



**NAPERVILLE PLANNING AND ZONING COMMISSION  
MINUTES OF DECEMBER 7, 2011**

**Call to Order**

**7:02 p.m.**

**A. Roll Call**

Present: Bruno, Coyne, Frost, Gustin, Messer, Meyer, Trowbridge, Williams  
Absent: Herzog  
Student Members:  
Staff Present: Planning Team – Emery, Thorsen  
Code Enforcement -- Terreberry

**B. Minutes**

Approve the minutes of November 2, 2011

Motion by: Meyer  
Second by: Williams

Approved  
(8 to 0)

**C. Old Business**

None

**D. Public Hearings**

**D1. Case #11-1-149  
CityGate Grille**

The petitioner proposes to add a new 18-square-foot tenant panel to an existing 56-square-foot multi-tenant monument sign. In order to install the tenant panel, the petitioner requests approval of a variance from Section 5-4-5:2.2 (Commercial Signs; Monument Signs; Monument Sign Area) of the Naperville Municipal Code in order to increase the sign area to 74 square feet for the monument sign located at the intersection of Westings Avenue & Calamos Court.

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

David Michelsen, Calamos Corporation, 2020 Calamos Court, spoke on behalf of the petitioner

- The existing monument sign was installed several years ago and is a tasteful design but is not visible during the day or night.
- Calamos has attempted to add lighting but this has not improved visibility.
- The monument does advertise the existing restaurant, but guests still find it difficult to locate.
- A directional sign was installed for CityGate Grille on December 6, 2011 but will be removed upon installation of the proposed tenant panel.
- Existing monument sign will be enhanced with new and different technology.

Planning and Zoning Commission inquired about

- Confirm that the tenant panel is intended for the restaurant.
- The proposed dimensions as compared to existing.
- Status of proposed directional sign on Westings Avenue and plans to remove the directional sign upon installation of the tenant panel.
- Whether new lighting will be added.
- Whether any tenants have objected to the prominence of the CityGate Grille sign.

**Public Testimony:**

None

Planning and Zoning Commission inquired about

- Whether staff's concerns as noted in the memorandum have been resolved. Staff responded that they have not.

Planning and Zoning Commission closed the public hearing.

**Plan Commission Discussion:**

- Bruno – familiar with the Calamos complex and signage and understands visibility concerns. Does not feel concerned about sign clutter due to the amount of land that Calamos controls in the area. The request is reasonable.
- Coyne – concurs with Commissioner Bruno.
- Trowbridge – agrees that the request is reasonable.
- Williams – concurs with Commissioner Bruno. The Calamos project is elegant and the proposed signage will not detract. The Grille is difficult to locate.
- Meyer – will support the variance and has also had difficulty locating CityGate Grille. Wishes to ensure that the directional sign is removed.
- Messer – concurs.
- Gustin – agrees with the Commissioners.

Planning and Zoning Commission moved to recommend approval of the variance for sign change at Calamos Centre and stipulate that the directional sign on Westings Avenue be removed.

Motion by: Bruno  
Seconded by: Williams

Approved  
(8 to 0)

**D2. Case #11-1-137**  
139 Water Street-  
Lions Donation Box

The petitioner requests approval of variances from Section 6-2-22:2 (Donation Boxes) to include: a variance from Section 6-2-22:2.1 in order to locate the donation box in the B5 (Secondary Commercial) District Variance; a variance from Section 6-2-22:2.3 in order to locate the donation box in the required front yard; variances from 6-2-22:2.7 and 6-2-22:2.8, which require signage on the box indicating the not-for-profit status of the operator and contact information, respectively.

Suzanne Thorsen, Planning Services Team, gave an overview of the request  
Coyne asked for clarification of what is collected in the box  
Bruno asked about size and mounting of box

Gary Vician, 737 Buttonwood Circle, spoke on behalf of the Naperville  
Township.

- The Lions donation box provides an important service to the needy in the community.
- The donation box collects glasses and hearing aids and provides them to those who cannot afford them on their own. Keys and cell phones generate a small amount of revenue.
- When the box was on the inside of the building approximately 7 items per month were collected. As it is mounted outside, it has collected about 70 items per month.
- Council members and mayor have stated that the intent of the ordinance was not to prohibit these types of donation boxes.
- Boxes that support non-profits, schools and churches should be permitted. There have been negative effects to the community as a result of the ordinance.
- Public assistance needs for the Township have increased substantially (400%) due to the economy.
- Most donations take place on the weekends, when the Township Office is not open.
- The box is approximately 48” high and 24” deep and is located in an alcove, outside of the right-of-way.
- The Lions club would be willing to add the not-for-profit status and contact information to the box.

Planning and Zoning Commission inquired about

- Items that are collected in the donation box.
- The size and placement of the box.
- The frequency with which the box is serviced.
- Whether the box has been filled with items that aren’t intended for collection (clothing, shoes, etc.).
- Whether the not-for-profit status and contact information of the organization can be added to the box.
- How the Lions donation bin may be distinguished from any other donation box in the B4 and B5 District.
- Whether the existing box impedes the right-of-way.

**Public Testimony:**

None

Planning and Zoning Commission closed the public hearing.

**Plan Commission Discussion:**

- Trowbridge – supports the donation bin, which is smaller than typical donation boxes, is located in front of a government building and is well

attended. Does not believe it was Council's intent to limit this type of box.

