



**CITY OF NAPERVILLE
BUILDING REVIEW BOARD**

AGENDA

**Wednesday, November 16, 2016, 2:00 pm
City Council Chambers
400 S. Eagle Street
Naperville, IL 60540**

CALL TO ORDER:

A. Roll Call

B. Approve Minutes

Approve the minutes of November 19, 2014.

C. Public Hearings

C1.

BRB Case #91

Case Name: 23/25 West Jefferson Avenue

Petitioner: Michael Scheid, 5101 Darmstadt Road, Suite A,
Hillside, IL 60162

Location: 23 and 25 West Jefferson Avenue
Naperville, IL 60540

The petitioner is requesting a variation ruling to the International Building Code as amended by Title 5 of the Naperville Municipal Code: The request for a variance to the International Building Code Section 705.8 is to allow for openings closer than 3 feet to a lot line. Subject Properties: 23 West Jefferson Avenue and 25 West Jefferson Avenue, Naperville, IL 60540.

D. New Business

E. Adjournment

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Communications Department at least 48 hours in advance of the scheduled meeting. The Communications Department can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6707 or 630-305-5205 (TDD) or via e-mail at info@naperville.il.us. Every effort will be made to allow for meeting participation.



**NAPERVILLE BUILDING REVIEW BOARD
DRAFT MINUTES OF November 19, 2014**

**UNOFFICIAL PRIOR TO BRB APPROVAL
APPROVED BY THE BRB ON _____**

Call to Order

(Note, meeting called to order late, waiting for arrival of fifth member for quorum.) **2:20 p.m.**

A. Roll Call

Chirico, Habel, Ghassan, Jungels, Klingbeil, Meyer-Smith, Russell, Smith, Vukasovic

Present:

Chirico, Habel, Jungels, Smith, Vukasovic

Absent:

Klingbeil, Ghassan, Meyer-Smith, Russell

Staff Present:

Urban, Filippo

B. Minutes

Approve the minutes of October 15, 2014

Motion to approve minutes as drafted.

by: Habel

Second by: Smith

Approved

(5 to 0)

C. Old Business

D. Public Hearings

D1.

BRB Case #90

2139/2155 CityGate

Lane

The petitioner is requesting a variation ruling to the International Building Code as amended by Title 5 of the Naperville Municipal Code for a variance to Section 705.8 to allow for openings closer than 3 feet to a lot line.

Anastasia Urban, Development Services Team, gave an overview of the request, and introduced the petitioner and their architect.

Neal Thompson, Aria Group Architects, Inc., 830 North Boulevard, Oak Park, Illinois 60301; spoke on behalf of the petitioner and presented the case. The subject properties were originally constructed on one lot, however the two buildings were subsequently subdivided for ownership purposes. There is an approximately 6"-8" separation between the two adjoining buildings. Construction of the two openings at the ground level will connect the hotel use to the retail/restaurant uses and will also connect the kitchen between the two buildings which is intended to served both areas. There will be a fire door/shutter on each side of the opening(s), and both buildings are currently protected by fire sprinkler and alarm systems.

Building Review Board inquired about:

- How will people exit if the fire doors/shutters are activated? Mr. Thompson indicated that the minimum number of required exits will still be provided.
- How the fire doors and shutters will be activated and connected to the fire alarm systems.
- Mr. David Michelsen, 2155 CityGate Lane, LLC, petitioner, provided additional clarification regarding details and configuration of how the fire shutters may work together.

Public Testimony: None.

The Building Review Board closed the public hearing.

The Building Review Board moved to recommend approval of BRB Case #90 subject to requiring a 1.5 hour fire door or shutter for each building opening to be verified through the building permit review.

Motion by: Habel

Seconded by: Jungels

Ayes: Habel, Jungles, Smith, Vukasovic, Chirico

Nays: None.

