



**NAPERVILLE PLANNING AND ZONING COMMISSION
MINUTES OF SEPTEMBER 16, 2015**

**UNOFFICIAL PRIOR TO PZC APPROVAL
APPROVED BY THE PZC ON OCTOBER 21, 2015**

Call to Order

7:00 p.m.

A. Roll Call

Present: Hansen, Martinez, Messer, Crawford, Williams, Hastings, Bansal, Hajek, Peterson (attended by teleconference)
Absent: None
Student Members: None
Staff Present: Planning Team – Kasey Evans, Sara Kopinski, Erin Venard
Engineering Team – Kelly Dunne

B. Minutes

Approve the minutes of the August 19, 2015 Planning and Zoning Commission meeting.

Motion by: Williams
Second by: Hastings

Approved
(9 to 0)

C. Old Business

D. Public Hearings

Sanjeev Maddila is present to comment on a case that is not on tonight's agenda, PZC 15-1-002, Trafford Place.

- Trafford Place was a public hearing, but he was not informed that it was being approved by City Council last night.

Venard – The case appeared as a public hearing item before the Planning and Zoning Commission item in March of this year. The final plat was approved by City Council last night. No subsequent hearings will be held for the case. Public notice was sent for the preliminary plat and re-zoning approval. Per City Code, the final plat approval went to the City Council for approval.

**D1.
PZC 15-1-073
Wendy's
Variance**

Sign The petitioner requests approval of variances from Section 5-4-5:2.4 (Commercial Monument Sign Height) and Section 5-4-5:2.5 (Commercial Monument Sign Setback) of the Municipal Code in order to install a monument sign at the property located at 1560 N Route 59.

Kasey Evans, Planning Services Team, gave an overview of the request.

Ken Price, with Watermark Engineering, spoke on behalf of the petitioner.

- The concrete wall constructed by IDOT to protect pedestrians blocks the visibility of the existing sign.
- Wendy's is proposing to reuse the existing sign's foundation and also raise the sign to increase visibility along Route 59.
- Wendy's is attempting to reuse existing conditions and meet the ordinance as much as possible.
-

Planning and Zoning Commission inquired about:

Hastings – Is the concrete barrier along Route 59 a permanent barrier? – Price: Yes.

Hansen: Has IDOT offered to assist with the relocation/rebuild of the sign? Price: A taking did occur at the property; unsure if the financial settlement covered the sign.

Williams – How long has Wendy's been at this location? Price: Since 2000s. Is there a similar sign at the Naperville-Wheaton Road location? Price – Unfamiliar with that location.

Price – The proposed sign reflects minimal changes to the existing setback and overall height. Would like to thank the Commission for their time.

Public Testimony: NONE

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Williams – There are two parts to this variance. First, the setback. IDOT caused this, so there is no question it is a valid request. Also in favor of the height variance because of the obstruction.
- Hastings – Supporting.
- Hansen – Supporting.
- Crawford – Meets requirements for variance. Is in support.
- Messer – Supporting.
- Martinez – Route 59 and the barrier obstruction caused the need for this request. Supporting.

- Bansal – The photograph exhibits help show the perspective of the sign along the road. Is in favor.
- Peterson – Supporting.
- Hajek – Supporting.

Planning and Zoning Commission moved to recommend approval of PZC 15-1-073, approving variances to Section 5-4-5:2.4 (Commercial Monument Sign Height) and Section 5-4-5:2.5 (Commercial Monument Sign Setback) of the Municipal Code in order to install a monument sign at the property located at 1560 N Route 59.

Motion by: Williams
Seconded by: Bansal

Approved
(9 to 0)

Ayes: Hansen, Williams, Hastings, Martinez, Messer,
Peterson, Crawford, Bansal, Hajek
Nays: None

D2.
PZC 15-1-081
Advance Auto Parts
Sign Variance

The petitioner requests approval of a variance from Section 5-4-3:5 (Prohibited Signs; Off Premises Signs) of the Municipal Code in order to install an off premises monument sign at the property located at the northwest corner of Ogden Avenue and Feldott Lane.

Sara Kopinski, Planning Services Team, gave an overview of the request.

Hansen – Do any of the inline tenants currently have a space on a monument sign? Kopinski – No.

Bansal – Can other tenants ask for space on the proposed monument sign in the future? Kopinski – Staff would anticipate other tenants would come forward with a request. We would try to craft an ordinance that would be flexible and allow this on one monument sign.

Marshall Dickler, Dika-Lakeview LLC., spoke on behalf of the petitioner.

- Present to answer any questions.

Planning and Zoning Commission inquired about:

Williams – Will any other tenants be able to use the proposed monument sign?

