



Legislation Details (With Text)

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**Title:** Receive the staff report regarding the Iron Gate Motor Condos PUD located at 2228 Ferry Road, Naperville - PZC 20-1-065 (Item 1 of 3)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Development Petition, 2. Response to Standards, 3. PUD Plat, 4. Building Elevations, 5. Engineering Plans, 6. Landscaping Plan, 7. Parking Study, 8. Photometric Plan, 9. Stormwater Report, 10. Stormwater Letter

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 6/15/2021 | 1    | City Council | received | Pass   |

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Receive the staff report regarding the Iron Gate Motor Condos PUD located at 2228 Ferry Road, Naperville - PZC 20-1-065 (Item 1 of 3)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

**ENTITLEMENTS REQUESTED:**

1. A major change to the Iron Gate Motor Condos PUD per Section 6-4-6 of the Naperville Municipal Code.
2. A land use deviation to allow single-family attached residential units and live/work units in an industrially zoned PUD per Section 6-4-3:12.2 of the Naperville Municipal Code.
3. A deviation to Section 5-2C-3 of the Municipal Code to allow less than 50% of the building materials on single-family attached dwelling units to be comprised of masonry.

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) conducted the public hearing on PZC 20-1-065 on May 5, 2021 and voted to recommend approval (approved 7-0). Staff concurs.

**BACKGROUND:**

The subject property is located on Ferry Road, west of IL Route 59, and is known as Phase 2B of the Iron Gate Motor Condos PUD. The 6.8-acre property is zoned I (Industrial) district and is currently unimproved. The petitioner, High Point Investments, Inc./Iron Gate Motor Condos, Inc., proposes six multi-unit buildings, with a combined total of 51 single-family attached dwelling units. Of the units planned, 14 will offer a live-work housing product adjacent to Ferry Road, while the remaining 37

units will consist of townhomes with large ground-floor garages.

The petitioner requests approval of a major change to the PUD, a deviation to allow residential dwelling units and live/work units as incidental and complementary uses to the existing car condos and commercial uses, and a deviation to allow less than 50% of the building materials to be comprised of masonry.

## **DISCUSSION:**

### **Major Change**

Pursuant to Section 6-4-6 of the Naperville Municipal Code, the petitioner requests approval of a major change to the Iron Gate Motor Condos PUD to establish controlling plans for Phase 2B and Phase 2A, Building 3, as well as to approve associated deviations.

### **Phase 2A, Building 3**

With the exception of Building 3, Phase 1 and Phase 2A of the PUD are nearing completion. At this time, the petitioner intends to establish controlling plans for Phase 2A, Building 3. Building 3 is planned to mirror Phase 2A, Building 2, but will also include an architectural feature to connect Buildings 2 and 3 at the second story. The total parking for the commercial uses in Phase 2A will increase by 48 spaces for an overall parking ratio of 3.93 spaces per 1,000 square feet. The petitioner has provided a Parking Utilization Survey and Study which demonstrates that this parking ratio is more than sufficient for the compatible commercial uses in Phase 2A.

### **Phase 2B**

The existing Iron Gate Motor Condos PUD includes uses such as car condominiums that cater to collectors of custom cars, custom/antique car servicing and repairs/add-ons, and potential eating and drinking establishments. The petitioner believes the introduction of live/work units and single-family attached dwelling units will be supportive of, and complementary to, the existing PUD. The proposed units have been architecturally designed with similar materials and massing to maintain visual continuity throughout the development, and the petitioner states that the introduction of a residential component will complement the existing community and lifestyle.

### **Findings of Fact**

The petitioner's responses to the Standards for Amending a PUD can be found in the attachments. Upon review, the PZC and staff agree with the petitioner's Findings and recommend their adoption by the City Council.

### **Land Use Deviation**

The Iron Gate Motor Condos PUD is currently zoned I (Industrial) District, with a conditional use for a PUD. The I District does not classify residential uses as either a permitted or conditional use. In February 2021, City Council approved a text amendment that enabled a petitioner to request a land use deviation in a PUD if specific criteria have been met, including: the presence of unique and unusual circumstances in the PUD; the proposed use will not have an adverse impact on other users in the PUD; and, the proposed use will be incidental to the principal use of the PUD.

