



**NAPERVILLE PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS – MUNICIPAL CENTER  
FINAL AGENDA  
05/04/2011 - 7:00 p.m.**

**CALL TO ORDER:**

**A. ROLL CALL**

**B. APPROVE MINUTES**

1. Approve the minutes of the April 20, 2011 Plan Commission meeting.

**C. OLD BUSINESS**

**D. PUBLIC HEARINGS**

1. PC Case # 11-1-038 Kidz Kabaret (Fair Lady Productions, Inc.)  
Location: 1665 Quincy Avenue, Unites 131-143, Naperville, IL 60540

Request: Conduct the public hearing.

Official Notice: Published in the Naperville Sun April 3, 2011

**E. REPORTS AND RECOMMENDATIONS**

**F. CORRESPONDENCE**

**G. NEW BUSINESS**

**H. ADJOURNMENT**

**Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Accessibility Coordinator at least 48 hours in advance of the scheduled meeting. The Accessibility Coordinator can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6725 or 630-305-5205 (TDD) or via e-mail at [manningm@naperville.il.us](mailto:manningm@naperville.il.us). Every effort will be made to allow for meeting participation.**





**NAPERVILLE PLAN COMMISSION  
DRAFT MINUTES OF APRIL 20, 2011**

**Call to Order**

**7:01 p.m.**

**A. Roll Call**

Present: Bruno, Meschino (left at 8:12), Messer, Meyer, Trowbridge, Gustin (left at 8:12), Edmonds  
Absent: Herzog  
Student Members: Wallace, Uber, Schoch  
Staff Present: Planning Team – Laff, Forystek, Thorsen  
Code Enforcement – Terreberry

**B. Minutes**

Approve the minutes of March 30, 2011 subject to correction of a typographical error on p.3.

Motion by: Meyer  
Second by: Messer

Approved  
(7 to 0)

**C. Old Business**

**D. Public Hearings**

**D1. Case #11-1-034  
Hope Community  
United Church of  
Christ**

The petitioner requests a conditional use for a religious facility in the I (Industrial) District.

Katie Forystek, Planning Services Team, gave an overview of the request.

Len Monson, Kuhn Heap and Monson, 552 S. Washington Street, attorney on behalf of the petitioner, gave a brief overview of the request.

- The location and uses of building are conducive to the proposed use.
- Previous use of the subject property was for a religious facility.
- Peak demand hours for religious facility are complementary to existing industrial and business uses.
- Parking on the site is ample to meet demand and complies with zoning.
- The proposed location tends to attract smaller churches that are building their congregation and typically will move out once space needs change.
- Congregational growth is typically accommodated by additional services prior to expansion.

Plan Commission inquired about

- Parking demand for the proposed use in addition to Big Bounce Party

Zone, in light of existing vacancies and impact on future tenants.

- Hours and nature of use at Grace Christian Fellowship within the building and calculation of parking requirements.
- The extent to which this request meets the intent of the Public Assembly provisions of the Zoning Ordinance.

**Public Testimony:**

No members of the public spoke on this matter.

Plan Commission closed the public hearing.

Plan Commission moved to recommend PC 11-1-034 for Hope Community United Church of Christ, a conditional use for religious facility in the Industrial District

Motion by: Meyer  
Seconded by: Messer

Approved  
(7 to 0)

**D2. Case #11-1-038  
Kidz Kabaret**

The petitioner requests a major change to a conditional use for a training studio and public assembly uses in the I (Industrial) District 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.

This item was continued to the May 4, 2011 Planning and Zoning Commission meeting.

**E. Reports and  
Recommendations**

**E1. Case #11-1-037  
FY11-12 Planning  
Team Work  
Program**

The Planning Team Work Program is approved on annual basis and reflects long-range planning efforts to be undertaken in the upcoming fiscal year.

Allison Laff responded to questions. Plan Commission inquired about

- The extent of data collected and the recommendation to remove single-family residential tree preservation requirements from the work program.
- Guidelines or ordinances that presently exist for tree preservation.
- The ability of a Plan Commission member to forward an ordinance for consideration.
- Impact to staff workload of administering the Greener Business Program.
- The nature of matching funds for the Greener Business Program and status of current expenditures.
- How the issues related to the mixed-use text amendment would be addressed, including the future land use designation of “mixed-use”.
- Whether a current definition exists for “attainable housing.”
- If an item can be added to be addressed as time permits.

- The extent to which tree preservation will be a large time commitment.
- Why less detail was provided on the proposed work program than in prior years.
- What the impact will be for future development if the *5th Avenue Study* overlay is not completed.

