



Legislation Details (With Text)

**File #:** 18-043      **Version:** 1

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 1/12/2018      **In control:** Planning and Zoning Commission

**On agenda:** 1/17/2018      **Final action:**

**Title:** Conduct the public hearing regarding property located at the southwest corner of Book Road and 103rd Street (Clow Creek Farm Addition) - PZC 17-1-129 (Item 1 of 3).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Annexation Plat, 2. Clow Creek Farm Subdivision Petition, 3. Development Petition, 4. Existing Conditions Floodplain Analysis, 5. Landscape Plan, 6. Lot Size Deviation Standards, 7. NHPA Approval, 8. Preliminary Plat of Subdivision, 9. Preliminary PUD Plat, 10. PUD Standards, 11. Rezoning Standards, 12. Setback Deviation Standards, 13. Trip Generation Memo

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing regarding property located at the southwest corner of Book Road and 103rd Street (Clow Creek Farm Addition) - PZC 17-1-129 (Item 1 of 3).

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 17-1-129 was published in the Naperville Sun on December 31, 2017.

**BACKGROUND:**

The majority of the subject property is currently unincorporated; however, there is a portion of the subject property stretching along the creek that functions as a service/utility corridor that was annexed into the City in 1992. This corridor was annexed to assist in providing services and contiguity to surrounding developments. It was zoned R1A PUD in 1994, when a Preliminary PUD and Subdivision Plat for Clow Creek Farm was approved; however, it was not included in the Final Subdivision Plat and Final PUD Plat for Clow Creek Farm - Units 1 or 2. Concurrent with the Petitioner’s requested entitlements for the Clow Creek Farm Addition, the City Council will consider revoking the original Clow Creek Farm PUD as it relates to this incorporated piece, allowing the land to be governed by new ordinances pertaining to the Clow Creek Farm Addition.

In total, the subject property consists of approximately 31.5 acres at the southwest corner of Book Road and 103<sup>rd</sup> Street. Clow Creek Farm currently operates on the site, and the petitioner proposes

developing the property with 61 single family homes. The Southwest Community Area Plan (2002) identifies the future land use of the property as “Low Density Residential”. Staff finds the proposed development to be compatible with this designation.

## **DISCUSSION:**

### ***Annexation***

The petitioner is requesting annexation of portions of the subject property into the City of Naperville and rezoning them to R1A (Low Density Single-Family Residence District) upon annexation. The annexation request is not reviewed by the Planning & Zoning Commission, but information is provided for reference. City Council will consider the request for annexation at a subsequent public hearing. The subject property is contiguous to property that is currently within the City of Naperville and is eligible for annexation.

### ***Rezoning***

The petitioner is seeking to rezone the subject property to R1A (Low Density Single-Family Residence District) following the annexation. The adjacent properties to the west and south are zoned R1A with conditional uses for Planned Unit Developments. The intent of the R1A zoning district is to provide single-family areas of a low density character with lots containing a minimum of 10,000 square feet. Staff finds the proposed zoning for the subject property to be consistent with properties in the surrounding area; and, consequently supports the petitioner’s request for rezoning to R1A.

### ***Findings of Fact***

The petitioner’s responses to the Standards for Granting a Map Amendment can be found in the attachments. Upon review, staff is in agreement with the petitioner’s Findings and recommends their adoption by the Planning and Zoning Commission.

### ***Conditional Use to Establish a Planned Unit Development (PUD) & Preliminary PUD Plat***

The Municipal Code identifies that the objective of a PUD is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable zoning regulations. A PUD is intended to permit and encourage flexibility so long as the design criteria identified in Section 6-4-3 (Planned Unit Developments/Design Standards and Criteria) of the Municipal Code are met. The proposed development will accommodate sixty one single-family homes with ranging lot sizes, while maintaining the creek and wetlands that currently extend across the subject property. Staff believes that the proposed subdivision layout and open space areas satisfy the intent of the City’s PUD standards.

### ***Common Open Space***

Section 6-4-3:3 of the Municipal Code requires that PUDs with single-family detached residential uses provide outdoor common areas covering a minimum of 25% of the site. The proposed site layout provides approximately 7.83 acres of common open space area, which is equivalent to 25% of the total lot coverage. These open space areas include bench seating and a six foot wide trail that extends through the detention areas and connects to the sidewalks along Book Road and 103<sup>rd</sup> Street.

