

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for Tartan Highlands Subdivision located at 1001 S. Washington Street- PZC 19-1-049 (Item 1 of 4).

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Scott Williams, AICP

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on July 17, 2019 and voted to recommend approval of the request (Approved 9-0). Staff concurs.

BACKGROUND:

The subject property is located at 1001 S. Washington Street at the southeast corner of Sycamore Drive and S. Washington Street. The property is bordered by Washington Street to the north, Gartner Road and an abutting vacant site on the hard corner to the east, Catalpa Lane to the south, and Sycamore Drive to the west. The property is currently zoned OCI (Office, Commercial, Institutional District) and is approximately 3.5 acres in size. The petitioner has demolished the prior 2-story PNC bank and is proposing to redevelop the property with a mixed-use office and retail development and reconfigured parking lot. To do so, the petitioner requests approval of: a plat of subdivision to re-subdivide the property; a rezoning from OCI (Office Commercial and Institutional District) to B1 (Neighborhood Convenience Shopping Center District); and several zoning variances, as further described below.

The East Sector Update (1998) identifies the future land use of the property as "Office/Research & Development." Given that the future land use of the adjacent property located at the southwest corner of Gartner and Washington Street (former gas station) is "Commercial", staff believes that the subject property's future land use designation of "Office/Research & Development" is largely reflective of the property's prior improvement as a bank. As a result, while the proposed retail component of the multi-use development deviates from this designation, it does remain generally complimentary with the character of the area and facilitates convenient shopping and easy access to professional services. Staff finds the proposed redevelopment to be consistent with the City's long-term plans.

DISCUSSION:

Preliminary/Final Plat of Subdivision

The subject property currently consists of one lot totaling approximately 3.5 acres. The petitioner requests approval to subdivide the subject property into four lots in the rezoned B1 zoning district. A coffee shop with a drive-through is planned on Lot 1 of the subject property, and multi-tenant retail and office buildings are shown on Lot 2 and Lot 3. Lot 4 consists of the parking lot and shared access drives with a blanket cross-access and parking easement placed over the entirety of the lot. A business owner's association will be responsible for maintenance. A separate cross-access with 1061 S. Washington, the abutting vacant site located on the southwest corner of Washington Street and Gartner Road, is platted in anticipation of the future development of this parcel.

The associated Owner's Acknowledgement and Acceptance agreement (OAA) specifies that a fast-food use with a drive-through is precluded from operating in any of the buildings. The OAA also restricts the delivery hours to 6:30 a.m. to 10:00 p.m. for buildings B and C.

The proposed development complies with the B1 zoning district's minimum lot width and area requirements. Staff finds the proposed plat of subdivision meets all technical requirements for approval.

Rezoning

The petitioner is seeking to rezone the subject property to B1 (Neighborhood Convenience Shopping Center District). Staff finds the B1 zoning district to be appropriate for the subject property given the zoning designations of adjacent parcels, specifically:

- The property to the east is zoned B2 (Community Shopping Center District) and is developed with the Naperville Plaza Shopping Center;
- The abutting vacant automobile service station site to the east is currently zoned OCI but is designated as "commercial" in the comprehensive plan;

While the properties located across Washington Street, as well as those located to the west and south of the subject property are zoned R1A (Low Density Single-Family Residence District), the intent of the B1 district is to provide a convenience to adjacent residential areas. The permitted uses in this zoning district satisfy basic shopping needs which occur daily or frequently and so require facilities in relative proximity.

Furthermore, the subject property was previously utilized and zoned for non-residential (office) purposes for a substantial period of time. While the B1 zoning permits for additional commercial uses not allowed within the property's existing OCI zoning, the B1 district is also more restrictive in terms of allowable floor area ratio (maximum 0.325 FAR in B1 vs. maximum 1.5 FAR in OCI) and height (40' height restriction in B1 vs. no height restriction in OCI for commercial buildings). Accordingly, staff finds the proposed B1 zoning to be appropriate for the subject property and compatible with the surrounding area.

It should also be noted that in response to property owner concerns, the petitioner has agreed to restrict drive-through facilities on Lots 2 and 3. This restriction is included in the Owners Acknowledgement and Acceptance agreement attached to the ordinance approving the subdivision plat.