**Plan Commission Discussion:**

- Bruno: The first two items (*Naperville Downtown2030* implementation and *5th Avenue Study* height overlay) are pretty important and the last item (Greener Business) is not optional. Prioritizing the tree preservation ordinance over Attainable Housing implementation is an option.
- Meschino: it is unfair to ask the Plan Commission to balance the work program and the details should be vetted with the City Manager. Would prefer to simply add tree preservation and ask staff to work out the details.
- Edmonds: there has been a recurring theme about city lack of control over tree preservation. The scope of the *Naperville Downtown2030* and *5th Avenue Study* height overlay action items are unclear in terms of priority. The focus of the work program is very heavy on the downtown and should be broadened to address the entire city. Would not like to see any items removed but possibly consolidation of similar items to make room for tree preservation on the work program.

Plan Commission moved to recommend approval of PC-11-1-037 proposed Planning Team Work Program for FY 11-12 with the inclusion tree preservation for single-family residential.

Motion by: Trowbridge  
Seconded by: Messer

Approved  
(7 to 0)

**E2. Information  
Item: PZC  
Consideration of  
Zoning and Sign  
Variance Requests**

The Planning and Zoning Commission will conduct its first meeting on May 4, 2011 and merges the functions of the Plan Commission and Zoning Board of Appeals.

Plan Commission inquired about

- Changeable message signs and how they will be considered by PZC.
- The basis of past sign variance denials.
- The impact to Plan Commission workload of absorbing zoning and sign variance cases.
- What constitutes a “reasonable return”.
- Previous cases in reference to the standards of the code and rationale for approval.

Plan Commission moved to accept the report.

**Page: 4 - Agenda Item: B.1.**

Naperville Plan Commission  
April 20, 2011  
Page 4 of 4

Motion by: Meyer  
Seconded by: Trowbridge

Approved  
(5 to 0)

**F. Correspondence**

**G. New Business**

**H. Adjournment**

9:01 p.m.



# Naperville

## PLAN COMMISSION AGENDA ITEM

**PC CASE:** 11-1-38 **AGENDA DATE:** 5/4/2011  
**SUBJECT:** Petitioner: Kidz Kabaret (Fair Lady Productions, Inc.)  
 Location: 1665 Quincy Avenue, Units 131-143, Naperville, IL 60540

**LOCATION:** 1665 Quincy Avenue, Units 131-143, Naperville, IL 60540

Correspondence      New Business      Old Business      Public Hearing

**SYNOPSIS:**

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.

**PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
4/20/2011	D2	Continued to the May 4, 2011 meeting.

**ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Conduct the public hearing.

**PREPARED BY:** Katie Forystek, AICP, TED Business Group – Planning Services

**EXISTING ZONING, LAND USE, AND LOCATION**

The subject property, known as 1665 Quincy Avenue, is located west of Ogden Avenue at the northeast corner of Quincy Avenue and Brookshire Court. The subject property consists of approximately 4.46 acres and is zoned Industrial. The property is currently improved with a 69,941 square foot multi-tenant industrial/warehouse building and parking lot.

**CONTROLLING AGREEMENTS AND ORDINANCES**

Ordinance	Approval
83-103	Ordinance amending the zoning ordinance by zoning property to the Industrial district.
91-161	Ordinance granting a conditional use to allow for auto repair for Quagliato Auto Industries.
92-217	Ordinance granting a conditional use for recreational facilities, eating and drinking establishments in the Industrial district.
09-128	Approving a conditional use for an acting studio and theater production training studio for the Kidz Kabaret located at 1665 West Quincy and approving a parking

	variance from Section 6-9-3 to allow for a reduction in the required 104 spaces to 93 spaces.
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**RELATIONSHIP TO OFFICIAL PLAN OF THE CITY OF NAPERVILLE**

The 1996 Northwest Sector Plan designates the future land use for this property as Manufacturing/Transportation.

**NATURAL FEATURES**

The site is relatively flat and improved with a multi-tenant industrial/warehouse building and parking lot.

**PLANNING SERVICES TEAM REVIEW**

*Conditional Use*

In 2009, the City Council granted approval to Kidz Kabaret for a 165 seat theater (Center Stage), 8,717 square feet of training studio/rehearsal space and a parking variance to reduce the required parking from 104 to 93 spaces. Kidz Kabaret has requested a major change to the conditional use to expand the theater uses (public assembly) and continue operating a training studio/rehearsal space within the existing 14,271 square foot tenant space. The petitioner also seeks approval of a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) to allow for a further reduction in the number of required parking stalls from 131 to 104 (27 stall deficit).

