



Legislation Details (With Text)

**File #:** 20-1235B      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/22/2020      **In control:** City Council

**On agenda:** 11/17/2020      **Final action:** 11/17/2020

**Title:** Pass the ordinance approving a variance to reduce the fencing requirement along the subject property's west property line (Costco Fence) - PZC 20-1-087

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Plat, 4. Exhibit C - Site Plan, 5. Exhibit D - Standards, 6. Request Letter, 7. Application, 8. Aerial Exhibit, 9. Photo Exhibit

Date	Ver.	Action By	Action	Result
11/17/2020	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a variance to reduce the fencing requirement along the subject property's west property line (Costco Fence) - PZC 20-1-087

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) considered this matter on October 21, 2020 and voted to recommend approval of the request (Approved 6-0). Staff concurs.

**BACKGROUND:**

The subject property consists of approximately 18.95 acres located at the northwest corner of Ogden Avenue and Naperville-Wheaton Road. The property is currently being redeveloped with a members-only Costco retail warehouse and gas station. Following initial entitlement approvals in May of 2020, the petitioner has determined a variance to the City's Landscaping and Screening requirements is preferred to reduce the fencing requirement along Costco's west property line so an existing, mature tree line can be preserved.

**DISCUSSION:**

[Section 5-10-3:5.2.4.1 \(Landscaping and Screening/Rear and Interior Side Yards\)](#)

[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT5BURE\\_CH10LASCTRPR\\_5-10-3LASC](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT5BURE_CH10LASCTRPR_5-10-3LASC)

of the Code requires 100% screening in the form of a solid wood fence or wall along property lines where a parking lot abuts an adjacent residential use. The intent of this requirement is to provide a visual and physical barrier between vehicular traffic and residential properties.

An existing multi-family residential development and detention pond are adjacent to the Costco's west property line. The residential units are located on the south half of the property, and the detention basin and walking paths are located on the northern portion of the site. Costco is requesting a variance to eliminate the required fence on the northern half of the property, adjacent to the detention basin and walking paths. There are existing, mature trees in this location that provide vertical screening between the differing land uses, and shade coverage for the walking path. In order to install a fence that complies with Code requirements, a number of the existing trees would need to be removed and the remaining trees would need to be pruned by removing the limbs to at least a 7' height. Additionally, the petitioner's landscape consultant indicates that the fence installation would likely cause damage to the existing trees' root systems. Most of the trees are in good condition and the petitioner prefers that they not be removed to accommodate a fence. Staff agrees with the petitioner.

Staff finds the petitioner's proposal to be appropriate given existing conditions along the west property line and the benefit of maintaining the mature trees near the detention pond. Staff notes that there are no residences in the area where Costco proposes eliminating the requirement for a fence; therefore, there is not a concern with headlights shining into homes or disrupting them with vehicular traffic.

#### *Findings of Fact*

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, the Planning and Zoning Commission and staff agree with the petitioner's Findings and recommend their adoption by City Council.

#### ***Planning & Zoning Commission Action***

The PZC considered this matter at its meeting on October 21, 2020. No members of the public commented during the Public Hearing and, upon closing, the PZC moved to adopt the Findings of Fact as presented and approve PZC 20-1-087 (approved 6-0). Staff concurs with the PZC recommendation.

#### ***Key Takeaways***

- The petitioner seeks approval of a variance to [Section 5-10-3:5.2.4.1 \(Landscaping and Screening/Rear and Interior Side Yards\)](#) [https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?](https://library.municode.com/il/naperville/codes/code_of_ordinances?) to reduce the fencing requirement along the west property line in order to preserve an existing tree line. The Planning and Zoning Commission and staff finds the petitioner's proposal to be appropriate due to existing conditions and the benefit of maintaining the mature trees near the detention pond.

#### ***Related Files***

N/A