



Legislation Details (With Text)

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Title: Conduct the public hearing to consider the requested entitlements for 27W280 Bauer Road (Mill & Bauer Townhomes) - PZC 23-1-006

Sponsors:

Indexes:

Code sections:

Attachments: 1. Petition for Development Approval, 2. Petition for Annexation, 3. Responses to Standards, 4. Legal Description, 5. Annexation Plat, 6. Pre-Final Subdivision Plat, 7. Site Plan, 8. Tree Preservation, 9. Photometric Plan, 10. Final Landscaping, 11. Final Engineering, 12. Traffic Study, 13. Elevations

Date	Ver.	Action By	Action	Result
6/7/2023	1	Planning and Zoning Commission	continued	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider the requested entitlements for 27W280 Bauer Road (Mill & Bauer Townhomes) - PZC 23-1-006

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, AICP, Community Planner

ENTITLEMENTS REQUESTED:

1. A petition for annexation into the City of Naperville;
2. Rezoning from R-3 (Single-Family Residence District) in DuPage County to TU (Transitional Use District) in the City of Naperville upon annexation;
3. A preliminary/final plat of subdivision; and
4. A variance to Section 6-71-5:2 in the TU zoning district to permit 12 single family attached dwelling units (townhomes).

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 23-1-006 was published in the Naperville Sun on Sunday, May 21, 2023.

BACKGROUND:

The subject property is located at the northeast corner of Mill Street and Bauer Road and is approximately 39,069 square feet in size. The property is currently unincorporated in DuPage County and is improved with a single-family home.

DISCUSSION:

The Petitioner, Mill & Bauer, LLC, who is the contract purchaser, has submitted a petition to annex 27W280 Bauer Road into the City of Naperville. Upon annexation, the Petitioner is requesting rezoning to TU, a preliminary/final plat of subdivision, and a density variance request in order to develop the property with 12 townhome units. The dwelling units will be rental townhome units and the owner will take care of all exterior maintenance, landscaping and any necessary snow removal.

Annexation and Preliminary/Final Plat of Subdivision

The subject property consists of ten lots. The Petitioner has submitted a request to consolidate the existing lots and to establish cross access and utility easements. The Petitioner has also submitted a request for annexation in the City; the properties are contiguous and eligible for annexation.

The Petitioner's annexation and subdivision requests are not reviewed by the Planning and Zoning Commission, but information on the requests is provided for reference. The annexation will be reviewed by the City Council at a subsequent meeting date. The preliminary/final plat of subdivision complies with all technical requirements and is administratively approved by staff.

Rezoning to TU (Transitional Use District)

The Land Use Master Plan identifies the future land use of the property to be City Corridor. The City Corridor designation recommends B2, B3, OCI, and TU zoning districts. The Petitioner is requesting this property be zoned TU upon annexation. The TU zoning district is intended to serve as a mixed-use transitional area between low-density residential neighborhoods and other more intensive uses such as an arterial roadway or a business district. Properties are intended to be developed with low-intensity office, service, and residential uses that are designed in a manner compatible with the adjacent residential neighborhoods.

A variety of zoning districts and land uses are adjacent to the subject property:

- The property to the north is Nike Park which is zoned R1 (Low Density Single-Family Residence District).
- The properties to the east and to the south (across Bauer Road) are located in unincorporated DuPage County and are zoned R-3 single family. The property to the south is Mayneland Farmstand.
- The property to the west (across Mill Street) is Truth Lutheran Church and Everleigh Naperville (fka Avenida). Both properties are zoned OCI (Office, Commercial, and Institutional District).
- The property to the southwest is zoned R3A PUD (Medium Density Multiple-Family Residence District Planned Unit Development) and is improved with single family attached townhomes (Cress Creek Townhomes).

Findings of Fact

Staff finds the TU zoning district designation to be appropriate given the properties adjacency to a minor arterial roadway (Mill Street) and low-density residential properties to the east and Nike Park to the north. Staff is supportive of the proposed rezoning to TU upon annexation. The Petitioner's responses to the standards for a map amendment can be found in the attachments. Upon review, staff agrees with the Petitioner's findings and recommends their adoption by the Planning and Zoning Commission.

Lot Area Variance (Density Variance)

A single-family home currently exists on the subject property which is accessed off of Bauer Road. The Petitioner is proposing to demolish the existing home and is requesting to construct 12 single

family attached dwelling units (townhomes) within two buildings on the property. One building will house 8 dwelling units and the other building will house 4 dwelling units. A roadway access point is provided off of Bauer Road in between the two buildings and a private roadway is proposed to be located behind the buildings with a right out only exit onto Mill Street. The proposed private roadway will be connected up to the eastern property line to allow for the lots to the east to have a connected drive aisle in the future.

A total of 27 parking spaces are provided for this development, two parking spaces per unit (located in attached garages) and an additional 3 guest parking spaces located behind the buildings. Per code, 2.25 parking spaces are required per unit which equates to 27 required parking spaces. The proposed development complies with the minimum number of parking spaces required by code.

The Petitioner requests a variance from Section 6-71-5:2 (TU District: Area Requirement) to reduce the required lot area for single-family attached dwelling units. The TU zoning district permits single family attached dwellings by right but requires a minimum lot area of 4,000 square feet per dwelling unit. This code requirement is not intended to impose a minimum interior/livable square footage requirement for each residential dwelling unit, rather it is used as a means of controlling density.

Based on the code requirement, the Petitioner would be permitted to construct 10 (rounded up from 9.8) townhome units on the 39,069 square foot site. The variance request is to increase the number of permitted dwelling units by 2 resulting in 12 single family attached dwelling units. The proposed townhome buildings comply with all applicable setbacks.

Everleigh (fka Avenida) Senior Living is located just northwest of the site and is improved with 146 residential dwelling units. A density variance was sought and approved for this development. Additionally, southwest of the site is a townhome development known as Cress Creek Townhomes which includes 28 residential dwelling units. Staff finds the proposed townhome use to be appropriate for the subject property given the adjacent uses, its location at a busy intersection, and believes it will serve as a transition to the less intensive residential uses to the east and to the south.

Findings of Fact

The Petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the Petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Landscape Plan

The Petitioner's proposed landscaping plan includes foundation plantings, parkway trees, and shade trees adjacent to the northern property line. A complete list of the proposed plantings can be found in the landscaping plan and include a variety of trees, shrubs, and ornamental grasses. Staff is supportive of the proposed landscaping plan.

Building Elevations

The Petitioner has submitted four-sided building elevations for the proposed townhomes which will be comprised primarily of stone veneer and hardie board siding with asphalt shingles. The entry to each dwelling unit is covered and faces Bauer Road. The proposed dwellings are two stories and will not exceed 30'-7 ½" to the peak height of the roof. Each unit will have a second story balcony with decorative railings facing Nike Park and rear loaded two car garages. The Petitioner has proposed install the air conditioning units adjacent to the garage entrances and bracketed to the buildings. Staff

has requested the Petitioner provide screening around the units to effectively shield them from view. The building elevations comply with the City's requirement that 50% of the exterior wall construction be constructed of masonry.

Key Takeaways

- The Petitioner is requesting annexation, rezoning to TU upon annexation, a preliminary/final plat of subdivision to consolidate the lots and establish easements, and a variance to the density requirements in order to allow for 12 single family attached dwelling units. Staff is supportive of the proposed use of the subject property and finds it is appropriate at the given location.