E. Adjournment

2:38 pm

Approved
(5 to 0)

**CITY OF NAPERVILLE
MEMORANDUM**

DATE: November 16, 2016

TO: Building Review Board

FROM: Trevor Dick, AICP LEED AP, Development Manager

SUBJECT: 23 and 25 West Jefferson Avenue – BRB Case #91
Variance Request

BACKGROUND:

Both the 23 and 25 buildings are under common ownership and are directly adjacent to each other, however currently separated by a lot line which was created for ownership purposes. Members may be more familiar with the ground floor retail tenants in each building: Cold Stone Creamery (23 W. Jefferson); and Francesca's (25 W. Jefferson).

The proposed variance would allow an opening to be created in the party wall between the existing second floor office suites of the properties. The reason for the work is that the tenant that currently occupies the second floor suite at 23 West Jefferson is expanding into the adjacent space at 25 West Jefferson. This would create a direct path between the spaces for optimum operation of their business.

DISCUSSION:

The proposed project involves creating an opening on the property between the 23 and 25 buildings, as shown on Sheet A1 of the attached application, which is not permitted without a variance. The request for a variance to the International Building Code Section 705.8.1 is to allow for openings closer than 3 feet to a lot line. The International Building Code requirement is to reduce the spread of fire between adjacent buildings. The variance request is needed for both buildings because the opening is to adjoin the buildings that are located on the property line.

The applicant is proposing to install two 3-hour rated fire doors for the opening. If an alarm is triggered on either side the door tied to that alarm would automatically close thus preserving the fire separation requirement.

IBC Section 705.8.1 Allowable area of openings.

The maximum area of unprotected and protected openings permitted in an exterior wall in any story of a building shall not exceed the percentages specified in Table 705.8.

Exceptions:

1. In other than Group H occupancies, unlimited unprotected openings are permitted in the first story above grade plane either:
 - 1.1. Where the wall faces a street and has a fire separation distance of more than 15 feet (4572 mm); or
 - 1.2. Where the wall faces an unoccupied space. The unoccupied space shall be on the same lot or dedicated for public use, shall not be less than

30 feet (9144 mm) in width and shall have access from a street by a posted fire lane in accordance with the International Fire Code.

2. Buildings whose exterior bearing walls, exterior nonbearing walls and exterior primary structural frame are not required to be fire-resistance rated shall be permitted to have unlimited unprotected openings.

TABLE 705.8
 MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON
 FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION

FIRE SEPARATION DISTANCE (feet)	DEGREE OF OPENING PROTECTION	ALLOWABLE AREA
0 to less than 3 feet	Unprotected, Nonsprinklered (UP, NS)	Not Permitted
	Unprotected, Sprinklered (UP, S)	Not Permitted
	Protected (P)	Not Permitted

Each building (23, 25) is approximately 22 feet by 60 feet consisting of a basement, ground floor, and second floor for a total of 3,750 square feet per building. Currently the upstairs of 25 West Jefferson is already connected via a door with an adjacent third building at 27 West Jefferson (aka Adagio Teas) which is also under the same ownership. Therefore, opening the wall to create access between 23 and 25 West Jefferson will actually join three buildings which greatly expands the square footage of a potential hazard.

Neither building has a fire suppression system. According to code, a building permit that connected the two parcels (i.e. increased the fire area over 5,000 square feet) would trigger the requirement for the owner to install a fire suppression system in both buildings.

After reviewing the application and discussing the project in greater detail with the owner's representative, City staff would feel comfortable accepting this proposal with the following requirements:

- 1) Buildings 23, 25, and 27 West Jefferson Avenue be sprinkled *prior* to the opening of the party wall as proposed.
- 2) Two 3-hour rated fire doors be installed for the building opening controlled by the fire alarm system.

RECOMMENDATION:

Approve the requested variance to Section 705.8 of the IBC for 23 and 25 West Jefferson Avenue, subject to requiring two 3-hour rated fire doors for the building opening to be verified through the building permit review, as well as installing a fire suppression system for 23, 25, and 27 West Jefferson Avenue.