In Phase 2B, the petitioner proposes six, multi-unit buildings with a combined total of 51 single-family attached dwelling units. Fourteen units are planned to offer a live-work housing product adjacent to Ferry Road, while the remaining units will consist of townhomes with large ground-floor garages. The

three product types for Phase 2B are detailed below:

| <b>Product Type</b>              | <b>Location</b>                                 | <b>Number of Buildings / Units</b> |
|----------------------------------|---|------------------------------------|
| Wilmette (live-work)             | Adjacent to Ferry Road                          | 2 buildings / 14 units             |
| Kenilworth (mid-size residences) | Center of property                              | 2 buildings / 24 units             |
| Glencoe (large residences)       | South portion of property, adjacent to wetlands | 2 buildings / 13 units             |

The six buildings proposed in Phase 2B will be architecturally similar to the car condo/commercial buildings in Phase 1 and Phase 2A and will have similar building sizes/footprints. The petitioner confirms that the orientation and layout of driveways, parking spaces, and utility systems remain consistent with prior submittals as well.

Unincorporated single-family homes are located just west of the subject property. Staff and the petitioner find that the proposed residential uses will provide a good transition between the unincorporated homes to the west and the car warehousing and servicing located on the eastern portion of the Iron Gate development.

Use Restrictions for Live/Work Units (Wilmette Series)

As outlined in the OAA, there will be common ownership of the live-work unit, and the tenant (or an employee of the tenant) of the non-residential use must reside in the live-work unit. The petitioner has provided a list of potential non-residential uses for the live/work units. Staff and the petitioner agree that non-residential uses will be generally restricted to office, services and studio space, and uses that are generally consistent with the uses permitted as home occupations. A listing of permissible uses is available in the attachments.

*Findings of Fact*

The petitioner’s responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, the Planning and Zoning Commission and staff agree with the petitioner’s Findings and recommend their adoption by the City Council.

**Masonry Deviation**

Section 5-2C-3 (Exterior Wall Construction) of the City’s Municipal Code states that a minimum of 50% of the exterior wall construction for all single-family attached dwellings shall be constructed of solid masonry, face brick, manufactured concrete stone veneer (1½” thickness) set individually into mortar bed, or other masonry products as approved by the City Council. The original ordinance language was added to the Municipal Code in 2002; and, in 2005, was amended to prevent the use of EIFS, corrugated metal, and concrete block as compliant materials.

The amount of masonry proposed for each of the three product types planned as part of Phase 2B is detailed below:

| <b>Product Type</b>              | <b>% masonry</b> |
|----------------------------------|------------------|
| Wilmette (live-work)             | 9.5 - 10%        |
| Kenilworth (mid-size residences) | 8.3%             |
| Glencoe (large residences)       | 7.5%             |

The balance of the building elevations will be comprised of fiber cement (James Hardie) siding, with varying textures and colors. These materials are not considered masonry, brick or stone, and do not comply with Section 5-2C-3 (Exterior Wall Construction).

The intent of the masonry ordinance is to improve the appearance of multi-family residential developments and maintain long-term property values with high quality building materials. The petitioner's proposed use of fiber cement siding is durable in nature and will provide an attractive appearance for the buildings. Furthermore, the petitioner confirms that elements from the existing Iron Gate Motor Condos buildings have been carried through to the proposed buildings, including: material composition; color palette; large garage doors; and, consistent architectural massing and layout. Staff is supportive of the deviation since the proposal is part of a unique, master planned development, and is complimentary to existing buildings in the Iron Gate development.

#### *Findings of Fact*

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, the Planning and Zoning Commission and staff agree with the petitioner's Findings and recommend their adoption by the City Council.

#### **Stormwater Variance**

Section 5-7-1 (Storm Water Design) of the Naperville Municipal Code requires storm water systems to be designed in accordance with the City of Naperville Design Manual for Public Improvements. Per Section 5-7-2:5, any modification from the requirements of the storm water design may require approval of a variance upon recommendation by the city engineer.

