



Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>	Agenda Ready
<b>File created:</b>	6/20/2024	<b>In control:</b>	City Council
<b>On agenda:</b>	7/16/2024	<b>Final action:</b>	
<b>Title:</b>	Pass the ordinance approving a major change to the Naperville Crossings PUD and associated deviation for the property located at 2724 Showplace Drive PZC 23-1-100		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Exhibit A, 3. Exhibit B, 4. Exhibit C, 5. Petition, 6. Final Engineering, 7. Landscaping Plan, 8. Photometric Plan, 9. PZC Meeting Minutes 6-19-24 DRAFT		

Date	Ver.	Action By	Action	Result
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**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a major change to the Naperville Crossings PUD and associated deviation for the property located at 2724 Showplace Drive PZC 23-1-100

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Adam Beaver, AICP, Community Planner

**ENTITLEMENTS REQUESTED:**

1. A major change to the Naperville Crossings PUD to approve the associated deviation described below to permit a Tesla Supercharging station at the subject property.
2. A deviation to Section 6-2-14 of the Naperville Municipal Code to permit 20 electric vehicle chargers and their associated equipment and screening to encroach a maximum of nine feet into the major arterial setback.

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) considered PZC 23-1-100 at the June 19, 2024 meeting and voted to recommend approval (6-0). Staff concurs.

**BACKGROUND:**

The subject property is located on the east side of Showplace Drive, at the northwest corner of S IL Route 59 and Cantore Road and is zoned B2 PUD (Community Shopping Center District Planned Unit Development). The 7.09 acre property is currently improved with a shopping center and associated surface parking lot. The petitioner, Tesla, Inc., is proposing the construction of an electric vehicle charging station on the subject property.

The petitioner requests approval of a major change to the PUD and a deviation to Section 6-2-14 of

the Naperville Municipal Code.

## **DISCUSSION:**

### **Major Change**

Pursuant to Section 6-4-6 of the Naperville Municipal Code, the petitioner requests approval of a major change to the Naperville Crossings PUD for the approval of a deviation to underlying Municipal Code requirements.

#### *Findings of Fact*

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

### **Setback Deviation**

The petitioner is requesting a deviation to Section 6-2-14 of the Naperville Municipal Code to locate 20 electric vehicle chargers and their associated equipment and screening in the required 20-foot major arterial setback. The petitioner states that the charging posts encroach approximately four feet seven inches into the 20-foot setback and that the required charging equipment encroaches eight feet into the setback at the furthest extent. The petitioner is required by Naperville Municipal Code Section 5-10-3:13 to screen the mechanical equipment on all four sides to the full height of the equipment.

The petitioner is proposing to screen the equipment with an eight-foot-tall solid fence that features brick veneer corner posts to match the existing shopping center. At its greatest extent, the fence encroaches approximately nine feet into the 20-foot setback.

Staff notes that the existing parking lot does not meet the 20-foot major arterial setback along Route 59 and the necessity of having the charging equipment near the charging posts requires the further encroachment of the equipment and required screening.

Staff is supportive of the requested deviation due to the location at the back of an existing parking lot along a major roadway and notes that the City encourages the installation of electric vehicle charging stations.

#### *Findings of Fact*

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

### **Planning and Zoning Commission Action**

The Planning and Zoning Commission conducted the public hearing for PZC 23-1-100 on June 19, 2024. No members of the public provided testimony. Commissioner McDaniel confirmed with staff that there are no parking concerns with the proposal. Commissioner Van Someren confirmed that staff has evaluated the locations of the proposed equipment for safety. The Planning and Zoning Commission voted to recommend approval of the Petitioner's request (approved 6-0). Staff agrees with the PZC's recommendation.

### **Key Takeaways**

- The petitioner requests approval of a major change to the Naperville Crossings PUD to

approve the associated deviation. The PZC and staff are supportive of the request.

- The petitioner requests approval of a deviation to the 20-foot major arterial setback to permit electric vehicle chargers and their associated equipment and screening to encroach a maximum of nine feet into the setback. The PZC and staff are supportive of the request.

***Related Files***

N/A

**FISCAL IMPACT:**

N/A