



**NAPERVILLE PLANNING AND ZONING COMMISSION
MINUTES OF DECEMBER 21, 2011**

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| Call to Order | | 7:00 p.m. |
| A. Roll Call | | |
| Present: | Bruno, Frost, Gustin, Messer, Meyer, Trowbridge, Williams, Herzog | |
| Absent: | Coyne | |
| Student Members: | None | |
| Staff Present: | Planning Team – Forystek, Emery Code Enforcement – Michalsen | |
| B. Minutes | Approve the minutes of December 7, 2011. | |
| | Motion by: Gustin Second by: Williams | Approved (8 to 0) |
| C. Old Business | | |
| D. Public Hearings | | |
| D1. Case # Case Name | The petitioner requests a major change to the conditional use to allow for a public assembly use, an expanded training studio and a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) in order to allow Kidz Kabaret (Fair Lady Productions, Inc.) to occupy and expand uses in an existing tenant space. | |
| | Katie Forystek, Planning Services Team, gave an overview of the request. | |
| | Len Monson, 552 S. Washington Street, Naperville, IL, Attorney on behalf of the petitioner provided an overview of the request noting: <ul style="list-style-type: none"> • The request for expansion is primarily for storage space. • Parking occupancy counts show adequate availability of parking on-site. • Kidz Kabaret and adjacent warehouse tenants are complimentary uses, as they have different peak hours of operation. | |
| | Planning and Zoning Commission inquired about <ul style="list-style-type: none"> • Trowbridge: Requested confirmation that if parking becomes an issue it will be addressed based on the existing conditions of approval laid out by staff. • Meyer: Sought clarification regarding who requested an allowance for potential future expansion. Inquired whether or not the Legal Department has reviewed the condition of approval related to the future expansion. Staff stated that staff came up with idea to allow for future | |

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| | <p>expansion through the condition of approval included in the staff memo and the petitioner concurred with the concept. Staff also noted that the City's Legal Department has reviewed the condition of approval.</p> <ul style="list-style-type: none"> • Bruno: Sought clarification on whether or not the Commission was being asked to approve the petitioner's expansion and an additional 6,000 square feet of tenant space. The petitioner clarified that they are seeking expansion of approximately 3,000 square feet and in the future if they wish to expand they could do so under the parameters of the condition of approval in the staff memorandum. |
| | <p>Public Testimony: None</p> |
| | <p>Petitioner responded to testimony None</p> |
| | <p>Planning and Zoning Commission inquired about</p> <ul style="list-style-type: none"> • Bruno – Noted that placing a time limit on the allowance for the 6,000 square feet expansion should be considered. The petitioner stated that they do not know when or if they will expand in the future or if additional adjacent space will become available. • Gustin – Sought clarification on the process for the petitioner if the Zoning Administrator did not approve a future expansion. Staff clarified that the petitioner would have the opportunity to seek approval of a major change to the conditional use and a parking variance through a public hearing before the Commission and final approval from the City Council. <p>Planning and Zoning Commission closed the public hearing.</p> |
| | <p>Plan Commission Discussion:</p> <ul style="list-style-type: none"> • Bruno – Has concerns with approval process and the open ended time frame for expansion. • Meyer – Supports the petitioner's request, but is hesitant about Zoning Administrator approval and the open time period for expansion, • Trowbridge – Supports the request. • Gustin – Supports the request and feel that the allowance for future expansion is a good process for the petitioner. • Herzog – Supports the motion as written by staff. • Williams – Supports the petitioner's request. |
| | <p>Planning and Zoning Commission moved to recommend approval of a major change to the conditional use to allow for a public assembly use, an expanded training studio and a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) in order to allow Kidz Kabaret (Fair Lady Productions, Inc.) to occupy and expand uses in an existing tenant space subject to the conditions outlined in the staff memorandum.</p> |

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| | <p>Motion by: Trowbridge Seconded by: Williams</p> <p>Motion of substitution by Commissioner Bruno to incorporate a 5 year time limit for the proposed 6,000 square foot expansion subject to Zoning Administrator approval.</p> <p>Motion by: Bruno Seconded by: Meyer</p> <p>Ayes: Bruno, Meyer Nays: Frost, Gustin, Messer, Trowbridge, Williams, Herzog</p> <p>Motion of substitution failed (Denied, 2-6)</p> <p>Planning and Zoning Commission moved to recommend approval of a major change to the conditional use to allow for a public assembly use, an expanded training studio and a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) in order to allow Kidz Kabaret (Fair Lady Productions, Inc.) to occupy and expand uses in an existing tenant space subject to the conditions outlined in the staff memorandum.</p> <p>Ayes: Bruno, Meyer, Frost, Gustin, Messer, Trowbridge, Williams, Herzog Nays: None.</p> | <p>Approved (8 to 0)</p> |
| <p>E. Reports and Recommendations</p> | | |
| <p>F. Correspondence</p> | <p>1. Multi-Tenant Ground Signs Memorandum – Commissioner Herzog stated that the memorandums prepared by staff addressed his concerns.</p> | |
| <p>G. New Business</p> | | |
| <p>H. Adjournment</p> | | <p>7:28 p.m.</p> |