



Legislation Details (With Text)

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**File created:** 11/8/2022      **In control:** City Council

**On agenda:** 12/6/2022      **Final action:**

**Title:** Pass the ordinance approving a major change to the Bradford Commons PUD to grant a deviation to the off-street parking requirements, final PUD plat, controlling elevations, and controlling landscape plan for 2703 Beebe Drive (Wu's House) - PZC 22-1-073

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance Lot 2 Bradford Commons Wu's House, 2. Exhibit A - Legal Description, 3. Exhibit B - Final PUD Plat, 4. Exhibit C - Responses to the Standards, 5. Exhibit D - Landscape Plan, 6. Exhibit E - Building Elevations, 7. Site Plan, 8. PZC Minutes, 9. Petition for Development Approval, 10. Parking Study, 11. Photometric Plan, 12. Sign Package, 13. Cost Estimate, 14. Final Engineering, 15. Stormwater Report

Date	Ver.	Action By	Action	Result
12/6/2022	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a major change to the Bradford Commons PUD to grant a deviation to the off-street parking requirements, final PUD plat, controlling elevations, and controlling landscape plan for 2703 Beebe Drive (Wu's House) - PZC 22-1-073

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kathleen Russell, AICP, Community Planner

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) considered this matter on November 2, 2022, and voted to recommend approval of the request (approved 8-0). Staff concurs.

**BACKGROUND:**

The subject property is generally located in the southeast corner of the intersection of Beebe Drive and Fitness Drive and is zoned B2-PUD (Community Shopping Center District - Planned Unit Development). The property is approximately 2.15 acres and is currently vacant. In 2002, the subject property was platted as Lot 2 of the Brach Brodie Farm Unit 1 Planned Unit Development (PUD) per Ordinance 02-191. A major change to the PUD was granted in 2005 and the subject property was re-platted as Lots 5 and 6 of the Bradford Commons PUD per Ordinance 05-171. A final plat of subdivision was approved for Bradford Commons in 2021 and the subject property was re-platted as Lot 2 per Ordinance 21-061. Lot 1 of the subdivision was most recently developed as a daycare with deviations to the parking, stacking, and monument sign setback requirements.

## **DISCUSSION:**

The Petitioner, Wu&Tran Naperville LLC, requests a major change to the Bradford Commons PUD to grant a deviation to the parking requirements. The Petitioner intends to purchase Lot 2 in order to construct a 16,263 square foot building to be utilized as an eating establishment.

### ***Deviation***

The proposed development requires a Major Change to the PUD because the Petitioner is requesting a deviation to the off-street parking requirements. Per Section 6-9-3:4 (Schedule of Off-Street Parking Requirements), an eating establishment is required to provide 10 parking spaces per 1,000 square feet of gross floor area. The proposed restaurant, at 16,263.36 square feet in size, is required to have 163 parking spaces on site. Per the proposed site plan, 146 parking spaces are provided for a deficit of 17 spaces.

To support the deviation request, the Petitioner has supplied parking counts from the existing Wu's House location in Palos Park. Parking counts were taken during a weekend in 2022. The Palos Park location opened in early 2022 and is approximately 10% smaller than the proposed Naperville location. Per the submitted counts, peak parking demand at the existing Wu's house was 150 cars during the summer. The study estimates that the winter months will be significantly busier than the summer when the study observations were taken. Based on this information the study anticipates approximately 197 cars at peak times at the subject property, which is anticipated to be around 7 p.m. during the winter months.

In order to accommodate any potential overflow parking, the Petitioner has secured a reciprocal easement agreement with an adjacent property owner (X-Sport Fitness) for the use of 50 parking spaces. It is important to note that the 50-space reciprocal easement agreement is between X-Sport Fitness, Wu's House, and KLA the adjacent user to the south. Although the reciprocal easement agreement spaces are shared with KLA, the peak times for the KLA and Wu's House are not anticipated to overlap.

Wu's House anticipates their peak demand would be around 7 p.m. KLA's parking counts in their development petition noted that their schools were only open until 5:30 p.m. The Petitioner also intends to request their employees use the spaces at X-Sport Fitness if needed, so that more spaces will be available at the subject property for customers. The anticipated parking demand appears to be accommodated by the 146 spaces provided on the site and the shared parking spaces at X-Sport Fitness. For these reasons, staff is in support of the request for a deviation to reduce the required number of off-street parking spaces subject to the following condition:

If the City's Zoning Administrator determines that the Petitioner's parking needs cannot be accommodated within the parking on the subject property, the Petitioner shall take adequate measures to meet the parking needs, including but not limited to formally assigning/reserving parking spaces for each employee, establishing an overflow parking location off-site, or constructing additional parking spaces, which shall be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to adequately accommodate the owner's parking needs may result in the City's revocation of the parking deviation.

### ***Final PUD Plat, Controlling Elevations and Landscape Plan***

The proposal includes a Final PUD Plat, elevations, and a landscape plan for the subject property.

The proposed restaurant building will be comprised of varying types of stone and will include an outdoor seating area. The development will include parking lot, perimeter, foundation planting, and parkway landscaping. All aspects of the plan meet the technical requirements excluding the parking discussed in the prior section.

### **Planning and Zoning Commission**

The PZC considered the variance request on November 2, 2022. Marcia Owens, Honigman LLP, presented the case. One member of the public asked about the total number of seats and Marcia Owens responded that there would be approximately 400 seats. The PZC discussed staff's recommended condition, the parking counts from the restaurant's existing location, and the size of the restaurant. The Commission moved to adopt the findings of fact as presented by the Petitioner and approve PZC 22-1-073 (approved 8-0) with staff's recommended condition. Staff concurs.

### *Findings of Fact*

The Petitioner's responses to the Standards for Granting or Amending a Planned Unit Development and the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, staff agrees with the Petitioner's Findings and recommends their adoption by the City Council.

### **Key Takeaways**

- The petitioner requests approval of PZC 22-1-073, a major change to the Bradford Commons PUD to grant a deviation to the off-street parking requirements, final PUD plat, controlling elevations and controlling landscape plan for 2703 Beebe Drive, Wu's House.
- Staff is in support of the request with a condition as noted in the staff report.

### **FISCAL IMPACT:**

N/A