



Legislation Details (With Text)

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**Title:** Receive the staff report for 415 Jackson Avenue (Riverwalk Place) - PZC 22-1-094 (Item 1 of 4)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Development Petition, 2. Legal Description, 3. Responses to Standards, 4. Pre-Final Sub Plat, 5. Elevations, 6. Color Rendering, 7. Masonry Calcs, 8. Final Engineering, 9. Pre-Final Landscaping, 10. Photometric, 11. Public Comment - 415 Jackson, 12. PZC Minutes 3-15-23 - DRAFT

Date	Ver.	Action By	Action	Result
4/5/2023	1	City Council	received	

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Receive the staff report for 415 Jackson Avenue (Riverwalk Place) - PZC 22-1-094 (Item 1 of 4)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, AICP

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) held a public hearing for PZC 22-1-094 on March 15, 2023. No members of the public spoke on the request. The PZC closed the public hearing and voted to approve the requests for rezoning and a variance to the front yard setback requirement (approved 8,0). Staff concurs.

**BACKGROUND:**

The subject property consists of two lots which total approximately 10,934 square feet in size located at the northwest corner of Jackson Avenue and Mill Street, with a common street address of 415 Jackson Avenue. The subject property is zoned OCI (Office, Commercial, and Institutional District) and is improved with a one-story office building and a surface parking lot.

**DISCUSSION:**

The Petitioner requests approval of the following entitlements in order to construct a 6-unit multi-family residential building on the property: a Preliminary/Final Plat of Subdivision to consolidate two lots into one lot, rezoning from OCI (Office Commercial and Institutional District) to B5 (Secondary Downtown District), and a variance to Section 6-7E-7 to reduce the front yard setback along Jackson Avenue.

The Petitioner is proposing to demolish the existing building and surface parking lot and construct a 4-story multi-family residential building with 6 condominium units. The proposed development features a modern architectural style in neutral colors with a varying roofline that creates visual interest. The proposed exterior building material will primarily be brick with smooth metal and wood siding accent materials. Each residential unit will have access to a private balcony facing Jackson Avenue.

The proposed development includes an indoor parking garage that is accessed off of Jackson Avenue. The proposed parking garage provides 14 parking spaces (2 parking spaces per unit with 2 additional guest parking spaces). The trash enclosure and bicycle parking will be provided inside the garage.

### ***Preliminary/Final Plat of Subdivision and OAA***

An Owner's Acknowledgement & Acceptance Agreement is attached to the ordinance approving the Preliminary/Final Plat of Subdivision. Within the OAA, specific provisions are included for the proposed development including the required school and park donations.

### ***Rezoning***

The Petitioner is requesting approval to rezone the property from OCI (Office, Commercial, and Institutional District) to B5 (Secondary Downtown District). The B5 district accommodates a mix of office, service and multi-family residential uses in a pedestrian-oriented environment. Part of the intent of the B5 district is to serve as a transition from the central retail core to outlying residential areas. Multi-family residential uses are a permitted use in the B5 zoning district. The B5 zoning district has a maximum FAR of 2.5 and a maximum height of 50'. The proposed building will be approximately 46'-6" in height and the maximum height is with a maximum FAR of 2.19, in compliance with the maximum permitted height and FAR restriction (note: per Section 6-2-4:1.1 parapet walls and necessary mechanical appurtenances may be erected to their customary height, regardless of the height limitations of the zoning district in which they are located).

The Naperville Downtown 2030 Plan (2011) identifies the future land use of the subject property to be Secondary Downtown. The plan further states that residential uses such as condominiums shall be permitted in the Secondary Downtown. Staff finds the requested B5 zoning designation to be appropriate for this property and in compliance with the Downtown 2030 Plan recommendations.

The Petitioner's responses to the Standards for Granting a Rezoning are included in the attachments. Staff is in agreement with the Petitioner's Findings and recommends adoption by the Planning and Zoning Commission.

### ***Front Yard Setback Variance***

The B5 zoning district has a required front yard setback of 5'. The Petitioner is requesting approval of a variance to reduce the front yard setback from 5' to 2' along Jackson Avenue. The Petitioner has indicated that the existing building on the subject property is currently located 2' from the Jackson Avenue property line and the requested setback variance is in line with existing conditions. The Petitioner has also clarified that due to the 8' grade change of the property from north to south, the building has been setback 10' from the northern property line (double the minimum required setback of 5') to allow for a more gradual grade change from the adjacent property to the north reducing any potential grading issues between the two buildings. Additionally, staff has requested a 10' public utility easement along the northern property line. Should the building be required to meet the 5' front yard setback (thus shifting the building north) the City's utility departments would need to discuss alternative options in order to provide adequate public utility easements for the development.

The Petitioner's responses to the Standards for Granting a Variance are included in the attachments. Staff does not have a concern with the requested reduction to the front yard setback and recommends the Planning and Zoning Commission adopt the Petitioner's responses to the Standards.

**Key Takeaways**

- The Petitioner is requesting approval of a preliminary/final plat of subdivision, rezoning and a front yard setback variance in order to consolidate the lots and construct a 6-unit multi-family residential development on the property. Staff is supportive of the proposed development.

**Related Files**

- Pass the ordinance approving a preliminary/final plat of subdivision and OAA for Riverwalk Place (Item 2 of 4)
- Pass the ordinance rezoning the property located at 415 Jackson Avenue to B5 (Item 3 of 4)
- Pass the ordinance approving a front yard setback variance for Riverwalk Place (Item 4 of 4)

**FISCAL IMPACT:**

N/A