Currently, Kidz Kabaret offers acting and theater production classes, workshops, summer camps and related activities, including class productions to students in grades K-12. Office hours are Monday through Friday from 8 am to 3 pm, Tuesday/Thursday from 4:30 to 7:30 pm, Saturday from 9 am to 4 pm and Sunday from 12 to 5 pm. Training and production hours are after school and early evening, typically from 4-8 pm with the greatest concentration after 5:30 pm. The petitioner requests to convert a 1,600 square foot rehearsal space into a 75 seat theater (Spotlight Room). The Spotlight Room will allow the petitioner to provide rental space for various smaller groups including small performance groups (e.g. cabaret, piano recitals, improv, etc.) on the evenings and weekends and to accommodate meeting space for groups during normal business hours. Due to the nature of the uses within the tenant space, the petitioner has stated that the use of Center Stage and the Spotlight Room cannot operate simultaneously for reasons including sound proofing and load capacity.

Per Section 6-8C-3 (Industrial District, Conditional Uses) of the Naperville Municipal Code, approval of a conditional use is required for a theater (public assembly use) and training studio. The petitioner has provided responses to Section 6-3-8:2 (Standards for Granting a Conditional Use), which are included in the Development Petition. Staff concurs with the petitioner's findings.

*Off-Street Parking and Parking Variance*

The theater and training studio requires a total of 131 parking spaces based on a breakdown of the Code parking requirements for the square footage dedicated to the acting and theater production training/classes and the theater square footage/seating area (Table 1: Naperville Parking Requirements). The combination of Kidz Kabaret and the existing tenants requires 249

parking spaces for the multi-tenant building (Attachment 1: Parking Analysis). A total of 222 spaces are provided onsite; therefore, a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Naperville Municipal Code is required to reduce the parking requirement for Kidz Kabaret from 131 to 104 spaces (27 stall deficit).

<b>Table 1: Naperville Parking Requirements</b>			
<b>Use</b>	<b>Square Footage</b>	<b>Code Parking Ratio</b>	<b>Required Parking</b>
Acting and Theater Production Classes	7,171 square feet	5 spaces / 1,000 square feet	36 spaces
Spotlight Room	75-seats (1,600 square feet)	2.5 spaces / seat	30 spaces
Center Stage	162-seats (5,500 square feet)	2.5 spaces / seat	65 spaces
<b>Total</b>	<b>14,271 square feet</b>		<b>131 spaces</b>

The peak parking occupancy provided by the petitioner demonstrated 87 out of 221 parking stalls occupied, approximately 39%, on Friday, December 17, 2011 at 7:18 pm (Attachment 2: Parking Counts). The highest parking occupancy levels are attributed to Friday evenings when both dance class and performances take place. During normal business operating hours the parking lot occupancy ranges from 29 -58 out of 221 parking stalls occupied (13-26% occupied).

Staff concurs with the petitioner and finds that the mix of tenants in conjunction with the proposed use will be adequately served by the existing on-site parking supply. Furthermore, the productions occur during non-business hours when a majority of the industrial/warehouse tenants of the multi-tenant building are closed; therefore, the productions are not anticipated nor have they in the past had a detrimental impact to the parking supply. Staff finds that the petitioner’s proposal to reduce on-site parking is reasonable based on the mix of tenants and the low utilization of the existing on-site parking supply on the evenings and weekends and recommends approval of the request subject to the following conditions (conditions 1-3 are carried over from the 2009 approval. The petitioner concurs with the following conditions recommended by staff:

- 1) Acting and theatre production classes will not be conducted concurrently with a theater production during normal business hours of the industrial/warehouse tenants at the Subject Property.
- 2) Production times will be limited to evenings and weekend hours, during off-peak times for the surrounding industrial/warehouse uses.
- 3) If parking problems arise, the City reserves the right to suspend concurrent uses of the acting and theater production training and classes until such time that the property owner demonstrates that the parking needs associated with this use are being met.
- 4) Use of Center Stage and the Spotlight Room will not be conducted concurrently at any time at the Subject Property.

*Kidz Kabaret – PC 11-1-38*

*May 4, 2011*

*Page 4 of 4*

Per Section 6-3-5 (Variances) of the Naperville Municipal Code, the petitioner has provided responses to the standards for granting a variance (see Development Petition) for the subject property (Attachment 2). Staff concurs with the petitioner's findings.

**ATTACHMENTS**

- 1) Kidz Kabaret – Attachment 1: Parking Analysis – PC 11-1-38
- 2) Kidz Kabaret – Attachment 2: Parking Data – PC 11-1-38
- 3) Kidz Kabaret – Development Petition – PC 11-1-38
- 4) Kidz Kabaret – Location Map – PC 11-1-38
- 5) Kidz Kabaret – Parking Layout Plan – PC 11-1-38
- 6) Kidz Kabaret – Floor Plan – PC 11-1-38

