



Legislation Details (With Text)

**File #:** 20-543B      **Version:** 1

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

**File created:** 5/7/2020      **In control:** City Council

**On agenda:** 5/19/2020      **Final action:** 5/19/2020

**Title:** Pass the ordinance granting a variance to permit vegetative screening in lieu of fencing around Compass Community Church located at 3720 Quick Fire Drive, Naperville - PZC 20-1-025...body

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A-Legal Description, 3. Exhibit B-Landscape Plan, 4. Exhibit C- Standards, 5. PZC Meeting Minutes DRAFT, 6. Application, 7. Pulte Homes Company Letter, 8. Wagner Farms Site Plan, 9. Annotated Fence, 10. Location Map

Date	Ver.	Action By	Action	Result
5/19/2020	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance granting a variance to permit vegetative screening in lieu of fencing around Compass Community Church located at 3720 Quick Fire Drive, Naperville - PZC 20-1-025.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kathleen Russell

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered this matter on May 6, 2020, and voted to recommend approval of the request (approved, 9-0). Staff concurs.

**BACKGROUND:**

The subject property is zoned OCI (Office, Commercial and Institutional District) and is located at the northeast corner of the intersection of Route 59 and 103<sup>rd</sup> Street. The approximate 355,000 square foot property currently does not have any improvements, but is planned to be a Church. The owner and petitioner, Compass Community Church, requests approval of a variance to allow for vegetative screening along the perimeter of the site rather than the required fencing needed for parking located adjacent to residential uses (site plan showing the landscaping plan is included in the attachments).

**DISCUSSION:**

On February 6, 2019, Ordinance 19-022 approved rezoning of Wagner Farms to OCI and R2. Since the time of the initial concept of Wagner Farms, the developer for the project has provided a

landscaped berm between the proposed Compass Church and residences as visual and physical separation between different land uses. Pulte Homes has submitted a letter (attached) stating that they do not have any objections to the proposed use of vegetation rather than the required fence for screening.

The site plan attached shows parking for the church adjacent to the residentially zoned parcels. Per [Section 5-10-3:5.2.4.1 <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) (Landscape and Screening: Parking Abutting Residential Property), parking abutting a residential use is required to have a solid wood fence, wall, or comparable barrier across 100% of the parking lot to a minimum height of six feet. Landscaping is also required to be across 50% of the parking lot at a minimum of six feet high with specific species and planting heights. The applicant's parking is proposed to be along the northeast sections of the property and therefore will abut 10 homes.

The applicant has requested the variance because if the required fence were to be built, it would limit the growth of the existing evergreens and separate an existing large landscaped berm from the residential properties. Through the variance, not only would the existing vegetative buffer be maintained, but a row of additional 3' vegetation buffer will be added to screen out headlights from parked cars. In addition to the 3' vegetation buffer the petitioner has proposed adding shade trees along the buffer. Please see the attached landscape plan for further planting details.

The petitioner's responses to the Standards for Granting a Variance are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends adoption by the Planning and Zoning Commission.

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

The Planning and Zoning Commission opened the public hearing to consider PZC 20-1-025 on May 6, 2020. Greg Sagen spoke as the petitioner. After limited discussion, the Planning and Zoning Commission closed the public hearing and voted to recommend approval of PZC 20-1-025 (approved, 9-0). Staff concurs with the Planning and Zoning Commission's recommendation.

### ***Key Takeaways***

- The petitioner requests a variance to permit a 3' tall, vegetative buffer to enhance the existing landscape buffer between the Compass Community Church parking lot and adjacent residences rather than the required 6' tall solid fence.
- Staff supports the requested variance finding that the residential and institutional uses were anticipated to be adjacent since the initial rezoning and platting process in 2019. Staff recommends approval of the variance request.

### **FISCAL IMPACT:**

N/A