commercial Signs; Wall Signs; Permitted Secondary Business Wall Signage) of the Naperville Municipal Code to allow a wall sign for a secondary business that is larger than ten percent (10%) of the area of the wall sign displayed for the primary business.

Motion by: Frost
Seconded by: Meyer

A motion was made to amend the main motion to recommend approval of a secondary sign of 35 sq. ft. on the building.

Failed
(3 to 6)

Motion by: Trowbridge
Seconded by: Meyer

Ayes: Coyne, Trowbridge, Williams
Nays: Bruno, Frost, Gustin, Messer, Meyer, Herzog

The Planning and Zoning Commission voted on the main motion.

Failed
(3 to 6)

Ayes: Frost, Herzog, Coyne

Nays: Bruno, Gustin, Messer, Meyer, Trowbridge, Williams

**D2. PCZ 12-1-011
619 S. Washington**

The petitioner requests approval of a conditional use for a photography studio at 619 S. Washington Street in accordance with the provisions of Section 6-7I-3 (Transitional Use District) of the Naperville Municipal Code.

Allison Laff, Planning Services Team, gave an overview of the request.

- The petitioner agrees to provide cross access to the north and south properties at the time that the parking lot is reconstructed or substantially altered. The conditional use ordinance will include a condition for the cross access.
- Some properties along the Washington Street Corridor already have cross-access.

Vincent Marrone, spoke on behalf of the owner and petitioner, Almare Development Corporation

- Will provide the required cross access.

Planning and Zoning Commission inquired about

- When the petitioner will modify the parking area.
- The number of customers to visit the site.
- The hours of operation of the photography studio.

Public Testimony:

Jenny Taylor, the owner of the proposed photography studio, stated:

- The business is by appointment only.
- Typically there will be two clients in the house at a time.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

None

Planning and Zoning Commission moved to recommend approval of PCZ 12-1-011 for a conditional use for a photography studio at 619 S. Washington Street in accordance with the provisions of Section 6-7I-3 (Transitional Use District) of the Municipal Code.

Motion by: Gustin
Seconded by: Meyer

Approved
(9 to 0)

**D3. PC 12-1-008
Turning Pointe**

The petitioner requests to rezone the property located at 1500 W. Ogden Avenue from B3 (General Commercial District) to OCI (Office, Commercial, and

(North Campus) Institutional District).

Ying 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 building has been vacant for several years.
- The current B3 zoning designation doesn't permit schools.
- Surrounding zoning districts include B3, I and R3.
- The proposed zoning (OCI) and land use (school) are appropriate and compatible with the surrounding zoning and uses.
- The requested rezoning meets the standards for granting a zoning change.
- Existing parking supply will meet the City's parking requirements for schools and vocational training center.

Planning and Zoning Commission inquired about

- The status of the previously approved Turning Pointe campus on the south side of the City. Drew Glassford, executive director of the Turning Pointe Foundation, responded that the demonstration school at the south campus is being operated from a remodeled duplex building. The proposed buildings at the south campus have not been built.
- Any plan for outdoor recreational areas. Glassford responded that no outdoor recreation areas are planned. The proposed school will have an indoor gym.
- Whether the existing parking lot can accommodate bus drop-offs. Glassford confirmed that there is sufficient space for bus drop-offs.
- Future development of the property adjacent to the north side of the site. Staff indicated that no formal plan has been submitted for development of the adjacent site.
- The number and safety of the students. West indicated that the school will have less than 100 students, and all of them will be contained within the building and be monitored at all times.
- Age of the students. Glassford indicated the students will be between 10 to 22 years old.
- Whether additional directional signage will be provided on Ogden Avenue. West responded that the school will be a destination and they will make the address of the building more visible.
- Whether there will be any residential component to the school. Glassford responded there will be no residential component to the north campus school.
- The ability of the petitioner to obtain approval for the school from the State Board of Education. Glassford indicated that they have already received preliminary approval from the State. A walk-through and final approval from the State are required after the rezoning before the school can be open. A lease has been signed with the property owner and the Turning Pointe Autism Foundation is committed to open the proposed

school on the subject property.

- Whether the rezoning is contingent upon the school that is being proposed. Concerned about opening the site up for other OCI uses. Staff responded that once the property is rezoned, all permitted uses under OCI would be allowed on the subject property.
- The primary use of the site.
- Whether there were any objections from the adjacent residents? The petitioner indicated no.

Public Testimony:

Kevin Gallaher, a member of the Board of Directors for the Turning Pointe Foundation:

- Turning wouldn't have proposed the rezoning if not fully committed. Dan Wolf, the owner of the neighboring Toyota dealership owns the subject property, who is also the founder of the Turning Pointe Foundation. The property owner is fully committed to the school.
- The demonstration school at the south campus is successful. They need to move into this building because they need the space due to the high volume of students applying.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Bruno – From a business standpoint, it is a great and creative usage of the existing building. A place like this will make a large difference in many lives. Would support the request.
- Trowbridge – The OCI zoning is desirable and suitable to that area where businesses have had a hard time. The proposed school will provide a great service for the community.
- Gustin – The OCI designation would open up new venue of possibilities for the subject property. OCI uses are compatible with B3 uses. Due to the changing economic climate, suggests conducting a West Ogden Corridor Study.
- Mayer – concerned with the residential aspect of the rezoning. OCI zoning is necessary to allow the school. Hopes in the future some aspect of B3 will allow for schools.
- Herzog – Would support the project. The proposed school is a creative reuse of the vacant building. It would create jobs to the community. OCI would serve as a good transition between the commercial areas and the residences.

Planning and Zoning Commission moved to recommend approval of PC 12-1-008 to rezone the property located at 1500 W. Ogden Avenue from B3 (General Commercial District) to OCI (Office, Commercial, and Institutional District).

Motion by: Gustin
Seconded by: Meyer

Approved
(9 to 0)

E. Reports and Recommendations

Approve the Naperville Planning and Zoning Commission By-Laws (requires six positive votes).

Allison Laff, Planning Services Team, gave an overview of the by-laws. Laff noted the significant changes in the proposed by-laws.

Planning and Zoning Commission inquired about:

- What types of evidence are required to be submitted one week before the meeting.
- Whether the word “assembly” refers to the commission.
- Whether a formal motion and vote is required to change a vote.
- The types of votes that would require a roll call.

Planning and Zoning Commission moved to approve the Naperville Planning and Zoning Commission By-Laws.

Motion by: Meyer
Seconded by: Trowbridge

Approved
(9 to 0)

F. Correspondence

G. New Business

Gustin – Will be City consider updating the West Ogden Avenue Study?

Laff responded that the existing Ogden Avenue Study only applies to the section of the Corridor east of Washington Street. Staff has been working extensively with the Naperville Development Partnership to fill the vacancies in the West Ogden Corridor and will continue the effort to do so.

H. Adjournment

8:30 p.m.