<b>Parking Analysis 1665 Quincy Avenue</b>					
Unit	Tenant	SF	Use - Per Schedule of Off-Street Parking Requirements	Code Parking Ratio	Parking Stalls Required
103R	Storage of Paper Supplies	1,500	Warehouses, storage and distribution facilities	1 space / 1,000 sf	2
103F, 107	Calibration Lab	4,500	Laboratories for engineering and testing	2.5 spaces / 1,000 sf	5
111	Sales and Storage of Floral Arrangements	3,150	Warehouses, storage and distribution facilities	1 space / 1,000 sf	3
115	Sales & Storage Subcontractor	2,850	Warehouses, storage and distribution facilities	1 space / 1,000 sf	3
119	Sales & Storage for Quarry Equipment	3,000	Warehouses, storage and distribution facilities	1 space / 1,000 sf	3
123	Sales & Storage for Calibration Company	3,000	Warehouses, storage and distribution facilities	1 space / 1,000 sf	3
127	Storage of Light Fixtures	3,000	Warehouses, storage and distribution facilities	1 space / 1,000 sf	3
131-143	Kidz Kabaret	14,271	Acting and Theater Production Training Studio	5 spaces / 1,000 sf & 2.5/seat	131
147	Sales & Storage Electronic Monitoring	3,000	Warehouses, storage and distribution facilities	1 space / 1,000 sf	3
151	Sales & Storage Electronic Monitoring	3,000	Warehouses, storage and distribution facilities	1 space / 1,000 sf	3
155	Dental Lab & Storage	3,000	Laboratories for engineering and testing activities/r	2.5 spaces / 1,000 sf	8
159	Property Maintenance Company (720 sf of office + 2,230 sf of	3,000	Warehouse	1/3.3 spaces / 1,000 sf	6
163 & 167	Dance Studio	6,000	Training Studio	5 spaces / 1,000 sf	30
171	Dance Studio	3,000	Training Studio	5 spaces / 1,000 sf	15
175	Carpet Cleaning Equipment & Disaster Recovery Service	3,000	Office	3.3 spaces / 1,000 sf	5
179 & 183	Vacant	6,000	Warehouses, storage and distribution facilities	1 space / 1,000 sf	6
187	United Car Care (proposed)	3,000	Automobile service station and repair facility	4.5 space / 1,000 sf	14
191	Auto Glass Storage	2,600	Warehouse and storage	1 spaces / 1,000 sf	6
<b>Total Square Footage</b>		<b>70,871</b>			
<b>Total Parking Required</b>					<b>249</b>
<b>Total Parking Provided</b>					<b>222</b>

**CITY OF NAPERVILLE  
T.E.D. BUSINESS GROUP  
PETITION FOR DEVELOPMENT APPROVAL**

Development Name (should be consistent with plat): Kidz Kabaret (Fair Lady Productions, Inc.)

Development Address: 1665 Quincy Ave., Units 131-143

Date of Submission: March 24, 2011

**I. APPLICANT:**

Kidz Kabaret (Fair Lady Production)  
Name Corporation

1665 Quincy, #143.  
Street

Naperville Illinois 60540  
City State Zip Code

Len Monson Attorney 630.420.8228 x6  
**Primary Contact Person** Relationship to Applicant Telephone Number

630.420.9137 len@kuhnheap.com  
Fax Number E-Mail Address

**II. OWNER OF THE PROPERTY:**

Naper Small Business, LLC  
Name

1805 High Grove Ln., Suite 137, Naperville, IL 60540  
Address

**III. APPLICANT'S/PETITIONER'S STAFF:**

**Attorney:** Kuhn, Heap & Monson Telephone Number: 630.420.8228 x6  
**Email Address:** len@kuhnheap.com **Fax Number:** 630.420.9137  
**Address:** 552 S. Washington, Suite #100, Naperville, IL 60540

**Engineer:** N/A Telephone Number: \_\_\_\_\_

IV. ACTION REQUESTED (Check applicable boxes and complete corresponding Exhibits):

- |   |   |
|---|---|
| <input type="checkbox"/> Annexation (see Section V below)                                   | <input type="checkbox"/> Subdivision Waiver / Deviation to Platted Setback Line<br>(Complete Exhibit 4) |
| <input type="checkbox"/> Rezoning from ___ To ___<br>(Complete Exhibit 1)                   | <input checked="" type="checkbox"/> Zoning Variance<br>(Complete Exhibit 5)                             |
| <input type="checkbox"/> Preliminary PUD Plat<br>(Complete Exhibit 2)                       | <input type="checkbox"/> Final PUD Plat<br>(Complete Exhibit 2)   |
| <input type="checkbox"/> Major Change to a Planned Unit Development<br>(Complete Exhibit 2) | <input type="checkbox"/> Minor Change to a Planned Unit Development<br>(Complete Exhibit 2)             |
| <input type="checkbox"/> Preliminary Plat of Subdivision                                    | <input type="checkbox"/> Final Plat of Subdivision  |
| <input type="checkbox"/> Conditional Use<br>(Complete Exhibit 3)                            | <input checked="" type="checkbox"/> Major Change to a Conditional Use<br>(Complete Exhibit 3)           |
| <input type="checkbox"/> Minor Change to a Conditional Use<br>(Complete Exhibit 3)          | <input type="checkbox"/> Landscape Variance<br>(Complete Exhibit 6)                                     |
| <input type="checkbox"/> Site Plan Review   | <input type="checkbox"/> Plat of Easement / Vacation / Dedication<br>(circle all that apply)            |
| <input type="checkbox"/> Sign Variance<br>(Complete Exhibit 5)                              |   |

V. ANNEXATION

Is this development within the City limits?

