



Legislation Details (With Text)

**File #:** 24-0380B      **Version:** 1

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 4/4/2024      **In control:** City Council

**On agenda:** 4/16/2024      **Final action:**

**Title:** Pass the ordinance approving a major change to the Iron Gate Motor Condos PUD and final PUD plat for Phase 2A and Phase 2B for the property located at 2212 Ferry Road and the vacant land located immediately west (Iron Gate Phase 2B) - PZC 23-1-116

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A Legal, 3. Exhibit B PUD Plat, 4. Exhibit C Boundary Change Legal, 5. Exhibit D Standards, 6. Exhibit E Elevations, 7. Petition for Development Approval, 8. Open Space Exhibit, 9. Parking Study, 10. Letters of Support

Date	Ver.	Action By	Action	Result
4/16/2024	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a major change to the Iron Gate Motor Condos PUD and final PUD plat for Phase 2A and Phase 2B for the property located at 2212 Ferry Road and the vacant land located immediately west (Iron Gate Phase 2B) - PZC 23-1-116

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered PZC 23-1-116 on April 3, 2024, and voted to recommend approval of the petitioner’s requests (approved 8-0). Staff concurs.

**BACKGROUND:**

The subject property is currently zoned I (Industrial District) in the City of Naperville and is part of the Iron Gate Motor Condos PUD (“Iron Gate” or “PUD”), which has been developed in phases over the years. The most recent approvals for the subject property were granted in June of 2021, and included a PUD land use deviation to allow 51 townhomes to be constructed as Phase 2B of the PUD (*along with a final PUD plat for Phase 2A, Building 3 and Phase 2B*). Following these approvals, the petitioner indicated that development of a residential product in the PUD is no longer feasible due to changes in economic conditions and material costs. The petitioner also noted that the Iron Gate Motor Condos’ Board of Directors was unwilling to allow the residential project to be a part of the Iron Gate community. As a result, the petitioner stopped pursuing residential development for Phase 2B. Alternative concepts for Phase 2B have been discussed (including a proposal for a Sunbelt Rental Facility), but no formal approvals have been granted by City Council.

Now, the petitioner proposes developing Phase 2B of the PUD with self-storage/garage facilities to better complement the existing, and originally intended, uses in Iron Gate. To do so, the petitioner seeks approval of a major change to the Iron Gate Motor Condos PUD and Final PUD Plat for Phase 2A and Phase 2B to add a portion of the Phase 2B property back into the Phase 2A property and change the approved plans for Phase 2B from residential to self-storage/garage facilities.

The Iron Gate Motor Plaza Owners Condominiums Association Inc. and the Iron Gate Motor Condominium Association, Inc. have submitted letters outlining that the petitioner's concept is acceptable and that they do not object to the proposal. Staff finds the petitioner's proposal to be consistent with the intent of the original Iron Gate approvals.

### **DISCUSSION:**

#### ***Major Change to the Iron Gate Motor Condos PUD***

##### **Section 6-4-6 (Changes to a Final PUD)**

**<[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH4PLUNDE_6-4-6CHFIPLUNDE)**

**nodeId=TIT6ZORE\_CH4PLUNDE\_6-4-6CHFIPLUNDE**> of the Naperville Municipal Code states that major changes to a PUD are modifications which alter the concept or intent of the planned unit development, including a change in the designation of land use identified. Since the most recent approvals for Phase 2B/the subject property were for residential development, the proposed change in land use to self-storage/garage facilities (along with modifications to the Phase 2A and Phase 2B boundaries) triggers the requirement for a major change to the Iron Gate Motor Condos PUD.

#### ***Phase 2A and Phase 2B Boundary Modifications***

The petitioner proposes consolidating a portion of the Iron Gate Phase 2B property with the existing Iron Gate Phase 2A property. This change does not alter the concept or intent of the PUD, or impact the buildings already constructed on the Phase 2A property. Instead, adding a portion of the Phase 2B property to the Phase 2A property will help ensure vehicular access to the car condos on the west side of Phase 2A is provided while also allowing for a fence and other public facilities to be maintained in this area. Existing natural features and open space areas will not be impacted by the consolidation.

#### ***Change in Land Use from Residential to Self-storage/Garage Facilities***

The petitioner's proposed site plan for Phase 2B includes a large automobile storage facility for club members to utilize, as well as additional owner occupied, private garage and storage units for automobiles, RVs and boats. The proposed site plan complies with underlying I (Industrial) district zoning regulations and does not require approval of any deviations.

Phase 2A of the 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 the potential for eating and drinking establishments. Staff agrees with the petitioner that the expansion of self-storage/garage facilities into Phase 2B will be complementary to these existing uses and consistent with the original PUD approvals. The proposed Phase 2B units have been architecturally designed with similar materials and massing to maintain visual continuity throughout the development.

Approval of the major change will revoke the prior residential approvals and establish a new controlling site plan for the subject property.

#### ***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 City Council.

***Planning and Zoning Commission***

The Planning and Zoning Commission considered this matter at their meeting on April 3, 2024. One member of the public provided testimony and expressed concerns about stormwater management and public safety. Following limited discussion, the PZC closed the public hearing and recommended approval of the petitioner's requests (approved 8-0). Staff concurs with the Planning and Zoning Commission's recommendation.