ATTACHMENTS:

1. Application to the Building Review Board



CITY OF NAPERVILLE
Transportation, Engineering, & Development (T.E.D.) Business Group

APPLICATION TO BUILDING REVIEW BOARD
Municipal Code, Title II, Chapter 4, "Building Review Board"

CASE #91

DATE: 10.25.16

ADDRESS OF SUBJECT PROPERTY: 23-25 W. JEFFERSON AVE

APPLICANT NAME: MICHAEL SCHEID PHONE: (312) 972-4600

APPLICANTS ADDRESS: 5101 DARMSTADT RD SUITE A

CITY/STATE: HILLSIDE, IL ZIP CODE: 60162

E-MAIL ADDRESS: mscheid@imagemediaoutdoor.com FAX:

CONTACT NAME: TORY HANNAN PHONE: 630.420.1900

1. Application to the Naperville Building Review Board is hereby made for a:

() RULING (X) VARIATION

2. List the specific section(s) of the City of Naperville's Municipal Code, Title V, Building Regulations, from which a ruling of a variation is requested:

2012 IBC, 706.1.1 + 706.8

3. City Departments, Officers and Employees whose statements and decisions have previously been sought are:

a) FRED FILIPPO (d) MIKE KOKOCINSKI

b) MARVIN BROOKS (e)

c) PAUL FEJSTRUP (f)

4. The location of the site for which a ruling or variation is sought is:

a) Subdivision and Unit:

b) Lot Numbers(s):

c) Street Address(es): 23+25 W. JEFFERSON AVE

5. My short, concise statement of the question to be resolved, and my position on the question is as follows:

SEE ATTACHED

- A.) 2 Copies of Application Required
- B.) 2 Copies of Plans, include one 8 1/2X11
- C.) 1 Plat of Survey With Legal Description

Authorized Signature - Applicant:

\$250 Application Fee Paid

Within fifteen (15) days from the date of filing of the application, the Business Group Leader shall determine any additional legal, technical, and staff expenses that may be incurred by the City in the course of the consideration, and obtain from the applicant a guarantee, in a manner acceptable to the Business Group Leader of these additional expenses

October 25, 2016

City of Naperville
Building Review Board

Re: 23 & 25 W. Jefferson Ave. Fire Door
23 & 25 W. Jefferson Ave.
Naperville, IL 60540
Project No. 916137

Dear Board Members,

On behalf of Michael Scheid, owner of the above referenced properties, as well as the adjacent properties on either side at 27 and 19 and 21, we are requesting consideration for a variance that will allow an opening to be created in the party wall between the existing second floor office suites of the properties.

The reason for the work is that the tenant that currently occupies the second floor suite at 23 W. Jefferson is expanding into the adjacent space at 25 W. Jefferson. They would like a direct path between the Spaces for optimum operation of their business.

The propose work includes providing two 3 hour rated fire doors in a new. If an alarm is triggered on either side the door tied to that alarm would automatically close thus preserving the fire separation requirement.

Two doors are included in case the spaces would ever revert to separate tenants. In that event the two doors would provide security, so neither tenant would control access to the other space.

Below is a brief synopsis of the fire resistance requirements of the building under the 2012 International Building Code:

- Construction Type IIIB
- Use and Occupancy: Mixed use – Mercantile and Business
- General Building Heights and Areas: Most Restrictive M, Type IIIB = 2 story 12,500sf/floor
- Actual = 2 stories, 1,220sf/floor per building
- No fire separation required between M & B occupancies
- Table 601: Exterior Walls require 2 hour fire rating
- 706.1.1 Party Walls:
 - Shall be constructed as Fire Wall in accordance with Section 706
 - Party walls shall be constructed without openings and shall create separate buildings
- 706.4 – Fire walls require 3 hour fire rating
- 706.8 Openings: Openings shall be protected in accordance with 716.5 and shall not exceed 156sf
- Exception 1 - Openings are not permitted in party walls constructed in accordance with 706.1.1

After applying for a building permit for the work through Naperville's TBO session, we have been informed that the work cannot be allowed under the normal permitting process. Both the Building and Fire reviewers indicated that this work is not allowed by code, citing the above underlined reasons.

They also indicated that work similar to this was previously allowed at the Le Chocolat building on Washington St. after it had gone through Naperville's Building Review Board process.

