



Legislation Details (With Text)

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**Title:** Receive the staff report for Naperville Elderly Homes (310 Martin Avenue) - BRB Case #96/PZC 18-1-130 (Item 1 of 6)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application, 2. Petition, 3. Disclosure of Beneficiaries

Date	Ver.	Action By	Action	Result
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**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Receive the staff report for Naperville Elderly Homes (310 Martin Avenue) - BRB Case #96/PZC 18-1-130 (Item 1 of 6)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Allison Laff, AICP, Deputy Director

**BOARD/COMMISSION REVIEW:**

Not required.

**BACKGROUND:**

Naperville Elderly Homes Inc. has operated the Martin Avenue Apartments, which is a government-subsidized nonprofit housing center that offers housing opportunities for seniors or persons with disabilities on a limited income, located at 310 Martin Avenue for forty years. The Martin Avenue Apartments are currently comprised of 122 low-income senior apartments.

In 2017, Naperville Elderly Homes Inc. sought City Council approval of various entitlements (PZC 17-1-019) to permit the construction of a new sixty-eight unit senior apartment building which was to be attached to the existing Martin Avenue Apartments via a common corridor. City Council approved the following ordinances associated with PZC 17-1-019 on June 6, 2017:

- Ordinance 17-075 (Approval of a Deviation and Preliminary Plat of Subdivision)
- Ordinance 17-076 (Approval of a Conditional Use for Multi-Family Dwellings)
- Ordinance 17-077 (Approval of Certain Zoning Variances)
- Ordinance 17-078 (Approval of a Variance Regarding Exterior Wall Construction)

## **DISCUSSION:**

Following City Council approval of the above ordinances, the scope of the project was modified to include both construction of the expansion, as well as renovation of the original Martin Avenue Apartments building. In order to obtain funding from the Illinois Housing Development Authority (IHDA) for the work proposed, the Petitioner is required to adjust the shared lot line between Lot 1 and Lot 2 of the Subject Property from that which was previously approved through PZC 17-1-019. This adjustment will result in a portion of the original Martin Avenue Apartments building being located on Lot 1 and a portion of the original building plus the expansion being located on Lot 2.

While all other fundamental components of the Project, including total unit count, parking, building size, and setbacks remain consistent with the approvals set forth in the 2017 ordinances, the Petitioner is requesting that the 2017 ordinances be amended at this time to reflect the revised subdivision and/or site plan of the Subject Property and to reference the ordinance pertaining to BRB Case #96 as discussed below.

### ***BRB Case #96***

In addition to the necessary ordinance amendments, the location of the proposed shared lot line triggered many additional building code requirements, such as fire separation distances, party walls, means of egress, travel distance, occupant load and dead-end corridors. Given that the existing Martin Avenue Apartments building plus the proposed expansion are intended to function as a single building which will be operated as a single apartment community, the Petitioner sought approval of variances to waive the requirements of the above triggered building code sections (BRB Case #96).

Upon review of BRB Case #96 on December 19, 2018, the Building Review Board (BRB) did not recommend approval of the requested variances, finding that they were unnecessary so long as the building and addition always function as a single structure from a building code standpoint regardless of the lot lines established by the proposed plat of subdivision. An ordinance has been prepared to uphold the BRB's interpretation and deny the variances requested in conjunction with BRB Case #96, subject to terms and conditions specified in the ordinance, including that the Subject Property continue to provide housing opportunities for seniors or persons with disabilities on a limited income. Staff and the Petitioner concur that this Ordinance should be approved as presented.

### ***Related Files***

The following agenda items are related to PZC 18-1-130:

- Pass the ordinance upholding the BRB Interpretation and Denying Variances Requested from the International Building Code for Naperville Elderly Homes - BRB Case #96 (Item 2 of 6)
- Pass the ordinance amending Ordinance 17-075 by approving a Preliminary/Final Plat of Subdivision in place of the previously approved Preliminary Plat of Subdivision - Naperville Elderly Homes - PZC 18-1-130 (Item 3 of 6)
- Pass the ordinance amending Ordinance 17-076 approving a conditional use for multi-family dwellings in the OCI District - Naperville Elderly Homes - PZC 18-1-130 (Item 4 of 6)
- Pass the ordinance amending Ordinance 17-077 granting certain zoning variances - Naperville Elderly Homes - PZC 18-1-130 (Item 5 of 6)
- Pass the ordinance amending Ordinance 17-078 granting a variance from Section 5-2C-3 (Exterior Wall Construction) of Title 5 (Building Regulations) of the Naperville Municipal Code - Naperville Elderly Homes - PZC 18-1-130 (Item 6 of 6)

**FISCAL IMPACT:**

n/a