- Yes.  
 Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.

No, **requesting annexation**

Are there electors living on the property:

- Yes  No  
 If yes, did they sign the Petition for Annexation?  Yes  No

VI. SITE DATA

- 1. General description of site conditions (Including existing site improvements, i.e., buildings, parking, landscaping, etc.)

The entire site is 4.46 acres with one industrial type building containing 23 units and 222 parking spaces.

- 2. Existing Utility Services (water, sewer, electricity): All utilities and services are currently existing and operating.

- 3. Existing zoning on the site: "I"

- 4. Existing Land Use: Industrial Building

- 5. Acreage & Square Footage of the site: 194,278 square foot / 4.46 acres

- 6. List Controlling Ordinances and agreements (zoning, annexation ordinances, SIA, site plans, preliminary/final PUD plats, etc.):

83-103; Ordinance amending zoning to I.

91-161; Ordinance granting a conditional use to allow auto repair

92-217; Ordinance granting a conditional use for recreational facility.

09-128; Ordinance approving a conditional use for an acting studio and theatre production training facility for the Kidz Kabaret and approving a parking variance to allow a reduction in the required 104 spaces to 93.

VII. PROPOSED DEVELOPMENT:

- 1. Type of Development (check all that apply):

Residential                       Commercial                       Office

Industrial                       Other: \_\_\_\_\_

- 2. Proposed Zoning: "I" Conditional Use for a training facility.

Description of Proposal: (Including proposed land use, type of use, hours of operation, number of parking spaces, and all Exhibits mandated by the request (see Page 2, Section IV for Exhibit information)— attach additional pages if necessary):

Petitioner obtained the current conditional use in 2009. The Petitioner has since converted a former rehearsal area into a rehearsal/ theatre area. This rehearsal/ theatre area was not included in the petition for the current conditional use. The Petitioner did not, and does not, intend to use the additional theatre space concurrently with the initial/primary theatre space, and did not realize this change was not allowed in the already approved conditional use. Kidz Kabaret is Naperville's premiere youth theater company with over 400 students from K-12th grade involved each year in show productions, workshops, summer camps and related activities. Office hours are M-F 8-3; T/TH 4:7:30; Sat 9-4 and Sun 12-5. Office staff consists of approximately 2-4 staff. Training and production hours are after school and early evening (typically 4-8 with concentration after 5:30).

- 3. Description of Building (Including number of buildings, square footage of each building and use, maximum height, façade materials):

The existing site consists of one building with 222 parking spaces. The subject building is approximately 69,941 square feet. The subject premises of the petition consists of four units, approximately 14,271 square feet. The subject premises will consist of a theatre facility and training.

- 4. Describe all requested Variances / Deviations from the underlying zoning regulations (i.e. parking, setbacks, density, height/bulk etc.) **NOTE:** Complete this section as well as **Exhibit 5** – attach additional pages if necessary:

We are requesting a variance from the required number of parking spaces. The Subject Premises has 93 parking spaces (with an approved variance from the required 104 spaces). By counting the additional seats the number of required spaces increases. Due to the configuration of the Subject Premises, and by intent, Petitioner is unable to use the additional theatre area concurrently with the primary theatre area. It is important to note that the Petitioner's has been conducting their business at the current location for almost 2 years, and there have been no parking issues. This is primarily due to the fact that their business is conducted during evening hours and weekends. Furthermore the nature of their business facilitates and encourages car pooling; and there is limited use of parking from the "dropping off" of students for classes. Petitioner's occupancy during regular business hours is 2-4 staff. Furthermore, 80% of the Subject Property building contains businesses that operate during standard business hours (see attachment "A"). During non-business hours an approximately additional 100 parking spaces are open, providing ample parking for the Petitioner without impacting the current tenants. For the foregoing reasons, we believe a variance to the required number of parking spaces should be granted.