In that situation, the opening was allowed to be created with two coiling fire shutters on each side of it that are connected to the fire alarm system. They also required both buildings to be fully sprinklered.

In this situation neither the uses of each building, nor the size, nor the construction type would require any fire separation if the buildings were not on separate lots. The only thing triggering the fire separation is the fact that the party wall is on a lot line. We understand that the installation of a fire suppression system may be required if this variance is granted. We would ask that if installation of a fire suppression system is required, a grace period of sufficient time be granted as well, so the Owner can properly develop the long term plans for the properties, while solving the immediate need of the current tenant.

As always, should you have any questions regarding this or any other matter, please do not hesitate to call our office. Thank you.

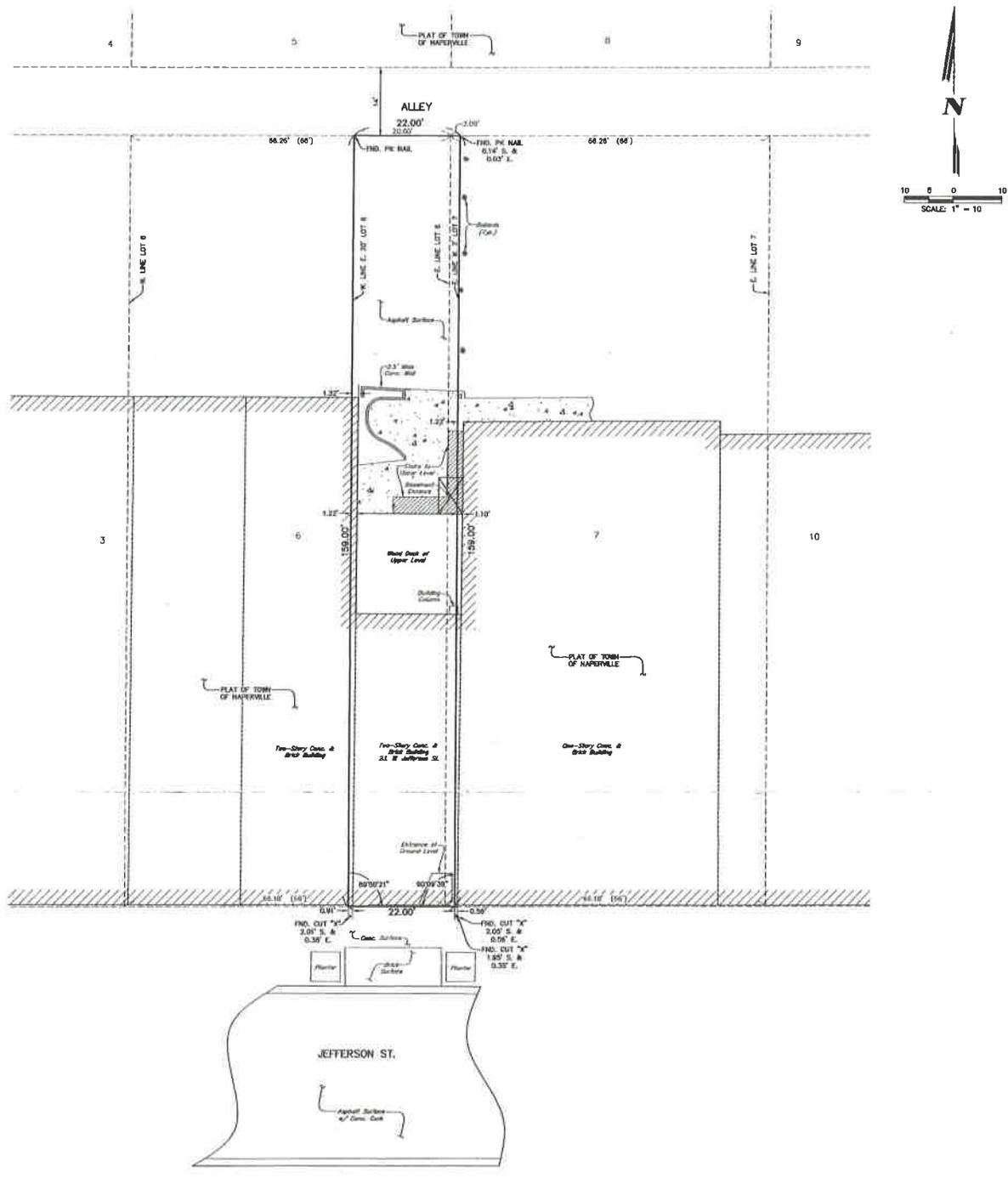
Very Truly Yours,
Torch Architecture, Inc.