Findings of Fact

The petitioner's responses to the Standards for Granting a Rezoning can be found in the attachments. Upon review, staff generally agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Requested Variances

Six variances are proposed as part of the petitioner's request, as are further described below. Many of the variances are necessary due to the internal platting to have parking located on Lot 4 that does not contain a building. Staff finds the development package to

be comprehensive due to the following: shared-access drives; size of the development; reduction of curb-cuts; provision of a cross-access easement; and, signage that is consistent with the City's approved Monument Sign Standards. The specific variances requested are detailed below.

Building C Floor Area Ratio Variance

Based on the rezoning to B-1, the maximum floor-area-ratio (FAR) is 0.325 per [Section 6-7A-8 \(Height Limitations/Bulk Regulations\)](#). This section is meant to regulate the density of a building and indirectly control the number of people it can hold. As proposed, the FAR is 0.724 for Lot 3 containing the 2-story, 3-tenant "Building C" and exceeds the maximum.

Tartan provided a total site summary and FAR analysis. Because FAR is divided by the area of land the buildings are located on, this variance arises due to the platting of the northern internal property line for Lot 3. The total site area of the overall development is 152,392 square feet with a total FAR of 0.187. With the overall site at around half the maximum FAR, staff finds the development is consistent with the intent of the ordinance. Furthermore, the petitioner has demonstrated that the necessary parking will be available on Lot 4 for all three buildings based on the required parking space count for the proposed uses.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Building C Loading Berth Variance

[Section 6-9-4 \(Off Street Loading\)](#) requires loading berths based on the gross floor area. Building C requires one loading berth based on a size of 21,000 square-feet.

The petitioner is not providing a loading berth because of the mixed-use nature of the development with the floor area divided up amongst smaller retail and office type uses in this building. The site has also been designed with wider 30' drive aisles to accommodate any potential deliveries. Building C has three street facing elevations and the architecture would have to be redesigned to accommodate a loading berth.

Staff is supportive of this request based on the site design, uses proposed, and in order to encourage vehicles to make deliveries on the interior of the property (vs. on the perimeter or rear of proposed buildings). It should be noted that the petitioner has agreed to restrict delivery hours to 6:30 a.m. to 10:00 p.m. for buildings B and C. This restriction was placed on the property in response to concerns raised by neighboring property owners and is included in the Owners Acknowledgement and Acceptance agreement attached to the ordinance approving the subdivision plat.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Coffee Shop Bypass Lane Variance

The petitioner is requesting a variance to eliminate the drive-through bypass line required per [Section 6-9-6:2.2 \(Supplemental Standards for Drive-Through Stacking Lanes: Bypass Lanes\)](#) of the Code. Per Code, a 10-foot wide bypass lane is required to be provided the entire length of the stacking lane for a coffee shop.

Tartan proposes a stacking lane located on the east and south sides of the standalone coffee shop building. A bypass route is provided just after the stacking lane turns at the building's southeast corner but is not available for the entire length. This route will allow vehicles to exit the site without placing an order and having to reverse into the main north-south drive aisle.

Staff finds this abbreviated bypass lane sufficient given the design of the facility and the visibility of the stacking lane. The petitioner has additionally exceeded the required stacking for the coffee shop with 7 spaces provided. For these reasons, staff finds the petitioner's request reasonable and supports the reduced length of a drive-through bypass lane for the coffee-shop.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Front Yard Parking Setback Variance

[Section 6-9-2:4.3 \(Business District Parking Setbacks\)](#) requires a minimum parking setback of 30' as determined by the R1A zoning district located across Washington Street. The petitioner requests approval of a variance to reduce the required front yard setback to 20' for Lot 4. This setback is requested to preserve a 20' buffer kept free of any structure on the opposite Catalpa side of the development (vs. the minimum 15' setback required by code).

Staff is supportive of the requested variance noting it meets the separate major arterial setback with ample separation from Washington Street traffic and allows for a greater rear setback on Lot 4. Code compliant vision triangles are maintained and preserve the lines of sight. Additionally, Washington Street is the widest, adjacent right-of-way meaning the residences located on other side of the street have the greater distance separation compared to the other residential areas.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Off-premises Signage Variance

The purpose of the City's Sign Code is to establish balanced regulations for signage by promoting the optimum conditions for communication between people and their environment. The Sign Code allows commercial properties to install permanent ground signs so long as the property on which they are located has more than 100 feet of frontage. Section 6-16-3:7 prohibits off-premises signs displaying commercial speech to

reduce the potentially distracting influence of signs, and to enable fair and consistent enforcement of signs.

