



Legislation Details (With Text)

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Title: Conduct the public hearing for the vacant property located at the southwest corner of Diehl Road and Mill Street (Orion/Prosperita) - PZC 22-1-097

Sponsors:

Indexes:

Code sections:

Attachments: 1. Development Petition, 2. Response to Standards, 3. Preliminary Plat, 4. Preliminary Site Plan, 5. School Elevations, 6. Townhome Elevations, 7. Preliminary Landscaping, 8. Preliminary Engineering, 9. Signage Plan, 10. Stormwater Report, 11. Traffic Study, 12. Autoturn Exhibit, 13. Public Comments, 14. Petition to Annex, 15. Plat of Annexation

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------------------|----------|--------|
| 3/15/2023 | 1 | Planning and Zoning Commission | approved | Pass |

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing for the vacant property located at the southwest corner of Diehl Road and Mill Street (Orion/Prosperita) - PZC 22-1-097

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Sara Kopinski, AICP

ENTITLEMENTS REQUESTED:

1. A petition for annexation into the City of Naperville;
2. Rezoning from R-3 (Single Family Residence District) in DuPage County to OCI (Office, Commercial and Institutional District) in the City of Naperville upon annexation;
3. Preliminary plat of subdivision;
4. A conditional use pursuant to Section 6-7F-3:2 for single-family attached dwelling units in the OCI zoning district;
5. A variance from Section 6-16-3:7 to allow an off premise sign;
6. A variance from Section 5-2C-3 to reduce masonry requirements from 50% to 25% on the townhomes; and,
7. A variance from Section 5-10-3:3.2 to eliminate and relocate required parkway trees along Diehl Road and Mill Street.

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 22-1-097 was published in the Naperville Sun on

Sunday, February 26, 2023.

BACKGROUND:

The subject property consists of approximately 12.35 acres located at the southwest corner of Diehl Road and Mill Street. The property is currently vacant and zoned R-3 (Single Family Residence District) in unincorporated DuPage County. The petitioner proposes annexing the property into the City of Naperville and developing the property with Orion STEM School and The Prosperita townhome development. To do so, the petitioner requests approval of: rezoning to OCI (Office, Commercial and Institutional District) following annexation; a plat of subdivision; a conditional use for attached single-family dwelling units/townhomes in the OCI District; a variance to allow an off premises sign; a variance to allow townhomes to be constructed with 25% masonry; and, a variance to relocate required parkway trees along Diehl Road and Mill Street.

The City's Land Use Master Plan identifies the future place type of the subject property to be Employment Center along the subject property's Diehl Road frontage. The southern portion of the property is designated as City Corridor. Staff finds the petitioner's proposal to be compatible with these designations.

DISCUSSION:

Annexation

The petitioner proposes annexation of the subject property into the City of Naperville. The subject property is contiguous to the City of Naperville's current municipal boundaries and therefore is eligible for annexation. The annexation request is not reviewed by the Planning & Zoning Commission, but information is provided for reference. City Council will consider the request at a subsequent public hearing.

Rezoning

The petitioner seeks to rezone the subject property to OCI (Office Commercial and Institutional District) upon annexation. The intent of the OCI district is to act as a transitional zone between intensive business areas and residential neighborhoods. The subject property has frontage along the Diehl Road office corridor, and provides a transition between this corridor, institutional uses to the south, and residential homes to the southwest. Surrounding properties in the City of Naperville are zoned OCI, except for Nike Park, which is zoned R1. Staff finds the proposed rezoning to be compatible with properties in the surrounding area.

As part of the submittal, the petitioner provided engineering plans which depict the proposed development layout. The plans comply with OCI regulations in terms of required yards, building height, bulk, and density. Staff also finds the proposal to be consistent with the City's Land Use Master Plan. The Master Plan designates the future place type of the subject property to be Employment Center along the Diehl Road frontage and City Corridor on the southern portion. These place types both accommodate the OCI zoning district, as well as the institutional and multi-family residential land uses the petitioner has proposed. The petitioner plans to maintain the character of the Diehl Road office corridor by proposing the Orion Stem School along this frontage and locating the residential component to the south. Consequently, staff is supportive of the petitioner's proposed rezoning.

Findings of Fact

The petitioner's responses to the Standards for Granting a Map Amendment 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.

Preliminary Plat of Subdivision

The petitioner proposes a preliminary plat of subdivision to subdivide the 12.35-acre subject property into nineteen lots. Lot 1 is proposed to be 5.01 acres and be developed with Orion Stem School. Lots 2 through 19 will total approximately 6.98 acres and be developed with 76 townhomes. The petitioner is also dedicating 0.36 acres of right-of-way to DuPage County for Mill Street. Staff finds the proposed plat of subdivision meets the technical requirements for approval and is supportive of the subdivision.