- Coyne – box should be marked with not-for-profit status. Has no concerns about maintenance and noted that it is on governmental property. Believes that the ordinance is over-broad and far-reaching.
- Messer –does not find this box to be detrimental due to the downtown but would like to contact information and not-for-profit status of the operator.
- Bruno – the fact that the box is small and does not create a pedestrian obstacle lends to support of the variance
- Williams – would be willing to support the variance if the not-for-profit status and contact information is added to the box.
- Gustin – the benefit of this box is that it is set in and doesn't cause detriment. Looks as if it was meant to be there, and believes that donation boxes are a positive thing in this economy.

Planning and Zoning Commission moved to recommend approval of PC 11-1-137, to approve variances to the donation box in the B5 Secondary Commercial District and locate the box in the required front yard, subject to addition of signage on the front of the box noting that it is not-for-profit and providing contact information.

Motion by: Trowbridge  
Seconded by: Williams

Approved  
(8 to 0)

**D3. Case #11-1-122**  
Panda Express

The petitioner requests a variance from Section 6-2-14 (Major Arterial Setback Requirements) of the Naperville Municipal Code

Amy Emery, Planning Services Team, gave an overview of the request

- Historic condition of the property was described. Property as it presently exists today has been improved to provide landscaping and parking, as well as a single driveway access on to Ogden Avenue.
- Proposed Panda Express is permitted as of right and supports the Ogden Avenue Corridor Enhancement Initiative by providing cross-access, landscaping, and a restaurant use in support of the character and economy of the corridor.
- Parking setback at narrowest point will be 4' from the property line, which is 30' from the nearest traffic lane on Ogden Avenue. Proposed site development is an improvement over historic condition.
- Alternative to the proposed setback variance is a reduction in parking, which would not be supported by staff.

Mike Mead, Panda Restaurant Group, 1683 Walnut Grove Avenue, Rosemead, CA, spoke on behalf of the petitioner

- Panda Express is excited to be in the community. The proposed site development and elevations will be unique to Naperville.
- Petitioner cooperated with staff fully in development of site plan.

- Landscaping is provided in accordance with Ogden Avenue Plan and City of Naperville standards.

Planning and Zoning Commission inquired about:

- Why landscaping is required on the subject property while surrounding areas don't contain landscaping.
- Impact of landscaping on sight distance for East Ave. and Ogden Ave.
- Site circulation and nature of parking setbacks.
- Whether the site complies with required parking.

**Public Testimony:**

None

Planning and Zoning Commission closed the public hearing.

**Plan Commission Discussion:**

- Bruno – commended petitioner and staff on the nice design for the property.
- Messer – the odd shape of the parcel necessitates the variance and also commends staff and the petitioner.
- Williams – concurs with Bruno and Messer, and supports the innovative plan.
- Gustin – excited about the proposal and future development of the parcel.

Planning and Zoning Commission moved to recommend approval of PC 11-1-122 as submitted by staff.

Motion by: Williams  
Seconded by: Meyer

Approved  
(8 to 0)

**D3. Case #11-1-152**  
Phoenix Restaurant at  
Design Pointe

The petitioner requests a deviation to Section 6-9-3 (Off-Street Parking) to reduce the required parking supply by 40 spaces in order to accommodate a new restaurant use.

Amy Emery, Planning Services Team, gave an overview of the request.

- Proposed parking deviation will accommodate restaurant use and provide additional flexibility for future tenants.

Bob Kenny, 70 W. Madison, Attorney on behalf of the petitioner introduced Eric Chang, Eddie Chung, and David Brackney also on behalf of the petitioner.

- The existing center is approximately 60% vacant. The new owner's intent is to attract customers and new tenants.
- The Phoenix Restaurant is located in Chinatown (Chicago) and attracts approximately 35% of tenants from the Naperville area.
- Plenty of parking exists for the restaurant today, but the deviation is necessary to attract future users and allow the center to lease out.
- There are two vacant outlots to the south which also have parking available, which can accommodate additional demand as needed. Parking will be adequate for the center as it fills out.

- The Phoenix is open for lunch and dinner, which presents complementary demand with the adjacent retail spaces.

Planning and Zoning Commission inquired about

- Future development of outlots and whether the petitioner agrees with the limitation on parking demand for outlots (5 spaces per 1,000 square feet in aggregate).
- Whether staff foresees any problem with parking in the long-term due to the proposed parking deviation.

**Public Testimony:**

None.

Planning and Zoning Commission closed the public hearing.

**Plan Commission Discussion:**

- Williams – Expressed enthusiastic support for the requested deviation. Under current economic conditions it is imperative to approve the parking deviation. There is ample parking in the center and the mix of business will ensure that parking remains balanced. Noted that The Phoenix is an elegant and excellent restaurant.
- Gustin – agrees with staff’s analysis and notes that the parking deviation provides guidelines and flexibility for the property owner.

Planning and Zoning Commission moved to recommend approval of PC 11-1-152 in accordance with staff’s recommendation and memo.

Motion by: Williams  
Seconded by: Trowbridge

Approved  
(8 to 0)

**E. Reports and Recommendations**

None.

**F. Correspondence**

1. Multi-tenant Ground Signs Memorandum – PZC deferred discussion to December 22.
2. PZC Bylaws Update/Training Memorandum

**G. New Business**

Planning and Zoning Commission brought up the topic of donation boxes. After some discussion the Commission opted not to pursue any additional action.

**H. Adjournment**

8:36 p.m.