



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: 3/19/2019 **Final action:** 3/19/2019

Title: Pass the ordinance approving the Preliminary/Final Plat of Subdivision and OAA for the property located at 110 S Washington Street (Central Park Place) - PZC 18-1-077

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Plat and OAA Ordinance, 2. Exhibit A- Legal Description, 3. Exhibit B- Subdivision Plat, 4. Exhibit C- Owners Acknowledgement and Acceptance, 5. Application, 6. Building Elevations, 7. Site Plan

Date	Ver.	Action By	Action	Result
3/19/2019	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance approving the Preliminary/Final Plat of Subdivision and OAA for the property located at 110 S Washington Street (Central Park Place) - PZC 18-1-077

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly

BOARD/COMMISSION REVIEW:

Submitted for City Council review.

BACKGROUND:

110 S. Washington Street ("Subject Property") is generally located north of Jefferson Avenue and east of Washington Street and is zoned B4 (Downtown Core District). It is approximately 0.56 acres and is improved with the Old Nichols Library building, most recently occupied as a church.

Façade Covenant & Landmarking

A Warranty Deed recorded on April 10, 1996 includes covenants and restrictions on the subject property established for the benefit of the City of Naperville. These covenants require the Washington Street (west) façade, and the interior of the entrance foyer, of the old Nichols Library be retained, protected and maintained in perpetuity.

In addition, on September 19, 2017, the City Council passed Ordinance 17-141 designating the Subject Property as a local landmark. Since landmark designation, the petitioner has received approval of Certificates of Appropriateness (COA) from the City's Historic Preservation Commission: (1) to demolish the 1962 addition, (2) to complete minor alterations and repairs to the original

structure and receive approval of the schematic drawings for the proposed addition, and (3) approving final architectural renderings for the proposed addition.

DISCUSSION:

The petitioner requests approval of a Preliminary/Final Plat of Subdivision and Owner's Acknowledgment and Acceptance Agreement (OAA), in order to develop the Subject Property with an approximately 87,000 square foot, 4-story mixed-use building with an underground parking garage, commercial uses on the first floor, and 17 residential dwelling units on the second through fourth floors. The proposed development complies with the B4 maximum height of 60' and maximum floor area ratio (FAR) of 2.5. In addition, all residential parking is provided on-site, as required by City Code; this parking is accessed from the rear of the building along Court Place.

The *Naperville Downtown2030* plan identifies the future land use of the property as "Downtown Core." The proposed mixed-use building is consistent with the purpose of the Downtown Core to "serve as the retail and activity center of the downtown, allowing for the most intense development form and uses."

Preliminary/Final Plat of Subdivision

The Subject Property is currently comprised of 4 lots. The proposed Preliminary/Final Plat of Subdivision will consolidate the 4 existing lots into 1 lot. The plat, as submitted, complies with all Title 7 (Subdivision Ordinance) requirements.

OAA

Attached to the ordinance approving the Preliminary/Final Plat of Subdivision is an OAA agreement which further details the conditions under which the Subject Property will be improved. Provided below is an overview of some of the items included in the OAA:

- 1. Special Service Area Taxes.** The Subject Property is located within Special Service Areas 21 and 26, which provide for the construction and maintenance of public parking in the downtown. However, from the time the SSAs (and prior SSAs created for the same purpose) were established, the Subject Property had been used as a public library, for municipal purposes, and as a religious institution, and has therefore been exempt from paying property taxes. In order for the commercial portion of the proposed development (note: all required residential parking is provided on-site) to benefit from the public parking provided and maintained by the SSAs, the petitioner shall be required to pay a parking fee in lieu payment to the City in the amount of \$190,380.00 prior to recordation of the preliminary/final plat of subdivision; this payment amount is based on formulas established in the Naperville Municipal Code.
- 2. School/Park Donations.** The petitioner shall be required to pay school and park donations for each of the proposed residential units. Said donations shall be paid on a per permit basis based on the number of bedrooms proposed in each dwelling unit and the donation formula in place at the time the permit is submitted.
- 3. Development Plans.** The development plans, which have been reviewed and approved by the City, are attached to the agreement. Among other requirements, the petitioner shall be required to install streetscape improvements along Washington Street, including brick pavers along the curb, benches, and planter boxes. Additional outdoor seating areas have also been provided in front of the original Old Nichols Library structure, as well as adjacent to the proposed addition. These seating areas (and the building setback) were provided in order to maintain the existing view of the Old Nichols Library structure while traveling north on

Washington Street. Per City Code Section 6-7D-7 (B4: Yard Requirements), the required setback is a maximum of 6' from any property line, however, the Code allows the measurement of this setback to be taken from the limits of the defined outdoor seating area. Therefore, the proposed plan complies with the B4 setback requirements and provides an aesthetic and functional amenity to the proposed development.

- 4. Historic Preservation.** The agreement includes reference to the ongoing responsibility of the owner of the Subject Property to comply with all approved COAs, the covenants and restrictions, and the requirements of Naperville Municipal Code, including Chapter 11 (Historic Preservation) of Title 6 (Zoning Ordinance). It should be noted that the proposed building elevations comply with all COA approvals issued to date for the Subject Property.

Key Takeaways

- The petitioner is requesting approval of a Preliminary/Final Plat of Subdivision and OAA in order to develop the Subject Property with an approximately 87,000 square foot, 4 story mixed-use building.
- Pass the ordinance approving the Preliminary/Final Plat of Subdivision and OAA for the property located at 110 S Washington Street (Central Park Place).

FISCAL IMPACT:

N/A