

**NAPERVILLE**  
**ZONING BOARD OF APPEALS MINUTES**  
**June 9, 2009 - 7:00 P.M. – COUNCIL CHAMBERS**

<b>Call to Order</b>		<u>Time:</u>	(7: 00 pm)	
<b>A. Roll Call</b> Commissioners:		<u>Present:</u>	<u>Yes</u>	<u>No</u>
		Karl Fry, Chairman	X	
		Ann Mele	X	
		Carl Pelzer	X	
		Robert Hedrich	X	
		Bhavani Prasad Vemuri		X
		Gina Terrano Koscal		X
		Robert Williams	X	
		Aneesh Tyle		X
Student Members:		Matt Lavieri	X	
		Cory Haas		X
Staff Present:	Katie Forystek – TED Community Planner Samula McCarthy – Administrative Assistant			
<b>B. Approve Minutes</b>	<u>April 14, 2009 Minutes</u> Motion to Approve by: Robert Williams Seconded by: Robert Hedrich		Approved (5 to 0)	
<b>C. Old Business</b>	None			
<b>D. Agenda Items</b>				
<b>Agenda Item :</b> <b>ZBA Case #9-1-41</b>  <b>Iroquois Center,</b> <b>L.L.C.</b>	<u>Request:</u> To increase the allowable area for monument signs on Ogden and Iroquois Avenue under Section 5-4-5:2.2 (Monument Sign Area) in the B3 General Commercial Zoning district. The petitioner is also requesting to increase the allowable height for a monument sign on Ogden Avenue under Section 5-4-5:2.4 (Monument Sign Height) of the Naperville Municipal Code.			
<b>Acknowledged</b>	<i>Petitioner's request: ZBA Case 09-1-41 at 1163 East Ogden will be continued until <u>July 14, 2009</u>.</i>			
<b>Agenda Item :</b> <b>ZBA Case #9-1-65</b>  <b>Toyota of Naperville</b> <b>1488 W. Ogden Ave.</b>	<u>Request:</u> The petitioner seeks a recommendation for approval to increase the allowable height for a monument sign under said Ordinance Section 5-4-5:2.4 (Monument Sign Height) of the Naperville Municipal Code.			

<b>Please note:</b>	<b>Petitioner Presentation by Attorney Kevin Gallaher, Nyberg and Cassioppi, LLC</b>	
	<b>Public Input:</b> None	
	<p><b>Zoning Board of Appeals Discussion:</b></p> <ul style="list-style-type: none"> <li>• Board member Pelzer questioned whether the existing sign was previously non-conforming and required a variance.</li> <li>• Staff explained that the existing sign was installed in 2007 and was not non-conforming. The sign is proposed to be relocated to the newly constructed Toyota of Naperville and the sign ordinance requires a height variance as a result of the Street Graphics Control Ordinance Text Amendments completed in 2008. The proposed sign will be 22'. Staff supports the variance per staff's memo of May 27, 2009.</li> <li>• Board member Hedrich requested information regarding the setback request. Staff stated that it was originally thought that a setback variance may be needed, but was ultimately not required. The only variance requested is for the height of the sign.</li> </ul>	
<b>E. Motion:</b>	<b>Motion : To close the Public Hearing</b>	
	Motion by: Carl Pelzer Seconded by: Robert Hedrich	Approve (5 to 0)
<b>F. Motion to Approve</b>	<b><u>Motion:</u></b> To recommend approval of ZBA Case 09-1-65 Toyota of Naperville, to allow for a second monument sign with a height of 22' and accepting the petitioner's findings of fact.	
	Motion by: Carl Pelzer Seconded by: Robert Williams	Approve (5 to 0)
<b>Agenda Item : ZBA Case #9-1-66  La Hacienda De Los Fernandez 2740 West 75<sup>th</sup> St.</b>	<b><u>Request:</u></b> To increase the allowable height for a monument sign under said Ordinance Section 5-4-5:2.4 (Monument Sign Height) of the Naperville Municipal code.	