- 5. Describe all requested waivers from the Subdivision Regulations: (i.e. R.O.W., widths, easements, etc.) **NOTE:** Complete this section as well as **Exhibit 4** – attach additional pages if necessary:

None

- 6. Deviations from the Landscaping Regulations **NOTE:** Complete this section as well as **Exhibit 6** – attach additional pages if necessary:

None

7. General Land Use Data:

	Residntl.	Comrcl.	Office	Indst.	R.O.W.	Park	School	Private	Other*	Total
No. of Acres				4.46						
% of Total				100%						

\*Please explain:

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8. Development Densities:

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Building square footage	Minimum Lot Size	Maximum Lot Size
Single-Family						NA		
Townhome						NA		
Duplex						NA		
Apartment						NA		
Comrcl.	1 bldg	4.46	NA	NA	NA	69,941	4.46	4.46
Office			NA	NA	NA			
Industrial			NA	NA	NA			

- Gross Acres = land designated for land use type including right-of-way
- Gross Density = number of units divided by gross acres
- Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school/park dedications and open space areas.
- Modified Gross Density = number of units divided by modified gross acres.

**VIII. SCHOOL AND PARK DONATION REQUIREMENTS (calculation tables must be attached):**

1. Required School Donation of  N/A  acres will be met by a \_\_\_\_\_

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2. Required Park Donation of  N/A  acres will be met by a \_\_\_\_\_

**IX. PRIVATE FACILITIES**

1. Private open space and recreational facilities include:

N/A

Which will be maintained by: \_\_\_\_\_ The City of Naperville  
 \_\_\_\_\_ Homeowners Association  
 \_\_\_\_\_ Other ( \_\_\_\_\_ )

2. Outlots and/or detention/retention facilities include (size, number and location)

N/A (already provided for)

Which will be maintained by: \_\_\_\_\_ The City of Naperville  
 \_\_\_\_\_ Homeowners Association  
 \_\_\_\_\_ Other ( \_\_\_\_\_ )

3. Detention, retention, open space/recreation and school uses within the development:

	Private -- Homeowners Association (acres)*	Public --To be Dedicated (acres)	Other (acres)*	Total (acres)
Open Space*				
a. Park Site				
b. Common Areas*				
c. Private Facility*				
Sub-total				
School Site				
Total				

\*Please Explain:

Note: Please provide a brief explanation of the type of private facility, common area, open space or other acreage included in the development (Private facilities would include facilities such as clubhouses or private swim clubs. Other could include detention/facilities or outlots for landscape buffers, subdivision identification signage or similar purposes.)

Respectfully Submitted,

Leonard M. Monson, Attorney for Petitioner

By: \_\_\_\_\_



Leonard M. Monson  
 Attorney for Petitioner

STATE OF ILLINOIS     )  
COUNTY OF DUPAGE    )  
CITY OF NAPERVILLE   )

The foregoing petition was acknowledged before me by Leonard M. Monson on the 24<sup>th</sup> day of March, 2011 A.D.

By: Patricia L. Brown  
*Patricia L. Brown*  
Notary Public



**Kidz Kabaret**

**Standards for Granting or Amending a Conditional Use**

**Section 6-3-8:2**

Standards For Conditional Uses: The commission shall not recommend nor the city council grant a conditional use in a particular zoning district or districts unless it shall make findings based upon the evidence presented to it in each specific case that:

1. **The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare;**

*The Subject Premises are currently being used under a conditional use granted by the City of Naperville. Therefore, the establishment of the conditional use is a continuation of the already existing conditional use, which has not been, nor is a detrimental to, or endangers the public health, safety and general welfare; and,*

2. **The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;**

*The surrounding neighborhood is fairly well established. The existing conditional use has not substantially diminished or impaired property values within the neighborhood; and*

3. **The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district. (Ord. 80-5, 1-21-1980)**

*The current petition is for an existing conditional use which has not negatively impacted the use of the adjacent property. Therefore, the petitioned for conditional use would not impede the normal and orderly development and improvement of the adjacent property.*

## Kidz Kabaret

### Standards for Granting a Zoning Variance

#### Section 6-3-5:2

The board shall not recommend nor shall the city council grant a variance from the regulations of this title unless it shall make findings based upon the evidence presented to it in each specific case that: (Ord. 05-028, 2-15-2005)

1. The variance is in harmony with the general purpose and intent of this title;

*The general purpose and intent of the Ordinance is to provide for adequate parking. Petitioner's occupancy during regular business hours is 2-4 staff. Furthermore, 80% of the Subject Property building contains businesses that operate during standard business hours (see attachment "A"). During non-business hours an approximately additional 100 parking spaces are open, providing ample parking for the Petitioner without impacting the current tenants.*

*Therefore, the requested variance would be in harmony with the general purpose and intent of the Ordinance.*

2. Strict enforcement of this title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district;

*The unique business hours of the underlying business negate any impact on parking. Strict enforcement of the title would impose a hardship on the Petitioner.*

3. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by this title;