Conditional Use, Multi-family Residential

The OCI zoning district classifies multi-family residential as a conditional use. The Prosperita will feature 17 townhome buildings consisting of 76, 2-bedroom units. As part of the development petition, the petitioner has identified that the proposed development will provide a much-needed housing opportunity on the northwest side of the City.

The Prosperita complies with the OCI zoning district's residential density allowances, required building setbacks, and building height restrictions. Furthermore, it provides code-required parking onsite. An open space area is provided near the center of the development to provide opportunities for recreation and gathering.

Upon review, staff finds the proposed development to be compatible with adjacent properties and to provide a transition between the Diehl Road office corridor and residential uses to the southwest. Additionally, staff finds the proposal to be consistent with the City's Land Use Master Plan, which allows for multi-family residential as a supporting use to surrounding non-residential uses in the City Corridor place type.

Findings of Fact

The petitioner's responses to the Standards for Granting a Conditional Use 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.

Requested Variances

Multiple variances are requested for the Orion/Prosperita development. Staff is supportive of each variance requested, as further outlined below:

- ***Off-premises sign:*** In response to City and Dupage County requirements, the proposed site plan for the subject property includes one vehicular access point onto Mill Street. Orion STEM School will not have direct access onto Mill Street as the access point is located in the residential portion of the development.

The City's signage regulations permit one ground sign for the school and two ground signs for the townhomes along the subject property's Mill Street frontage. Instead of installing three signs along Mill Street, the petitioner proposes installation of one shared sign for both the school and residential development at the subject property's Mill Street access point. To do so, the petitioner seeks approval of a variance to Section 6-16-3:7 (Prohibited Signs) to allow an off-premises sign for the Orion STEM School on The Prosperita property.

One of the goals of the City's signage regulations is to limit the number of signs while still providing adequate site identification to passersby. The petitioner has identified that the shared signage at the Mill Street access point will meet the intent of the Code while helping direct people to Orion STEM School. Allowing the petitioner to install off-premises signage will not increase the overall amount of ground signage otherwise permissible along Mill Street. Rather, it will reduce the overall number of signs and assist passersby with wayfinding.

- **Masonry reduction:** The petitioner seeks approval of a variance to Section 5-2C-3 (Exterior Wall Construction) of the Municipal Code to allow less than 50% of the exterior wall to be constructed of masonry. Instead, the petitioner proposes constructing townhomes with 25% masonry and 75% composite siding. The intent of the City's masonry requirement is to encourage the use of high-quality, long lasting building materials. The petitioner proposes use of quality materials and states that an attractive elevation is achieved through careful application of building proportions, massing, ornamentation and color, rather than through the use of masonry materials. To meet the intent of the Municipal Code, the petitioner has intentionally proposed masonry materials on the front and side building elevations. All townhomes facing West Street, Mill Street, and HarborChase will have more than 50% brick on the front façade. The proposed brick colors are complementary in nature to the surrounding area and maintain a common design element for each building.
- **Relocated parkway trees:** The petitioner seeks approval of a variance to Section 5-10-3:3.2 to allow for the elimination and/or relocation of parkway trees required along Diehl Road and Mill Street. DuPage County has jurisdiction over both roadways adjacent to the subject property and has requested that trees not be planted in the rights-of-way. In response to the County's request, the petitioner proposes planting trees just outside of the right-of-way along Mill Street, consistent with the properties located to the south and east. On Diehl Road, the petitioner is seeking a variance not to plant parkway trees to be consistent with the developed properties to the west. Rather, along Diehl Road, the petitioner will plant perimeter landscaping in accordance with Section 5-10-3:4 of the Municipal Code, which will include shade trees, understory trees, and ornamental plantings. Staff is supportive of the parkway tree variance request noting that it is in response to DuPage County's input and consistent with existing conditions on adjacent properties.

Findings of Fact

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

Key Takeaways

- The petitioner requests approval of rezoning to OCI upon annexation into the City of Naperville. Staff is supportive of this zoning designation due to consistency with the surrounding area and the transitional nature of the property.
- The petitioner requests approval of a preliminary plat of subdivision to create 19 lots. Staff finds the plat of subdivision meets all technical requirements for approval.
- The petitioner requests approval of a conditional use for a 76-unit, townhome development in the OCI Zoning District. Staff is supportive of the request and finds it to provide a good transition between the Diehl Road office corridor and residential uses located to the

southwest.

- The petitioner requests approval of variances to the City's off premises sign regulations, masonry requirements, and parkway tree requirements. Staff is supportive of each variance requested.

RELATED FILES

N/A