As part of the development proposal, the petitioner proposes subdividing the subject property into four lots. One of these lots (Lot 4) is to be conveyed to a business owner's association responsible for maintenance and contains no actual building. Lot 1 includes the coffee shop. The petitioner is seeking a variance to erect three off-premises signs (not permitted by Code) for all tenants to achieve visibility for vehicles on Washington Street and Gartner Road.

The proposed monument signs are consistent with permitted signage allowances in terms of square footage, height, and street setback. With consideration given to the unique subdivision layout and the fact that Lot 4 is not buildable, staff feels that the requested variance is reasonable. Staff also notes that the ground signs would not be visible from Washington Street if they were limited to Lots 2 and 3.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Ground Signage Setback Variance

The City's Sign Code specifies specific setbacks and design standards to ensure that adequate site identification is provided without creating distractions, obstructions, and hazards. The Sign Code requires ground signs on commercial property to maintain a forty-foot setback from interior property lines to ensure effective communication between signs and the public, and to avoid sign clutter. The petitioner is requesting a variance to reduce the required interior property line setback for a ground sign on Lot 1 from 40' to 19'.

The proposed development features a shared drive-aisle that provides the sole access to all lots from Washington Street. This unique platting approach results in one monument sign being located within the required 40-foot interior side yard setback, even though the side yard in question is actually internal to the development and does not impact any adjacent properties. Reducing the interior property line setback to 19' feet will allow the placement of signage near their shared access point while effectively communicating business identification to customers.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Landscape Plan

The proposed landscaping exceeds the requirements of the City's Landscaping and Screening Ordinance. Existing, mature trees in the southwestern portion of the site were preserved during demolition, and landscaping amenities including the addition of over 50 trees have been incorporated to beautify the site. Enhanced screening adjacent to the

proposed parking areas has also been added across from the residences on Catalpa Lane and Sycamore Drive.

Building Elevations

The petitioner is proposing high quality, modern building designs to comply with the City's Building Design Guidelines and to compliment adjacent land uses. Upon review, staff finds that the three buildings meet City requirements. The buildings demonstrate four-sided architecture with the facades consisting of a large percentage of masonry. The metal and architectural shingle roofs are pitched with rooftop mechanical units fully screened. The trash enclosures consist of the same masonry material as the primary facades and are also fully screened.

Planning & Zoning Commission Action

The Planning and Zoning Commission considered this matter at their meeting on July 17, 2019. Eighteen members of the public spoke during the public hearing and offered concerns on the following: traffic and safety impact; stormwater impact; intensity of B1 commercial uses; alignment of the coffee shop drive-through; buffering between the proposed development and adjacent residential; Elmwood Elementary pedestrian safety; impact on school drop-off/pick-up queuing on Sycamore; the existing conditions of Naperville Shopping Center; potential future uses including additional drive-throughs; and, impact on existing businesses. Upon completion of the public hearing, the Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-049 (approved 9-0). Staff concurs with the Planning and Zoning Commission's recommendation.

Key Takeaways

- The petitioner requests approval of a preliminary/final plat of subdivision to subdivide the property into four lots, rezone the subject property to the B1 zoning district, and approval of several variances. Staff is in support of these requests based on the findings included in this report.
- The PZC recommended approval of PZC 19-1-049 (vote 9-0). Staff concurs.

Related Files

The following agenda items are related to PZC 19-1-049:

- Pass the ordinance approving a Preliminary/Final Plat of Subdivision for Tartan Highlands Subdivision – PZC 19-1-049 (Item 2 of 4);
- Pass the ordinance approving a Rezoning from OCI (Office Commercial and Institutional District) to B-1 (Neighborhood Convenience Shopping Center District) for the property located at 1001 S. Washington (Tartan Highlands Subdivision) – PZC 19-1-049 (Item 3 of 4);
- Pass the ordinance approving variances to: allow a FAR of 0.724 on Lot 3; eliminate the loading berth for Building C; eliminate the bypass lane for the coffee shop drive-through; reduce the front yard parking setback for Lot 4; permit off-premises monument signage on Lot 1 and 4; and, permit monument signage within 40' of an interior setback line on Lot 1 for the property located at 1001 S. Washington (Tartan Highlands Subdivision) – PZC 19-1-049 (Item 4 of 4).

FISCAL IMPACT: N/A