*The proposed development is consistent with the surrounding area. To deny the variance request would make this property a "white elephant" vacant lot that would be inconsistent with the neighborhood. Therefore, strict enforcement would prevent a reasonable return in the event the variance request is not granted.*

4. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. (Ord. 80-5, 1-21-1980)

The city council shall not vary the provisions of this title concerning permitted uses, conditional uses or the regulation of nonconforming uses. (Ord. 05-028, 2-15-2005)

*As mentioned above, the subject business has been operating on the site for 2 years, and its use is consistent with the surrounding uses.*

*Therefore the granting of the variance request would be consistent with, and not alter, the essential character of the neighborhood.*

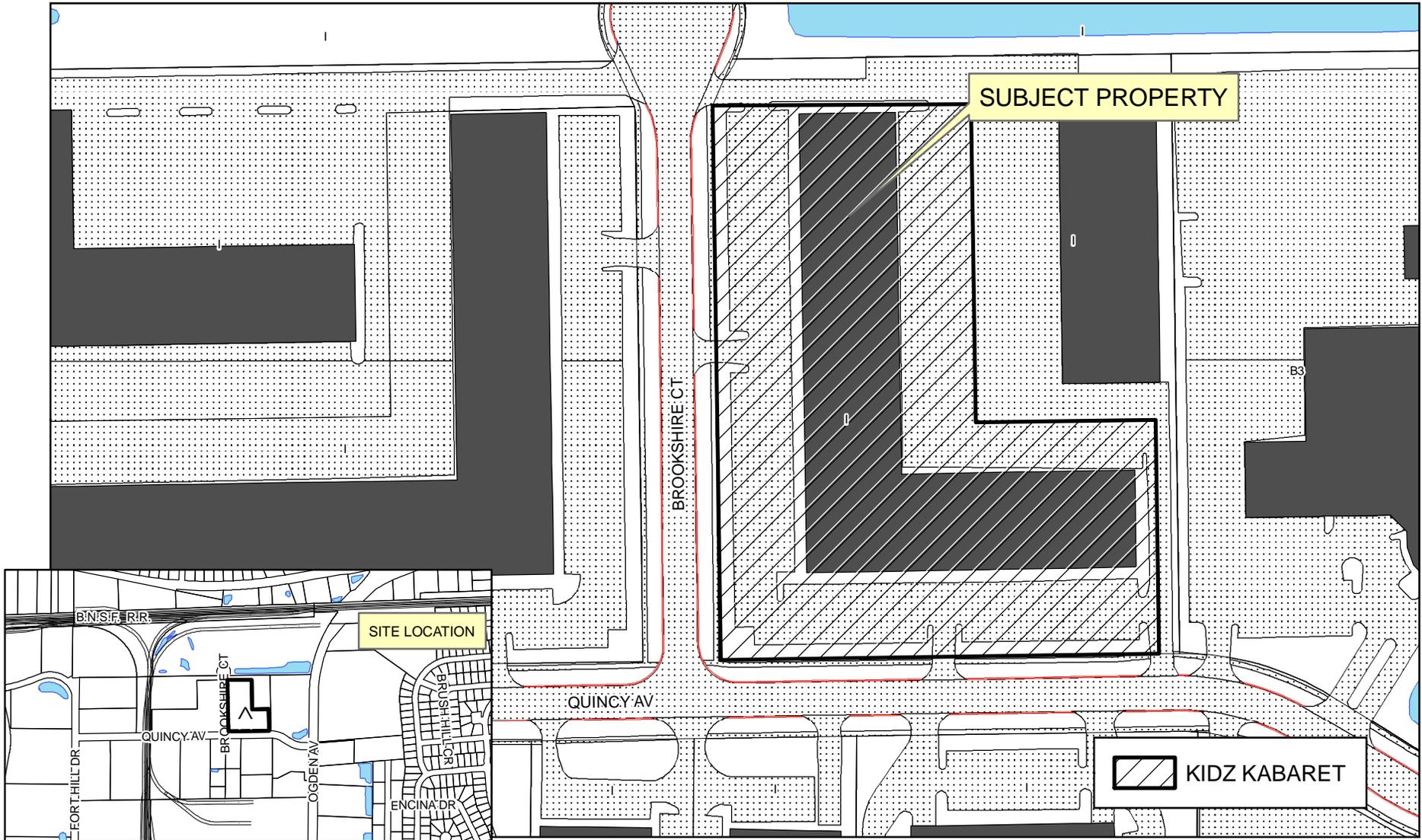
1665 Quincy Avenue Parking Log  
November 2010