Dickler – Advance Auto will have the exclusive right to the sign as a part of the lease agreement.

Martinez – Has Jewel Osco relinquished its right to put up a sign on this property? Dickler – That is correct.

Bansal – Staff stated that the monument sign can accommodate other tenants?
Dickler – Our agreement with Advance Auto allows them the exclusive use of the sign. Kopinski – The use of the sign is a private matter. Staff would not object to other tenants on the sign and the ordinance would not limit the sign to a certain number of tenants.

Williams – The City is not bound by the lease agreement. The sign would be useful to the other tenants. Dickler – The other tenants have been located in the center for nearly 20 years without a monument sign and are doing fine. The center is currently only half occupied. Advance Auto would bring the center a much needed tenant. Ownership has agreed to give Advanced Auto the exclusive rights to the sign.

Hansen – Was the lease agreement negotiated without variance approval?

Dickler – Yes.

Martinez – To clarify, Jewel and the other tenants are ok without having additional signage? Dickler – Yes.

Bansal – Is Advance Auto an existing business in the center? Dickler – No, Advance Auto is not currently located in the center. One existing tenant is being relocated to create a large enough space to accommodate them.

Hansen – Would staff change its recommendation now that we know the sign is exclusively for the use of one tenant? Kopinski – No. Staff is viewing the request as a variance for Lot 2 to have an off-premises sign and is not regulating the number of tenants.

Dickler – Ownership can try to negotiate with Advance Auto to add more tenants.

Williams – How many tenants are currently in the shopping center? Kopinski – Approximately 10.

Dickler – Under Jewel’s operating agreement, Lot 2 has the right to put a sign on Lot 5. Lot 5 has frontage on Ogden Avenue. The sign was not originally erected with the development. Advance Auto approached ownership requesting the sign and now the ownership has approached the City for the variance.

Martinez – How many total monument signs are permitted at the shopping center? Kopinski – 2. The size of the sign is regulated but the number of tenants is not regulated.

Dickler – This tenant, Advance Auto, is very important for the shopping center. Jewel is in favor of the sign and has relinquished their rights to a sign on the lot. Asking for your support to accomplish this request.

Public Testimony: NONE

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Williams – Conflicted because evidence shows the tenant does not need the sign because current tenants are doing well without a sign. However, signs always help business. Feels more tenants should be able to put their names on the proposed sign.
- Hastings – Fairly cut and dry case. Sign rights are based upon the lease agreement. In support.
- Hansen – Conflicted as well. Support request for monument sign. Would feel much more comfortable if other tenants were allowed on the sign.
- Crawford – The case is a technicality. Supporting.
- Messer – This is a private matter. Supporting.
- Martinez – Supporting. Technical issue. Agrees with Commissioner Williams that other tenants will want to be on the sign when it is erected.
- Bansal – Supports a monument sign. Should allow some flexibility, but it is a private matter. Supporting.
- Peterson – Supporting. Thrilled to fill empty retail space.
- Hajek – Supporting. The tenant will support business in Naperville and the center.

Planning and Zoning Commission moved to recommend approval of PZC 15-1-081, a variance from Section 5-4-3:5 (Prohibited Signs; Off Premises Signs) of the Municipal Code in order to install an off premises monument sign at the property located at the northwest corner of Ogden Avenue and Feldott Lane

Motion by: Williams
Second by: Hastings

Approved
(8 to 1)

**D3.
PZC 15-1-074
Illinois Hospital
Association Sign
Variance**

The petitioner request approval of a variance from Section 5-4-3:5 (Prohibited Signs; Off Premises Signs) of the Municipal Code in order to install an off premises monument sign at 1203 Warrenville Road.

Sara Kopinski, Planning Services Team, gave an overview of the request.

Planning and Zoning Commission inquired about:

Williams – There is a large amount of frontage here, approximately 200’?
Kopinski – Yes.

Lori Contreras, Illinois Hospital Association, spoke on behalf of the petitioner.

- Reinstalling the sign that was previously on the property.

Public Testimony: NONE.

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion

- Williams – Sign is now in a better place. The case is a result of a taking. This is a no brainer.
- Hastings – Supporting.
- Hansen – Supporting.
- Crawford – Supporting.
- Messer – Supporting.
- Martinez – Supporting.
- Bansal – Supporting.
- Peterson – Supporting.
- Hajek – Supporting.

Planning and Zoning Commission moved to recommend PZC 15-1-074, a variance from Section 5-4-3:5 (Prohibited Signs; Off Premises Signs) of the Municipal Code in order to install an off premises monument sign at 1203 Warrenville Road.

Motion by: Williams
Second by: Bansal

Approved
(9 to 0)

F. Correspondence

G. New Business

H. Adjournment

7:48 p.m.