### ***Findings of Fact***

The petitioner’s responses to the Standards for Granting or Amending a Planned Unit Development can be found in the attachments. Upon review, staff is in agreement with the petitioner’s Findings

and recommends their adoption by the Planning and Zoning Commission.

### ***Requested PUD Deviations***

- ***Reduction in Required Interior Side Yard Setback:*** The petitioner has requested a deviation to Section 6-6A-7 of the Naperville Municipal Code to allow for a reduced interior side yard setback throughout the proposed development. The proposed deviation would reduce the required interior side yard setback from 20 feet total with a minimum of an 8 foot interior side yard, to 16 feet total with a minimum of an 8 foot interior side yard. Staff is supportive of the requested deviation, noting that smaller lots within the adjacent Clow Creek Farm - Unit 2 were developed with reduced interior side yard setbacks and that the curvature of the proposed roads within the Clow Creek Farm Addition causes the larger lots to have narrower frontages that would benefit from reduced setbacks.

#### ***Findings of Fact***

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, staff is in agreement with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

- ***Reduction in Required Lot Area for two lots:*** Section 6-6A-5 of the Municipal Code identifies that there shall be a minimum lot area of 10,000 square feet for single-family detached dwellings in the R1A zoning district. The petitioner requests approval of a deviation to allow two of the proposed sixty one lots to be less than 10,000 square feet. One would total 9,500 square feet and one would be 9,529 square feet in size. Staff notes that the average lot size in the development is 12,505 square feet, and that proposed lot sizes exceed the requirements of the City's Ninety Percent Rule. The Ninety Percent Rule would require lots within the Clow Creek Farm Addition to be 9,060 square feet in size; therefore, staff is in support of the requested deviation.

#### ***Findings of Fact***

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, staff is in agreement with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

### ***Preliminary Plat of Subdivision***

In conjunction with the rezoning and establishment of the Clow Creek Farm Addition PUD, the petitioner requests approval of a preliminary plat of subdivision. The proposed subdivision contains sixty two lots, sixty one of which are planned for the development of single-family detached dwellings. Lot 62 will provide stormwater management for the overall development.

Subject to City Council's approval of the petitioner's requested PUD deviations, staff finds that the proposed preliminary plat of subdivision for Clow Creek Farm Addition meets all other technical requirements for approval.

### ***Landscape Plan***

The proposed landscape plan includes approximately 7.83 acres of common open space area, which has been enhanced with a recreational trail and landscaping. As required per the City's Landscaping and Screening Ordinance, new parkway trees are proposed where appropriate throughout the public rights-of-way; and, the petitioner is providing additional trees throughout the detention areas. Staff supports the landscape plan as proposed and finds that it exceeds the requirements of the City's Landscaping and Screening Ordinance.

### **Key Takeaways**

- The petitioner is requesting annexation of a portion of the subject property into the City of Naperville. The annexation request will be reviewed by City Council.
- The petitioner is requesting revocation of the original Clow Creek Farm PUD as it relates to the incorporated portion of the subject property. This request will be reviewed by City Council.
- Upon annexation, the petitioner is requesting rezoning to R1A (Low Density Single-Family Residence District). Staff is in support of the request for rezoning due to consistency with the zoning of surrounding annexed properties, the intent of the R1A district, and the low density residential character of the area.
- The petitioner requests approval of the Clow Creek Farm Addition PUD, with deviations to the R1A district's required minimum lot size and interior side yard setbacks. Staff finds each of these requests meet the required standards.
- Staff is supportive of the proposed use and layout of the subject property. The proposed development is consistent with the City's Comprehensive Plan and includes amenities that exceed Code requirements.

### **Related Files**

The following agenda items are related to PZC 17-1-129:

- Consider rezoning a portion of the subject property at the southwest corner of Book Road and 103<sup>rd</sup> Street to R1A (Low Density Single-Family Residence District) upon annexation - PZC 17-1-129 (Item 2 of 3);
- Consider a conditional use in the R1A (Low Density Single-Family Residence) District to establish the Clow Creek Farm Addition PUD, and approve a Preliminary PUD Plat with a deviation to reduce the required minimum lot area and a deviation to reduce the required interior side yard setback, for the property located at the southwest corner of Book Road and 103<sup>rd</sup> Street (Clow Creek Farm Addition) - PZC 17-1-129 (Item 3 of 3).