



Legislation Details (With Text)

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**File created:** 12/13/2018      **In control:** Planning and Zoning Commission

**On agenda:** 12/19/2018      **Final action:**

**Title:** Conduct the public hearing regarding the property located at 5S241 and 5S255 Tuthill Road (KLA Schools) - PZC 18-1-101 (Item 1 of 3)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Petitioner's Letter, 2. Development Petition, 3. Disclosure of Beneficiaries, 4. Legal Description, 5. Annexation Plat, 6. Subdivision Plat, 7. Site Plan, 8. Landscape Plans, 9. Elevations, 10. Recommendation 1, 11. News Article, 12. Recommendation 2, 13. Recommendation 3, 14. Recommendation 4

Date	Ver.	Action By	Action	Result
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**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing regarding the property located at 5S241 and 5S255 Tuthill Road (KLA Schools) - PZC 18-1-101 (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 18-1-111 was published in the Naperville Sun on December 2, 2018.

**BACKGROUND:**

The subject property is made up of two, unincorporated, vacant lots located at 5S241 and 5S255 Tuthill Road. The petitioner proposes consolidating the lots into one parcel, and developing the property with a daycare center in the City of Naperville. To do so, the petitioner requests approval of: annexation into the City; a preliminary/final plat of subdivision to consolidate the two lots; rezoning the property to OC1; and, a variance to allow parking in the required front yard along Tuthill Road.

The [Plank Road Study \(2010\)](#)

<https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cmp-esp-plank-road-study.pdf> identifies the future land use of the property as "Medium Density Residential". Staff finds the petitioner's proposal to be compatible with this designation and a good transition between commercial uses along Ogden and planned residential to the south.

## **DISCUSSION:**

The petitioner is proposing a single-story daycare center that is approximately 12,600 square feet in size with 50 onsite parking spaces. Access to the site will be provided via two curb cuts along Tuthill Road. The building elevations meet the requirements established in the Citywide Building Design Guidelines and landscaping has been provided per code.

### ***Annexation***

The petitioner is requesting annexation of the subject property into the City of Naperville, and rezoning it to OCI (Office, Commercial, and Institutional District) upon annexation. The request for annexation is not reviewed by the Planning & Zoning Commission, and the City Council will consider the request at a subsequent public hearing. The subject property is contiguous to the City's current municipal boundaries and therefore is eligible for annexation.

### ***Rezoning***

The petitioner is seeking to rezone the property to OCI (Office Commercial and Institutional District) upon annexation to accommodate the development of a daycare facility. The intent of the OCI zoning district is to act as a transitional zone between intensive business areas and residential neighborhoods.

The Plank Road Study (Study) identifies the subject property and the surrounding area as a transition between the Ogden Avenue commercial corridor and adjacent residential uses to the south and east. It also identifies the area as a transition from heavily traveled roadways to residential neighborhoods. To best accommodate the transition of the built environment, the Study recommends reduced intensity of building style, height and setback, as well as landscape improvements.

Staff finds the petitioner's proposed OCI zoning and development of a daycare facility consistent with the goals of the Plank Road Study due to the site design proposed, the aesthetics and setback of the KLA Schools building, as well as the landscaping and screening proposed around the perimeter of the site. Staff finds the proposed zoning to be an appropriate transition between the heavily trafficked Ogden Avenue corridor and medium density residential uses planned to the south.

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

The petitioner's responses to the Standards for Granting a Rezoning can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

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

The subject property currently consists of two lots totaling approximately 1.2 acres. The petitioner requests approval of a preliminary plat of subdivision to consolidate two existing lots into one legal lot of record. The proposed lot complies with the proposed OCI zoning district's requirements. Staff finds the proposed preliminary plat of subdivision meets all technical requirements for approval.

### ***Setback Variance***

#### **Section 6-9-2:4 (Off Street Parking Facilities)**

[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH9OFSTPA\\_6-9-2OFSTPAFA](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH9OFSTPA_6-9-2OFSTPAFA)

of the Municipal Code requires parking facilities in business districts to be located outside of the required front and corner side yards. The petitioner requests a variance to allow eleven parking spaces to be located in the subject property's required front yard, adjacent to Tuthill Road.

The OCI zoning district requires a twenty-foot front yard to be maintained. The petitioner's proposed site design maintains a front yard that is 5.13 feet in depth at its narrowest point to ensure code required parking can be provided on the site. To mitigate the impacts of a reduced setback, the petitioner proposes landscaping and screening that exceeds code requirements along Tuthill Road. Screening is provided across 100% of the affected area and includes shade trees and ornamental plantings. Staff notes that the property across the street, on the west side of Tuthill, is zoned B3 (General Commercial), and is used for nonresidential purposes (Regency Inn). This ensures that the requested variance will not bring the parking any closer to a residential property than would otherwise be permitted. Furthermore, the adjacent property to the north is developed with a Chase Bank that also locates parking along Tuthill Road. On this property, parking maintains a setback of approximately 5 feet, which is consistent with the petitioner's proposal.

Upon review, staff finds the requested variance to be reasonable and the petitioner's proposed mitigation efforts to be sufficient to minimize any adverse impacts. Staff is supportive of the petitioner's request.

#### *Findings of Fact*

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

#### **Landscape Plan**

The proposed landscaping meets the requirements of the City's Landscaping and Screening Ordinance. Landscaping amenities are provided along Tuthill Road to screen the parking facilities from the roadway, and vegetation is proposed around the perimeter of the building, as well as around the perimeter of the site.

#### **Building Elevations**

The petitioner worked closely with staff to ensure high quality building elevations were proposed to comply with the City's Building Design Guidelines. Upon review, staff finds that the elevations exceed City requirements. The daycare center is to be constructed out of lightly colored face brick and cast stone.

#### **Key Takeaways**

- The petitioner requests rezoning the subject property to OCI upon annexation. Staff is in support of the request due to compatibility with adjacent land uses and consistency with the Plank Road Study.
- The petitioner requests approval of a preliminary plat of subdivision to consolidate two unincorporated lots into one lot in the OCI zoning district. Staff is in support of the request because the plat meets all technical requirements for approval.
- The petitioner requests a variance from Section 6-9-2:4 to allow parking facilities in the required front yard setback in the OCI zoning district. Staff is supportive of the request noting that an enhanced landscape buffer to lessen perceived impacts of the variance along Tuthill has been provided, the property on the opposite side of Tuthill is a commercial property, and the parking proposed is consistent with the parking facilities on the adjacent lot to the north.
- Staff is supportive of the proposed use and layout of the subject property. The proposed development is compatible with the surrounding area.

***Related Files***

The following agenda items are related to PZC 18-1-101:

- Consider rezoning the subject property to OCI upon annexation (KLA Schools) - PZC 18-1-101 (Item 2 of 3);
- Consider a variance from Section 6-9-2:4 to allow parking facilities in the required front yard setback in the OCI zoning district (KLA Schools) - PZC 18-1-101 (Item 3 of 3).