



Legislation Text

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File #: 20-1507B, Version: 1

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**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Reconvene the public hearing for Naper Commons located on Lot 4 at the northwest corner of Naperville and Warrenville Roads, Naperville, PZC 20-1-086

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard, AICP

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 20-1-086 was published in the Daily Herald on November 30, 2020.

**ENTITLEMENTS REQUESTED:**

- Preliminary PUD Plat (Section 6-4-5, PUD Plat Procedures)
- Preliminary Subdivision Plat (Section 7-2-2, Subdivision Plat Procedures)
- Conditional Use to permit single-family attached units (Section 6-6C-3:5, R2 Conditional Uses)
- PUD Deviations (Section 6-4-6, Changes to a Final PUD)
  - Reduce the required 25' front setback to 20' (Section 6-6C-7:1, R2: Yard Requirements)
  - Reduce the required 16' total for 2 side yards with each side yard a minimum of 6' to 7' with a total of 14' for the Estate Lots (Section 6-6-C-7:1, R2: Yard Requirements)
  - Reduce the required 16' total for 2 side yards with each side yard a minimum of 6' to 6' for a total of 12' for the Meadows Lots (Section 6-6C-7:1, R2: Yard Requirements)
  - Reduce the required 16' total for 2 side yards with each side yard a minimum of 6' to 5' for a total of 10' for the ranch-style Meadows Lots (Section 6-6C-7:1, R2: Yard Requirements)
  - Request for ranch eaves to encroach over the 5' side yard easements (Section 6-2-3:3.1, Yard Requirements: Permitted Obstructions)

**BACKGROUND:**

The subject property is known as Lot 4 of the Nokia Campus Subdivision and is comprised of approximately 67 acres. The subject property is currently vacant and unimproved except for the portion containing a surface parking lot that formerly served the Nokia campus. The subject property was rezoned to R2 (single family and low-density multiple family residence district) pursuant to Ordinance 20-036 and a conditional use to establish a Planned Unit Development (PUD) on the subject property was also approved pursuant to Ordinance 20-037. At the time, the intent of approving the PUD was to provide an additional layer of review for any future development on Lot 4 and encourage a creative and innovative development approach.

### ***December 16, 2020 PZC Public Hearing***

At the December 16<sup>th</sup> public hearing, the petitioner, Pulte Home Company, LLC, presented a 241-unit mixed-residential development which included three housing lines: 66 townhome units; 130 single-family homes in the Meadows housing line; and 45 single-family homes in the Estates housing line (slightly larger lots). Staff indicated support for a mixed residential use at the subject property but found that the proposed plans did not fully satisfy the PUD standards. Staff was not supportive of requested deviations related to the 5' interior side yard setbacks or to permit eaves to encroach into the 5' side yard easements.

Following presentations by the petitioner and 12 public speakers, the public hearing on Naper Commons was continued to the February 3<sup>rd</sup> PZC meeting to allow the petitioner time to respond to concerns regarding side setbacks, fencing, the 39<sup>th</sup> street extension, 39<sup>th</sup> street external pedestrian connection, density, and screening from adjacent residential lots.

### ***Revised Plans***

The petitioner has submitted revised plans in response to the concerns raised on December 16<sup>th</sup>. The petitioner's overview of the plan revisions is attached and include changes to the open space, fencing, and a two-lot reduction. Also attached to the petitioner's response is correspondence with the Forest Preserve District of DuPage County and the Danada Woods Townhomes homeowners association.

### ***Public Correspondence***

Since the December 16<sup>th</sup> public hearing, written opposition was submitted to the City on behalf of the Fairmeadow Subdivision (see attached); the presentation that will be given at the February 3<sup>rd</sup> PZC hearing on behalf of the Fairmeadow Subdivision is also attached.

### **DISCUSSION:**

The following overview is based upon the revised plans for Naper Commons.

### ***Preliminary PUD Plat***

The petitioner requests approval of a Preliminary PUD Plat for Naper Commons. In conjunction with this request, the petitioner is also seeking a conditional use to permit townhomes, as well as deviations from the Municipal Code requirements for the front yard setback, the interior side yard setbacks, and to permit eaves encroachment over the side easements for the ranch floor plan on the Meadows lot.

