



## Legislation Details (With Text)

**File #:** 21-1651B      **Version:** 1  
**Type:** Public Hearing      **Status:** Agenda Ready  
**File created:** 1/6/2022      **In control:** City Council  
**On agenda:** 3/1/2022      **Final action:** 3/1/2022  
**Title:** Receive the staff report for 7S345 Columbia Street (Rocas Hill Subdivision) and conduct the public hearing to consider the Annexation Agreement for said property - PZC 21-1-119 (Item 1 of 5)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Development Petition, 2. Annexation Petition, 3. Prelim-Final Sub Plat, 4. PZC 01.05.22 Minutes, 5. Response to Standards, 6. Annexation Plat, 7. Cost Estimate, 8. Disclosure of Beneficiaries, 9. Legal Description, 10. Prelim-Final Engineering, 11. Location Map

Date	Ver.	Action By	Action	Result
3/1/2022	1	City Council	closed	Pass

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Receive the staff report for 7S345 Columbia Street (Rocas Hill Subdivision) and conduct the public hearing to consider the Annexation Agreement for said property - PZC 21-1-119 (Item 1 of 5)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kathleen Russell, AICP

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) considered PZC 21-1-119 on January 5, 2022. The Commission voted 9-0 to approve the rezoning and subdivision deviation; staff concurs.

**BACKGROUND:**

Located south of the intersection of Parkside Road and Columbia Street, the subject property has a common address of 7S345 Columbia Street. The 27,427 square foot parcel is currently improved with a single-family residence and is zoned R-4 in unincorporated DuPage County. The property is adjacent to an unincorporated property to the north and incorporated properties to the south, east, and west. The surrounding incorporated properties are zoned R1B (Medium Density Single-Family Residence District), R1 (Low Density Single-Family Residence District), and R1A (Low Density Single-Family Residence District).

**DISCUSSION:**

The Property Owners, Pradip Shah, Sandhya Shah, Nimisha Pavone, and Anthony Pavone, request annexation, rezoning to R1A upon annexation, a preliminary/final plat of subdivision, and a subdivision deviation to the ninety percent rule in order to have two single-family residences.

## **Annexation and Rezoning**

Upon annexation, the Property Owners seek to rezone the subject property to R1A (Low Density Single-Family Residence District). Staff finds the proposed R1A zoning to be compatible with the existing zoning of surrounding properties. Upon review of the Property Owners' responses to the Standards for Granting a Map Amendment, staff agrees with the Property Owners' findings and recommends their adoption by the City Council.

## **Preliminary/Final Plat of Subdivision**

The proposal includes a request to subdivide the existing lot into two lots. The proposed lots will be 11,614 square feet and 15,813 square feet in size. The lots will meet the R1A lot requirements for area and width, but the north lot will not meet the ninety percent rule minimum lot size as required by Section 7-4-4:2.4 of the Naperville Municipal Code, thus a subdivision deviation is required. Further information concerning the subdivision deviation can be found in the section below.

## **Subdivision Deviation**

The Property Owners request a subdivision deviation, as the proposed north lot will not meet the minimum lot size based on the ninety percent rule calculation. The ninety percent rule requires a minimum lot size of any single-family residential lot that results from resubdividing one or more existing lots to be equal to or greater than ninety percent (90%) of the mean of all the incorporated single-family residential lots within 300ft of proposed lot. The ninety percent rule requires a minimum lot size of 12,569 square feet and the proposed north lot will be 11,614 square feet or 955 square feet less than the minimum lot size based on the ninety percent rule.

The Property Owners have explained that the parcel size will not be out of character with the surrounding neighborhood based on analysis of adjacent lot sizes. The parcel appears to have been intended to be two lots as there are two PINs associated with the parcel. To create rectangular lots and keep the parcels in the original intended configuration, the lots are proposed to be split unequal in size. The proposed lot split will formalize the parcel as two separate lots. In considering parcel's history and size, which meets the R1A minimum lot size requirement, staff is in support of the request.

Staff is in general agreement with the Property Owners' responses to the Standards for Granting a Subdivision Deviation and recommends approval of the subdivision deviation request.

## **Planning and Zoning Commission**

The public hearing before the Planning and Zoning Commission (PZC) was conducted on January 5, 2022. Patti Bernhard, Rosanova & Whitaker, Ltd., represented the Property Owners and was in attendance for any questions. No members of the public spoke on the request. The PZC asked about the lot width, which was confirmed to be 100ft for both lots. The PZC closed the public hearing and voted 9-0 to recommend approval of the rezoning and the subdivision deviation. Staff concurs with the recommendation.

## **Key Takeaways**

- The Property Owners are requesting annexation, rezoning to R1A upon annexation, a preliminary/final plat of subdivision, and a subdivision deviation to the ninety percent rule in order to have two single-family residences at the property located at 7S345 Columbia Street. Staff is in support of the request.
- The PZC recommended approval of the proposed rezoning and subdivision deviation (vote: 9

in favor; 0 opposed).

**Related Files**

- Pass the ordinance authorizing the execution of the Annexation Agreement (requires six positive votes) for 7S345 Columbia Street (Rocas Hill Subdivision) - PZC 21-1-119 (Item 2 of 5)
- Pass the ordinance annexing 7S345 Columbia Street (Rocas Hill Subdivision) - PZC 21-1-119 (Item 3 of 5)
- Pass the ordinance rezoning 7S345 Columbia Street (Rocas Hill Subdivision) to R1A upon annexation - PZC 21-1-119 (Item 4 of 5)
- Pass the ordinance approving the preliminary/final plat of subdivision and deviation to the 90% rule lot size for 7S345 Columbia Street (Rocas Hill Subdivision) - PZC 21-1-119 (Item 5 of 5)

**FISCAL IMPACT:**

N/A