Torin M. Hannan, AIA, LEED AP
President

Enc

PLAT OF SURVEY



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) SS.
 COUNTY OF DU PAGE)

I, PETER A. BLAISEN, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION AND THAT THIS PLAT CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A HIGHER QUALITY SURVEY.

DATED THIS 14TH DAY OF DECEMBER, A.D. 2007.

[Signature]

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2009
 PROFESSIONAL DESIGN FIRM LICENSE NO. 1184-502832
 EXPIRATION DATE IS APRIL 30, 2009

PARCEL DESCRIPTION

THE EAST 20 FEET OF LOT 6 (EXCEPT THAT PART, IF ANY, FALLING WITHIN THE WEST 13 FEET OF THE EAST 1/2 OF SAID LOT 6) AND THE WEST 3 FEET OF LOT 7 IN BLOCK 17 IN THE PLAT OF TOWN OF NAPEVILLE, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 1942 AS DOCUMENT 131, IN DU PAGE COUNTY, ILLINOIS.

SURVEYOR'S NOTES

DIMENSIONS ALONG CURVES ARE ARC DISTANCES.
 MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
 DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED.

FIP = FOUND IRON PIPE (4 AS SHOWN)
 FIR = FOUND IRON ROD

LEGAL DESCRIPTION SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY IDENTIFIED AS NUMBER NCL-328100-0112 WITH AN EFFECTIVE DATE OF NOVEMBER 9, 2007.

THIS PLAT IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.

COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED OR CERTIFICATE OF TITLE. ALSO COMPARE ALL POINTS BEFORE BUILDING BY THE SAME, AND REPORT ANY DIFFERENCES TO THE SURVEYOR IMMEDIATELY.

SYMBOL LEGEND

- ▨ - CONCRETE SURFACE
- - FOUND 1 1/2" I.P. IN CONC.
- - BOLLARD

LINE LEGEND

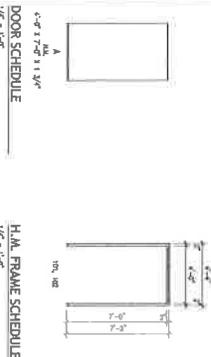
- - PROPERTY LINE (Heavy Solid Line)
- - ADJACENT PROPERTY LINE ON RIGHT-OF-WAY LINE (Light Solid Line)
- - BUILDING JOINT LINE (Short Dashed Line)
- - UNBUILT PROPERTY LINE (Dashed Line)

