



Legislation Text

File #: 23-0901, Version: 1

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for Highpoint 2B located at 2304 Ferry Road - PZC 22-1-119 (Item 1 of 4)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Sara Kopinski, AICP

BOARD/COMMISSION REVIEW:

The Petitioner's requests to revoke the Iron Gate Motor Condos Phase 2B PUD as it applies to the subject property and approve a minor change that consolidates a portion of the Phase 2B property with the Phase 2A property are subject to review by City Council only. Staff concurs with the request.

The Planning and Zoning Commission (PZC) considered a concurrent request by the Petitioner to appeal the Zoning Administrator's interpretation of the *Citywide Building Design Guidelines* as they apply to the proposed Highpoint 2B (Sunbelt Rentals building) at their meeting on July 19, 2023. While the City's design guidelines require industrial buildings to be constructed of predominantly masonry, stone, or pre-cast concrete materials, the PZC concurred with the Petitioner's appeal of the Zoning Administrator's decision and approved the use of hardie board siding as the predominant building material on the proposed industrial building.

BACKGROUND:

The subject property is currently zoned I (Industrial District) in the City of Naperville and is part of the Iron Gate Motor Condos PUD (PUD) which has been developed in phases over the years. In June of 2021, City Council approved Phase 2B of the Iron Gate Motor Condos PUD to permit 51 townhomes to be constructed on the property through a PUD land use deviation.

At this time, the Petitioner is no longer pursuing improvement of the subject property with the approved residential uses and instead proposes construction of a Sunbelt Rentals industrial building on a portion of the Phase 2B. To do so, the Petitioner seeks revocation of the PUD as it applies to the subject property, approval of a minor change to the PUD to consolidate a portion of the Phase 2B property with the Phase 2A property, and a preliminary/final plat of subdivision for Highpoint 2B, as further described below.

DISCUSSION:

PUD Revocation

The Petitioner is seeking revocation of a portion of the Iron Gate Phase 2B PUD to allow for construction of a Sunbelt Rentals building. The existing PUD approved 51 single-family attached dwelling units to be constructed on the subject property. The Petitioner indicates that development of a residential product in the PUD is no longer feasible due to changes in economic conditions and

material costs. Additionally, the Petitioner notes that the Iron Gate Motor Condos' Board of Directors is unwilling to allow the approved residential project to be a part of the Iron Gate community.

In response to these changes in circumstance, the Petitioner proposes revoking the Iron Gate Phase 2B PUD approved by City Council in June of 2021, and allowing for the subject property to be developed in accordance with the underlying I (Industrial) zoning district. [Section 6-4-8 \(Effective Period of Planned Unit Development\)](#) https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH4PLUNDE_6-4-8EFPEPLUNDE of the Naperville Municipal Code notes that should City Council approve a request for revocation of a planned unit development, the parcel of land shall conform to the permitted uses and other regulations of the underlying zoning district in which it is located. It is important to note that should City Council support the Petitioner's proposed PUD revocation, development of the subject property will not be required to return to City Council to obtain any entitlements unless a variance to the I zoning district's regulations are requested (note: variances are not anticipated at this time).

Staff is supportive of the revocation request and finds the subject property's underlying industrial zoning designation to be consistent with the Land Use Master Plan.

Minor Change to the Iron Gate Motor Condos PUD

Pursuant to Section 6-4-6 of the Naperville Municipal Code, the Petitioner requests approval of a minor change to the Iron Gate Motor Condos PUD to consolidate a portion of the Iron Gate Phase 2B property that is not planned to be used for SunBelt with the existing Iron Gate Phase 2A property. This change does not alter the concept or intent of the PUD, or impact the buildings already constructed on the Phase 2A property. Instead, adding a portion of the Phase 2B property to the Phase 2A property will help ensure vehicular access to the car condos on the west side of Phase 2A is provided while also allowing for a fence and other public facilities to be maintained in this area. Existing natural features and open space areas will not be impacted by the consolidation.

Findings of Fact

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

Preliminary/Final Plat of Subdivision

The Petitioner proposes a plat of subdivision to reflect the consolidation outlined in the Minor Change to the Iron Gate Motor Condos PUD section of this report, and to create a separate lot for Highpoint 2B. The proposed lot for Highpoint 2B complies with the underlying I (Industrial) zoning district requirements and staff finds the plat of subdivision meets the technical requirements for approval.

PZC Appeal

In conjunction with the proposed PUD revocation and minor change to the Iron Gate Motor Condos PUD, the Petitioner requested an appeal to the [Citywide Building Design Guidelines](#) <https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cdq-building-design-guidelines.pdf> in order to permit an industrial building (Sunbelt Rentals) to be constructed predominantly out of hardie board siding instead of masonry. The Petitioner indicated hardie board siding was chosen as the predominant material due to desirable appearance, low maintenance, durability, and the 30-year warranty (see attached letter).

Staff recommended that the appeal request be denied and that hardie board only be acceptable as an accent material, restricted to 25% of the building elevations or less; however, the PZC concurred with the Petitioner and recommended approval of hardie board siding as the predominant material on the Sunbelt Rentals building as presented.

Per the Naperville Municipal Code, the Planning and Zoning Commission is the body to review appeals to Design Guidelines. PZC determinations are considered final unless the Petitioner appeals the PZC's decision to the City Council.

City Council Action

Should City Council deny the Petitioner's requested PUD revocation, thereby allowing improvement of the subject property based on the I (Industrial) requirements only, no action should be taken on the ordinances provided as part of the subsequent Highpoint 2B agenda items.

Instead, the Petitioner should be directed to resubmit their development request as a major change to the Iron Gate Motor Condos PUD to establish a new controlling site plan and building elevations for the development proposal. A major change to the Iron Gate Motor Condos PUD will require a public hearing before the PZC prior to reconsideration of the proposal by City Council.

FISCAL IMPACT:

N/A