The Naperville Design Manual for Public Improvements establishes design requirements for stormwater facilities including swales and detention basins. Section 2.5.2.2 of the Manual states that stormwater overflow routes adjacent to residential developments shall have no less than 1.5 feet of freeboard between the design highwater level in the swale and the lowest adjacent top of foundation elevation. Section 2.5.4.3 of the Manual establishes that the maximum side-slopes of a detention pond adjacent to a residential area shall be 6 to 1 (6:1, or 6 feet horizontally for every 1 foot drop in elevation). The maximum sideslopes of a detention pond adjacent to a commercial area shall be 4 to 1.

The proposed Iron Gate residential development requires stormwater related variances to these two sections of the Design Manual. The pavement adjacent to a portion of the residential units contains a stormwater overflow route. Due to parking lot grading standards and existing site constraints, the petitioner could only achieve a 1.0-foot freeboard (instead of the 1.5-foot standard) between the design high water level and the top of foundation. The proposed residential units do not have basements with only garage space on the first floor (no living space).

Similarly, the existing Iron Gate stormwater detention basin was built to the commercial standard with slopes of 4 to 1. Retrofitting the side slopes of the existing basin to 6 to 1 is not practical as it would require encroachment into previously developed areas and disturbance of established wetland areas. The closest portion of the basin to residential units has a boardwalk with a railing. The edge of the basin is also lined with wetland plantings. The combination of the railing and vegetation make the basin less inviting to children (which few are expected to live in these units).

The developer's engineer has provided the attached letter requesting these basin slope and freeboard variances. The city engineer has reviewed the variance information and recommends

approval.

### **Owner's Acknowledgement and Acceptance Agreement (OAA)**

An OAA has been referenced within the ordinance approving a major change to the Iron Gate Motor Condos PUD and associated deviations. Within the OAA, specific provisions are included regarding the petitioner's required school and park donations. The owner will satisfy school impact fees by payment of cash in lieu of land, with payment being made at time of building permit. In accordance with Section 7-3-5 of the Naperville Municipal Code, the owner and the Naperville Park District are in the process of finalizing an agreement relative to land-cash payment due for residential units proposed. Once finalized, this agreement will be subject to approval by the City Attorney; the ordinances approving the Iron Gate development will not be recorded until an agreement has been reached between the Petitioner and the Naperville Park District regarding the required park donation. Payment of the agreed upon cash donation shall be made prior to the City's issuance of a building permit for each dwelling unit.

### **Planning & Zoning Commission Action**

The PZC considered this matter at its meeting on May 5, 2021. No members of the public provided testimony. Following brief comments, the Commission closed the public hearing, moved to adopt the findings of fact as presented by the petitioner, and approve PZC 20-1-065 (approved 7-0). Staff concurs with the recommendation.

### **Key Takeaways**

- The petitioner requests approval of a major change to the Iron Gate Motor Condos PUD to establish controlling plans for Phase 2A, Building 3 and Phase 2B, as well as to approve associated deviations. The Planning and Zoning Commission and staff are supportive of the request due to the consistent building materials and massing proposed, and reinforcement of the existing Iron Gate community and lifestyle.
- The petitioner requests approval of a land use deviation to allow single-family attached residential units and live/work units in an industrially zoned PUD. The Planning and Zoning Commission and staff are supportive of the request and finds it provides a good transition between the unincorporated homes to the west and the car warehousing and servicing to the east.
- The petitioner requests approval of a deviation to allow less than 50% of the building materials on single-family attached dwelling units to be comprised of masonry. The PZC and staff are supportive of the request since the proposal is part of a unique, master planned development, and is complimentary to existing buildings in the Iron Gate development.
- The petitioner requests approval of a stormwater variance for Iron Gate Building 3, Phase 2A and Phase 2B. The city engineer has reviewed the variance information and recommends approval.

### **Related Files**

The following agenda items are related to PZC 20-1-065:

- Pass the ordinance approving a major change to the Iron Gate Motor Condos PUD and associated deviations for the property located at 2228 Ferry Road, Naperville (Iron Gate) - PZC 20-1-065 (Item 2 of 3); and
- Pass the ordinance granting a stormwater variance for Iron Gate Building 3, Phase 2A and Phase 2B for the property located at 2228 Ferry Road, Naperville (Iron Gate) - PZC 20-1-065

(Item 3 of 3)