Per Section 6-4-3:3 (Planned Unit Developments: Design Standards and Criteria), outdoor common areas are required in planned unit developments as a means of passive or active recreation, site amenity, environmental protection, or beautification. In this particular case because single-family attached dwellings are present, staff has required the petitioner to provide at least 30% open space based on the overall area including the single-family lots.

The proposed development now provides over 32% open space in the form of passive green space around the townhomes, preserved wetlands, and stormwater management areas featuring native plantings with paths leading to overlooks. Sidewalks and a pathing system will interconnect these open areas and lead into the Danada Forest Preserve trail system. Note: the proposed linear park does not count towards the PUD open space requirements since it will be dedicated to the Naperville

Park District in partial satisfaction of the required park donation.

The plans were revised to provide additional open space due to the reduction in the number of single-family lots and include a number of changes to provide transition and buffering with adjacent properties, as follows:

- A portion of the new open space (“Outlot G”) provides a 25’ Landscape buffer between Lots 1-11 and the adjacent single-family Fair Meadow subdivision.
- Mature trees, landscaping enhancements, and a 6’ tall wood fence in strategic locations will be provided adjacent to the Danada Woods townhomes (see revised Landscape Plan).
- For the single-family lots adjacent to the Forest Preserve District, a split rail fence will be installed to delineate the property line and a 10’ landscape easement on the rear of these lots will include native plantings to provide a natural transition to the Forest Preserve property, while also assisting with pollutant filtration.

The petitioner’s revised responses to the standards for amending a PUD are attached. Upon review, staff agrees with the petitioner’s findings and recommends their adoption by the Planning and Zoning Commission.

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

The petitioner requests approval of a preliminary plat of subdivision. Staff finds that the proposed preliminary plat of subdivision meets all technical requirements. It should be noted that the subdivision is not reviewed by the Planning and Zoning Commission. Information on the preliminary plat of subdivision is provided for reference; the request will be reviewed by City Council at a subsequent meeting date.

### ***Conditional Use for Single-Family Attached Units***

The petitioner requests approval of a conditional use to permit townhome units in R2 pursuant to Section 6-6C-3 (R2 District: Conditional Uses). The petitioner is proposing to construct 16 one and two-story townhome buildings for a total of 66 units. First floor master bedrooms will also be incorporated into the floor plans. The townhomes will be located adjacent to the Nokia campus as well as the existing Danada Woods Townhomes Subdivision located towards the front of the development.

The intent of the R2 District is to provide a variety of housing types and compatible uses. The petitioner’s responses to the standards for granting a conditional use are attached. Upon review, staff agrees with the petitioner’s findings and recommends their adoption by the Planning and Zoning Commission.

### ***Single-Family Front Yard Setback Deviation***

The petitioner requests approval to reduce the required front setback for the single-family residential lots (except for the curvilinear lots) from 25’ to 20’ as specified in [Section 6-6C-7 \(R2 District: Yard Requirements\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE) <[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH6REDI\\_ARTCR2SIMILODEMUMIREDI\\_6-6C-7YARE](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE)>. This deviation is requested with the intent of reducing private front yard open space in order to permit larger communal areas and common open space. When factoring in the housing lines featuring 1 and 2-story porches, the petitioner has indicated that this arrangement will help to facilitate neighborhood interaction and encourage use of the common open space and linear park.

Given the layout and features of the subdivision, staff does not find that the deviation will alter the essential character of the area or be a detriment to the adjacent residential properties. Staff would like to note that the Danada Woods Townhomes R3A/PUD, pursuant to Ordinance 99-064, has a required front setback of 21'. The proposed setback is generally consistent with this dimension. Upon review, staff agrees with the petitioner's findings and recommends their adoption by the Planning and Zoning Commission.

### **Single-Family Side Setback Deviation**

Also per [Section 6-6C-7 \(R2 District: Yard Requirements\)](#), the interior side yard requirement for single-family homes is a total of 16' for 2 side yards with each side yard being a minimum of 6'. The petitioner requests the following deviations:

- A 5' minimum side yard (total of 10' on two sides) for only the ranch-style single-family homes included in the Meadows series;
- A 6' minimum side yard (total of 12') for all other single-family homes included in the Meadows series; and
- A 7' minimum side yard (total of 14') for the single-family homes included in the Estates series.

