



## Legislation Text

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File #: 20-351, Version: 1

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### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass the ordinance approving a minor change to the conditional use to allow a multi-family residential development at 1350 E. Ogden - PZC 20-1-002

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

#### **BOARD/COMMISSION REVIEW:**

N/A

#### **BACKGROUND:**

The subject property consists of 2.265 acres of land at the southwest corner of Ogden Avenue and Tuthill Road. The property is currently developed with the Regency Inn, a motel with 123 rooms. On December 3, 2019, City Council approved the following ordinances: Ordinance 19-161 rezoning the subject property from B3 to OCI; Ordinance 19-162 approving a conditional use to rehabilitate the existing structure for a multi-family residential development in the OCI district, along with associated density and parking variances; and, Resolution 19-046 in support of an alternative plan to demolish the existing structure and construct a new 112-unit micro-apartment community.

At this time, the petitioner requests approval of a minor change to the conditional use approved by Ordinance 19-162 to allow new construction of a micro-unit apartment building to occur on the subject property, with updates to the previously approved site plan, landscape plan and building elevations. The proposed building continues to offer 112 micro units. Average unit size is increased from approximately 300 to 360 square feet and the micro units proposed (still well below competing traditional sized units) will result in the same anticipated monthly rent as the original existing building rehab. No zoning variances are requested or expanded upon with the proposal.

#### **DISCUSSION:**

##### ***Minor Change to the Conditional Use***

The petitioner has determined that a new construction project is feasible and would result in more benefits for the proposed micro-unit apartments than rehabilitating the existing motel would. A minor change to amend the previously granted conditional use is being requested to allow new construction to take place with corresponding updates to the development's approved building elevations, site plan, and landscape plan.

#### **Section 6-3-8:5 (Conditional Uses)**

[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH3ADEN_6-3-8COUS)

[nodeId=TIT6ZORE\\_CH3ADEN\\_6-3-8COUS](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH3ADEN_6-3-8COUS) of the Municipal Code identifies the differences

between major and minor changes to a conditional use, as well as administrative adjustments:

- A *major change* is defined as a modification that alters the intent of the approved conditional use, introduces a height or FAR variance, or decreases the amount of parking proposed.
- *Minor changes* to conditional uses are defined as changes that are not defined as major changes and which do not alter the concept of intent of the conditional use. Minor changes include the following factors: (1) greater than 20% increase in total gross floor area; (2) greater than 20% increase in the height of the structure; (3) alteration of approved conditions applicable to the conditional use (in this case modifications to the site plan, building elevations, and landscape plan).
- *Administrative adjustments* include changes which do not result in any of the major or minor changes.

Since no additional variances are being sought, and the proposal is otherwise compliant with the property's underlying zoning designation of OCI, staff has identified the development proposal as a minor change to the previously granted conditional use for multi-family residential.

### *Building Elevations*

As a result of constructing new, the petitioner proposes new building elevations featuring cast stone and fiber cement siding with decorative panel accents. [Section 5-2C-3 \(Exterior Wall Construction\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT5BURE_CH2COFIPRRE_ARTCBU_5-2C-3EXWACO) of the Municipal Code requires a minimum of 50% of exterior wall construction for multi-family residential to be constructed out of masonry. The petitioner proposes a building that is 59% masonry. Additionally, on the ground floor, large windows face Ogden Avenue to provide building transparency and a sense of activity along this traffic corridor.

One significant change to the elevations includes an increase in building height from 2 stories to 3 stories. The OCI zoning district permits building heights up to 43 feet, therefore the proposed height increase is permitted and can be processed as a minor change to the previously approved conditional use. The petitioner has provided the following information to better explain the reasoning behind the height increase:

- As a development that strives for affordability, building vertically instead of horizontally assists with keeping costs down.
- The current design footprint and shape of the old motel structure is inefficient and is not in compliance with the City's new fire and life and safety requirements.
- The proposed building design allows the onsite surface parking to be increased by over 9% from the minimum requirement authorized while maintaining the same unit count.
- A single rectangular building allows the developer to improve grading and drainage at the site.
- The 3-story configuration allows for more landscaping areas which are more attractive and reduces impervious areas by more than 10% from a 2-story configuration
- A 3-story building produces a more environmentally friendly building as it is more energy efficient and reduces the carbon footprint since electric and plumbing has shorter distance to go. Additionally, there is less outdoor wall and roof area which become exposed to the weather and result in heat loss.
- The 3-story configuration provides an interior corridor length that is shorter than a 2-story

structure, allowing seniors or those with mobility issues a shorter walk from the elevator to all apartment units. The interior corridor also eliminates the external “motel” access that currently exists.

The petitioner also notes that the site sits several feet lower than many adjacent properties along Ogden Avenue, which assists in mitigating any perceived height impacts.

#### *Site Plan*

Consistent with prior approvals, the petitioner has maintained a site design that deemphasizes the residential nature of the development along Ogden Avenue by locating the amenity areas (lobby/lounge, kitchen, gym, management, laundry) along the Ogden frontage and the residential units behind. Several aesthetic enhancements to the site continue to be proposed, including installation of new landscaping and hardscaping amenities, parking lot upgrades, and removal of a non-conforming pole sign.

#### *Landscape Plan*

The proposed landscape plan meets Code requirements with new parkway trees where feasible in the public rights-of-way, newly landscaped patio/amenity areas, and foundation plantings around most of the building. The existing wood fence will be maintained along the south property line to buffer the proposed multi-family development from single-family homes to the south.

#### *Findings of Fact*

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

#### **Key Takeaways**

- The petitioner requests approval of a minor change to a previously granted conditional use to allow new construction of a micro-unit apartment building in the OC1 zoning district. The minor change will include updates to the previously approved site plan, landscape plan and building elevations.
- On December 3, 2019, City Council approved Resolution 19-046 in support of an alternative plan to demolish the existing structure and construct a new 112-unit micro-apartment community.
- Staff is supportive of the proposed new construction and design of the subject property. The proposed development complements the surrounding area and diversifies the City’s housing stock.
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#### **FISCAL IMPACT:**

N/A