PREPARED BY

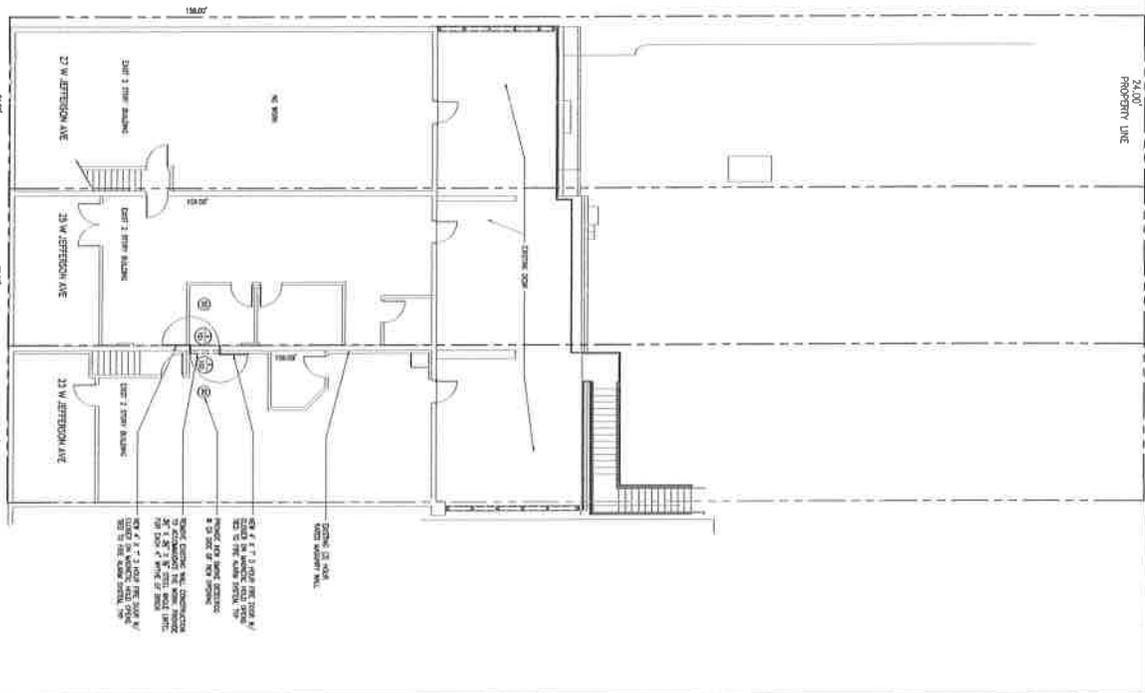
CEMCON, Ltd.
 Consulting Engineers, Land Surveyors & Planners
 2280 White Oak Circle, Suite 100
 Aurora, Illinois 60502-9973
 PH: 630.862.2100 FAX: 630.862.2199
 E-Mail: ccm@cemcon.com Website: www.cemcon.com

DISC NO.: P\903774 FILE NAME: ALTA
 DRAWN BY: KJA FLD. BK. / PL. NO.: C72/90-72
 COMPLETION DATE: 12-14-07 JOB NO.: 903.774

FINISH HARDWARE SCHEDULE			
SET	DESCRIPTION	HEIGHT / MODEL NO.	FINISH
1	3" x 6" BRASS BRUSHED		BRASS
2	3" x 6" BRASS POLISHED		BRASS
3	3" x 6" BRASS ANTIQUE		BRASS
4	3" x 6" BRASS OIL RUBBER		BRASS
5	3" x 6" BRASS PATINA		BRASS
6	3" x 6" BRASS BLACK		BRASS
7	3" x 6" BRASS BRUSHED		BRASS
8	3" x 6" BRASS POLISHED		BRASS
9	3" x 6" BRASS ANTIQUE		BRASS
10	3" x 6" BRASS OIL RUBBER		BRASS
11	3" x 6" BRASS PATINA		BRASS
12	3" x 6" BRASS BLACK		BRASS
13	3" x 6" BRASS BRUSHED		BRASS
14	3" x 6" BRASS POLISHED		BRASS



- DOOR & FINISH HARDWARE NOTES**
1. ALL HARDWARE SHALL BE BRASS UNLESS OTHERWISE NOTED.
 2. ALL HARDWARE SHALL BE FINISHED AS NOTED IN THE SCHEDULE.
 3. ALL HARDWARE SHALL BE FINISHED AS NOTED IN THE SCHEDULE.
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 13. ALL HARDWARE SHALL BE FINISHED AS NOTED IN THE SCHEDULE.
 14. ALL HARDWARE SHALL BE FINISHED AS NOTED IN THE SCHEDULE.



SECOND FLOOR/SITE PLAN
1/8" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION
10/25/2016

PROJECT
FIRE DOOR
2505 W. JEFFERSON AVENUE
NARBOROUGH, MA 01886
TOWN CENTER HOLDINGS
PROJECT NUMBER | 191017

ISSUE
10/25/2016 ISSUE FOR BRG REVIEW

REVISIONS

DESCRIPTION
PLAN AND DETAILS