Staff is in agreement with the petitioner's findings for the Estates housing lines which exceeds the 6' minimum interior side setback. This means the homes would have a minimum distance separation of 14' which staff finds sufficient and greater than the townhomes distance separation requirement of 12'.

For the Meadows housing lines, the petitioner has revised their proposal to only request the 5' interior side setbacks for the ranch style homes in this series; staff does not have any concern regarding the 6' minimum required for the remainder of the Meadows line.

Staff is supportive of the revised requests for the Meadows line as it reduces the degree of the deviation being sought for many of these lots, reduces the number of eaves encroachments in the side easement (see below), and facilitates a variety of housing types consistent with the intent of the R2 zoning district. Staff finds that the 5' setback requested is justified because the ranch unit requires a greater footprint than a two-story unit. Maintaining the ranch-style housing line will help provide a diversity of housing and address unmet demand as identified in the Housing Needs Assessment and the draft Comprehensive Master Plan Update. Furthermore, the petitioner has agreed that no obstructions (window wells, a/c, etcetera) will be permitted in the side yards which will help to achieve the desired separation between homes.

Upon review, staff agrees with the petitioner's findings and recommends their adoption by the Planning and Zoning Commission subject to the condition that no side yard encroachment or structures are permitted, except for access walkways and fencing.

### **Eaves Encroachment Deviation**

Per the Naperville Municipal Code, eaves are permitted to encroach into the required interior side setback, but are not permitted to encroach into the required 5' side yard easement. The petitioner has requested approval of a deviation to permit the eaves on the ranch-style units in the Meadows series to encroach 6" into each required 5' easement area. Note: the petitioner modified their prior

request on this issue and is not only seeking this deviation for the ranch-style units.

Staff finds that this deviation is directly based on the previous side yard setback deviation with the eaves projecting a further 6". The deviation maintains an architectural feature for the ranch-style homes while accommodating the footprint of a single-story. The electric utility has reviewed the revised proposal and has expressed no concerns.

Upon review, staff agrees with the petitioner's findings and recommends their adoption by the Planning and Zoning Commission subject to the condition that no side yard encroachment or structures are permitted, except for access walkways and fencing.

### ***Elevations & Masonry Variance***

The petitioner is proposing to construct 16 townhome buildings with siding that is comprised of LP Smartside. The petitioner sought approval to vary from the masonry request found in Section 5-2C-3 of the Code in order to eliminate the masonry requirement and make the townhomes elevations consistent the rest of the development. The siding on the first story is traditional (horizontal) in style, while the siding on the second story contains horizontal and some vertical-accent styles.

A variance to Section 5-2C-3 falls under the purview of the Building Review Board. The petitioner's request was reviewed by the BRB on December 16<sup>th</sup> and recommended for approval. This request will be heard by City Council in conjunction with the overall development request.

### ***Variance to the Naperville Design Manual for Public Improvements***

Section 5-7-1 of the Naperville Municipal Code requires storm water systems to be designed in accordance with the City of Naperville Design Manual for Public Improvements. Per Section 5-7-2:5, any modification from the requirements of the storm water design may require approval of a variance upon recommendation by the City Engineer.

The Naperville Design Manual for Public Improvements sets design requirements for stormwater facilities including detention basins. Section 2.5.4.3 of the Manual allows a maximum depth of stormwater storage in a detention basin of 6.0 feet. This depth is measured from the normal water elevation to the design high water elevation. The proposed development basin will require 7.4 feet of depth in order to provide additional storage, maintain conveyance of offsite flows, and preserve the existing overflow elevation.

### ***Key Takeaways***

- The petitioner is requesting approval of PZC #20-1-086 to approve a Preliminary PUD Plat for Naper Commons located on Lot 4 at the northwest corner of Naperville and Warrenville Roads.
- Staff recommends approval pursuant to 6-6C-3 to grant a conditional use for single-family attached units in R2 District.
- Staff recommends approval of a Preliminary PUD Plat along with deviations: 6-6C-7 to reduce the front and side setback requirements, and 6-2-3 to permit eaves encroachment over the side yard easements; subject to conditions.