



## Legislation Details (With Text)

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**File created:** 12/23/2021      **In control:** City Council

**On agenda:** 2/1/2022      **Final action:** 2/1/2022

**Title:** Receive the staff report for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 1 of 6)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Development Petition, 2. Petition for Annexation, 3. Preliminary-Final Plat of Subdivision, 4. Annexation Plat, 5. Response to Standards, 6. December 15, 2021 PZC Minutes, 7. Engineering Plans, 8. Stormwater Report, 9. Tree Preservation, 10. Legal Description, 11. Location Map, 12. Public Comment 1, 13. Public Comment 2

Date	Ver.	Action By	Action	Result
2/1/2022	1	City Council	received	Pass

### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Receive the staff report for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 1 of 6)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kathleen Russell, AICP

#### **BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) considered PZC 21-1-101 on December 15, 2021. The Commission voted 6-0 to approve the rezoning and subdivision deviation; staff concurs.

#### **BACKGROUND:**

Located at the north end of College Road, the subject property has a common address of 8S201 College Road. The 4-acre property is currently improved with a single-family residence and is zoned R-1 in unincorporated DuPage County. The property is adjacent to an unincorporated property to the south and incorporated properties to the north, east, and west. The surrounding incorporated properties are zoned E2 (Medium Density Estate District).

#### **DISCUSSION:**

The Petitioner, Edmund Burke, as authorized by the Property Owners, Christopher B. Burke and Susan Burke, requests annexation, approval of an annexation agreement, rezoning to E2 upon annexation, approval of a preliminary/final plat of subdivision to subdivide the property into two lots, and a deviation to the lot width requirement at the right of way in order to have two single-family residences (note: the existing residence on the property will remain and a new single-family residence will be constructed on the new south lot).

### **Annexation and Rezoning**

Upon annexation, the Petitioner seeks to rezone the subject property to E2 (Medium Density Estate District). The subject property meets the E2 lot size requirements. Staff finds the proposed E2 zoning to be compatible with surrounding zoning districts. The Petitioner's responses to the Standards for Granting a Map Amendment are included in the attachments. Upon review, staff agrees with the Petitioner's findings and recommends their adoption by the City Council.

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

The proposal includes a request to subdivide the existing lot into two lots. The proposed lots will be 1.99 acres and 2.02 acres in size and comply with both the E2 minimum lot size of 40,000 sq.ft. and the 90% rule minimum lot size as required by Section 7-4-4:2.4 of the Naperville Municipal Code.

### **Subdivision Deviation**

The Petitioner requests a subdivision deviation to allow the existing lot to be split resulting in two parcels which do not meet the required 40ft parcel width at the right-of-way. The current one lot configuration does not meet this requirement, and the proposed changes will not reduce the width of the property from how it currently exists. The north lot will not have any right-of-way frontage and the southern lot will have frontage but will not meet the 40ft requirement.

The lots meet the width requirement for residential lots, as this is measured at the front setback line, which for the proposed parcels will be a platted 35ft front setback. The Petitioner will be recording a cross access easement along the driveway so that the north lot has access to the right-of-way. Based on the existing width of the parcel at the right-of-way and the recording of the easement giving both properties access to the right-of-way, staff is in support of the request.

The Petitioner's responses to the Standards for Granting a Subdivision Deviation can be found in the attachments. Staff is in general agreement with the Petitioner's responses and recommends approval of the request.

### **Planning and Zoning Commission**

The public hearing before the PZC was conducted on December 15, 2021. Vice Rosanova, Rosanova & Whitaker, Ltd., represented the Petitioner and was in attendance for any questions. No members of the public spoke on the request. The PZC discussed the configuration of the lots and cross access easement during the meeting. The PZC closed the public hearing and voted 6-0 to recommend approval of the rezoning and the subdivision deviation. Staff concurs with the recommendation.

### **Key Takeaways**

- The Petitioner is requesting annexation, an annexation agreement, rezoning to E2 upon annexation, a preliminary/final plat of subdivision, and a subdivision deviation to the lot width at the right-of-way requirement in order to subdivide and build two single family residences for the property located at 8S201 College Road. Staff is in support of the request.

### **Related Files**

- Conduct the public hearing to consider the Annexation Agreement for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 2 of 6)
- Pass the ordinance authorizing the execution of the Annexation Agreement (*requires six positive votes*) for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 3 of 6)

- Pass the ordinance annexing 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 4 of 6)
- Pass the ordinance rezoning 8S201 College Road (Timec Resubdivision) to E2 upon annexation - PZC 21-1-101 (Item 5 of 6)
- Pass the ordinance approving a deviation to the width of the parcels at the right-of-way and the preliminary/final plat of subdivision for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 6 of 6)

**FISCAL IMPACT:**

N/A