



## Legislation Details (With Text)

**File #:** 23-0828      **Version:** 1

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

**File created:** 7/7/2023      **In control:** City Council

**On agenda:** 7/18/2023      **Final action:**

**Title:** Pass the ordinance approving a minor change to the conditional use to allow for site modifications at 4232 Tower Court (Wheatland Township) - PZC 23-1-022

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Preliminary Final Plat of Subdivision, 4. Exhibit C - Site Plan, 5. Exhibit D - Responses to Standards, 6. Petition for Development Approval, 7. Final Engineering, 8. Photometric Plan

Date	Ver.	Action By	Action	Result
7/18/2023	1	City Council	passed	Pass

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Pass the ordinance approving a minor change to the conditional use to allow for site modifications at 4232 Tower Court (Wheatland Township) - PZC 23-1-022

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, AICP

**BOARD/COMMISSION REVIEW:**

N/A

**BACKGROUND:**

The Subject Property is located near the southeast corner of Route 59 and 103<sup>rd</sup> Street off of Tower Court. The property is zoned R1 (Low Density Single-Family Residence District) and currently developed with civic structures for Wheatland Township.

On April 3, 1990, the City Council passed Ordinance No 90-60 amending the zoning ordinance of the City of Naperville by zoning certain property at Route 59 and 103<sup>rd</sup> Street R1 with a conditional use for Public Utilities and Civic Buildings. On August 6, 2007, the City Council approved Ordinance No. 07-189 approving the Preliminary/Final Plat of Subdivision and subdivision variances to allow for the creation of a seven-lot subdivision for the 35.773-acre property located at the southeast corner of 103<sup>rd</sup> Street and Illinois Route 59 commonly known as the Naperville South Forty. On March 18, 2008, the City Council approved Ordinance No. 08-057, a request by the Wheatland Township Highway Department for approval of a major change to the conditional use for Public Utilities and Civic Buildings in order to establish a site plan and approve variances for the construction of civic structures at the Subject Property. The Petitioner, Wheatland Township Road District, is requesting

approval of a minor change to the previously approved conditional use to allow for improvements to the site.

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

The Subject Property was originally subdivided as Lot 3 of the Naperville-South Forty Subdivision. In addition to the proposed improvements described below, the Petitioner has submitted a Preliminary/Final Plat of Subdivision to increase the size of the property and relocate easements. The proposed plat of subdivision qualifies for administrative approval; therefore, this information is provided for reference only. Following approval and recordation of the proposed plat, the proposed improvements will be located within the boundary of the property.

### **DISCUSSION:**

#### ***Minor Change to the Conditional Use***

The Petitioner requests approval of a minor change to the conditional use to allow for improvements to the property which include construction of an addition to the building, construction of two accessory structures, widening of the facility pavement to allow for additional parking spaces, and the construction of a one-way access roadway on the west side of the building to improve site circulation. No variances are being sought to allow for the proposed improvements.

Section 6-3-8:5 (Conditional Uses) of the Municipal Code identifies the differences between major and minor changes to a conditional use, as well as administrative adjustments. As defined, *minor changes* to conditional uses are changes that do not alter the concept of intent of the conditional use. Minor changes include the following factors: (1) greater than 20% increase in total gross floor area; (2) greater than 20% increase in the height of the structure; (3) alteration of approved conditions applicable to the conditional use (in this case modifications to the site plan, building elevations, and landscape plan).

Since no additional variances are being sought, and the proposal does not alter the intent of the approved conditional use, staff has identified the development proposal as a minor change to the previously granted conditional use.

#### ***Site Plan***

The Petitioner intends to construct the improvements in phases. The current improvements include the widening of facility pavement which will increase the number of parking spaces, the addition of a one-way access roadway on the west side of the building, and the construction of a 40' x 40' covered storage facility to be located near the northeast corner of the Subject Property for the storage of roadway maintenance materials.

As indicated on the attached site plan, the future improvements to the site include an addition to the building for a multipurpose room and a 55' x 70' secondary building for storage of equipment to be located at the southwest corner of the Subject Property. The proposed building addition is anticipated to proceed with design, permitting and construction in approximately 5 years and the secondary building is anticipated to proceed with design, permitting, and construction in approximately 10 years.

#### ***Building Elevations***

At this time, exterior building elevations for the proposed accessory structures and the building addition have not been provided for staff review. The Petitioner has indicated that the submitted plans show the locations of the finished floor elevations of the proposed structures to account for future impervious area and that building elevations will be submitted for permit review once designed. Therefore, staff is recommending the following conditions be included in the ordinance:

1. Four-sided building elevations must be submitted concurrently with the building permit application for City staff review. The exterior building materials must comply with the Citywide Design Guidelines. All RTUs must comply with Section 5-10-3:12 (Landscaping and Screening: Rooftop Equipment).
2. All proposed accessory structures and the proposed building addition to the principal structure are required to comply with the height limitations established by the R1 zoning district per Section 6-6L-8 and the accessory structure regulations per Section 6-2-10 (Accessory building, structures and uses of land) as amended from time to time. Any increase to the permitted height maximums will require a variance pursuant to Section 6-3-6 of the Naperville Municipal Code.

Staff has notified the Petitioner of the height limitations per code. Should the Petitioner submit exterior building elevations which do not comply with the Citywide Design Guidelines and/or the height maximums permitted by the Naperville Municipal Code, staff will instruct the Petitioner to revise the plans to comply or seek approval of a variance or an appeal to the design guidelines.

#### *Proposed Landscaping*

In 2008, the City Council passed ordinance 08-057 which included the approval of a variance to the landscaping requirements to allow for off-site landscaping. The approved landscaping variance permits the placement of required perimeter landscaping and screening trees to be placed off site on the City-owned berm which is located near the Subject Property. As indicated on the attached engineering plans, the Petitioner proposes to replace all existing landscaping around the site in-kind. Due to the minor site modifications proposed and the previously approved landscaping variance, staff is supportive of the Petitioner's plan to replace any removed landscaping in-kind where feasible.

#### *Findings of Fact*

The Petitioner's responses to the Standards for Amending a Conditional Use can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by City Council.

#### **Key Takeaways**

- The Petitioner requests approval of a minor change to a previously granted conditional use to allow for improvements to the property which include: two accessory structures for the storage of equipment and roadway maintenance materials, an addition to the principal building, an increase to the number of available off street parking spaces through the widening of the facility pavement, and an improvement to the site circulation through the addition of a one-way access roadway internal to the site.
- Staff is supportive of the proposed modifications as they will improve the site circulation and enhance the quality of services Wheatland Township provides to better serve the public.

#### **FISCAL IMPACT:**

N/A