<b>Acknowledged</b>	<b>Petitioner's request: ZBA Case 09-1-66 at 2740 West 75<sup>th</sup> St. will be continued until July 14, 2009.</b>	
<b>Agenda Item: ZBA Case #9-1-67  Advanced Data Technologies 1075 Shore Road</b>	<u>Request:</u> To reduce the number of parking stalls required under Section 6-9-3 (Schedule of Off-Street Parking requirements) of the Naperville Municipal Code.	
<b>Please note:</b>	<b>Petitioner Presentation by the owner David Kelsch, 112 Bridgewater, Naperville, IL</b>	
	<b>Public Input:</b> None	
	<p><b>Zoning Board of Appeals Discussion:</b></p> <ul style="list-style-type: none"> <li>• The petitioner described the expansion of the building and parking needs in regards to the variance request. The total expanded warehouse space would be 14,000 square feet which will require 14 parking spaces and only 2 employees work in the warehouse.</li> <li>• Pelzer questioned the staff's recommended condition for land banked parking. Pelzer also commented that he agreed with staff's recommendation, as parking needs may change with the future tenants.</li> <li>• Staff reiterated that through the combination of land banked parking and reduced stall width from 9 feet to 8.5 feet, the petitioner may gain additional parking stalls needed to accommodate future tenants. Staff concluded that as part of the Planning Team's work plan FY 2009, warehouse parking standards will be examined and that staff is supportive of the requested variance</li> </ul>	
<b>G. Motion:</b>	<b>Motion : To close the Public Hearing</b>	
	Motion by: Ann Mele Seconded by: Robert Hedrich	Approve (5 to 0)
<b>H. Motion to Approve</b>	<b>Motion:</b> Recommend to approve ZBA Case 09-1-67 Advanced Data Technologies to reduce the required number of parking spaces subject to staff's recommended condition stated on staff's memo of	Approved (5 to 0)

	June 1, 2009.	
	Motion by: Ann Mele Seconded by: Robert Hedrich	
<b>Agenda Item: ZBA Case #9-1-69  Panera Bread 1191 East Ogden</b>	<u>Request:</u> Panera Bread, requests approval of variances from Section 6-9-3:5 (Stacking requirements for Use with Drive-Through Facilities) to reduce the required number of stacking spaces between the order and pick-up window and Section 6-9-6 (Supplemental Standards Drive-Through Stacking Lanes) to reduce the width of the bypass lane.	
<b>Please note:</b>	<b>Petitioner Presentation by Rachel Turner-Lauck, Cubellis, Inc. 325 N. LaSalle # 700 Chicago, IL</b>	
	<b>Public Input:</b> None	
	<b>Zoning Board of Appeals Discussion:</b> <ul style="list-style-type: none"> <li>• Williams expressed concerns for the safety of the curb corners and the reduction of width in the by-pass lane from 10 feet to 9 feet. Williams stated that the existing parking configuration does not leave many options for a by-pass lane and he is uncomfortable with the sidewalk being in such close proximity. Williams warned that an unusual driving situation could become a potential safety hazard.</li> <li>• Student member Matt Lavieri suggested repositioning the pick-up window. The petitioner explained that Panera Bread had some curbing restraints that would prevent the pick-up window from being moved.</li> <li>• Fry stated that the driveway will not be shared with any other traffic and should be safe.</li> <li>• Staff clarified that the Engineering Team reviewed the plans and determined that the petitioner's proposal will leave reasonable space to for the bypass lane.</li> </ul>	

<b>I. Motion</b>	<b>Motion: To close the Public Hearing</b>	
	Motion by: Robert Hedrich Seconded by: Ann Mele	
<b>J. Motion to Approve</b>	<b>Motion:</b> To recommend approval of ZBA Case 09-1-69 Panera Bread to allow reduction of the required number of stacking spaces between the order and pick-up window and to reduce the width of the bypass lane for a drive-through and accept the petitioner's findings of fact.	
	Motion by: Ann Mele Seconded by: Carl Pelzer	
<b>K. Motion to Adjourn</b>	Motion: Robert Hedrich Seconded by: Carl Pelzer	
<b>Adjournment</b>		Time: 7:40 pm