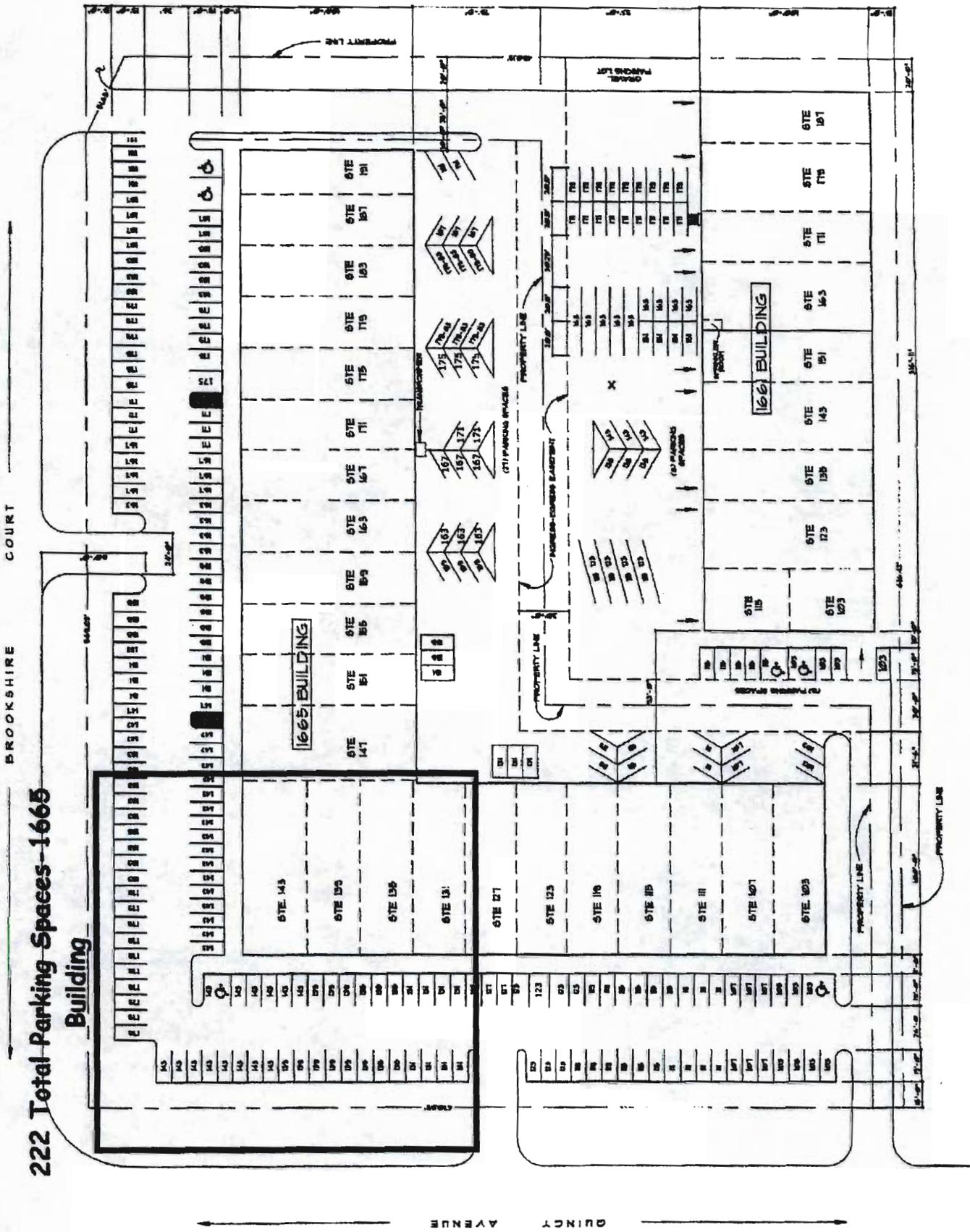
DATE	TIME OF DAY	TOTAL # OF VEHICLES
Thursday 11/4/2010	4:20pm	55
Thursday 11/4/2010	7:20pm	46
Friday 11/5/2010	10:15am	69
Friday 11/5/2010	2:30pm	58

1665 Quincy Avenue Parking Log  
December 2010

DATE	TIME OF DAY	TOTAL # OF VEHICLES	
Wednesday 12/1/2010	7:09pm	46	
Tuesday 12/7/2010	7:05pm	43	
Thursday 12/9/2010	8:00am	29	
Thursday 12/9/2010	5:45pm	52	Heavy Dance Class Nite
Friday 12/10/2010	7:00pm	81	Heavy Dance Class Nite & Theater Perf.
Sunday 12/12/2010	12:00pm	18	Lite Dance & Theater
Friday 12/17/2010	7:18pm	87	Heavy Dance Class Nite & Theater Perf.
Monday 12/20/2010	7:02pm	45	Lite Dance & Theater

City of Naperville  
**KIDZ KABARET 1665 QUINCY AVENUE #143**





222 Total Parking Spaces - 1665 Building

N  
SCALE 1"=50'-0"



