



## Legislation Text

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File #: 22-0282B, Version: 1

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### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Receive the staff report for 710 Woodlawn Avenue and conduct the public hearing to consider the Annexation Agreement for said property - PZC 21-1-127 (Item 1 of 5)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, Community Planner

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

The Planning and Zoning Commission (PZC) considered PZC 21-1-127 on March 2, 2022 and voted 8,0 to approve the rezoning request. Staff concurs.

#### **BACKGROUND:**

The property is located on the south side of Woodlawn Avenue with a common address of 710 Woodlawn Avenue. The 18,877 square foot lot is currently improved with a single-family residence and is zoned R-4 in unincorporated DuPage County. The property is adjacent to unincorporated properties to the west and incorporated properties to the north, east, and south. The surrounding incorporated properties are zoned R1A (Low Density Single Family Residence District), R1 (Low Density Single Family Residence District) and R1B (Medium Density Single Family Residence District).

#### **DISCUSSION:**

##### ***Revocation of the July 5, 2000 Ordinances***

On July 5, 2000, the City Council approved ordinances granting annexation, an annexation agreement and rezoning of the subject property. However, the approved ordinances were contingent upon payment of certain required fees by the then owner of the subject property. The fees were not paid, and the ordinances were not recorded with the recorder's office. Therefore, the annexation was never finalized, and the subject property has remained unincorporated. Staff is recommending the prior approvals be revoked in order to eliminate any confusion regarding their effectiveness or applicability.

##### ***Annexation and Rezoning***

The Petitioner, Mathieson House, LLC, d/b/a M House, with permission from the property owners James J. Kritsas and Megan M. Preusker, requests annexation, rezoning to R1A upon annexation and approval of a preliminary/final plat of subdivision to create a legal lot of record in order to construct one single-family home in compliance with the City's zoning regulations. The subject property is contiguous to the City of Naperville's municipal boundary is therefore eligible for annexation. All existing structures at the subject property will be demolished following annexation.

Upon annexation, the Petitioner seeks to rezone the subject property to R1A (Low Density Single Family Residence District). The subject property meets the R1A lot size and width requirements and staff finds the proposed R1A zoning to be compatible with surrounding zoning districts. The Petitioner's standards for Granting a Map Amendment are included in the attachments. Upon review, staff and the Planning and Zoning Commission are in agreement with the Petitioner's findings and recommend their adoption by the City Council.

### ***Preliminary/Final Plat of Subdivision***

In association with the rezoning request, the petitioner is also requesting approval of a preliminary/final plat of subdivision in order to create a legal lot of record. No new buildable lots will be created as a result of this request. The preliminary/final plat of subdivision complies with all technical zoning requirements and does not require City Council review.

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

The public hearing before the PZC was conducted on March 2, 2022. Caitlin Csuk, Rosanova & Whitaker, Ltd., represented the petitioner. No members of the public spoke on the request. The Commission closed the public hearing and voted 8,0 to recommend approval of the rezoning request. Staff concurs with the recommendation.

### ***Key Takeaways***

- The Petitioner is requesting approval of an annexation agreement, annexation, and rezoning to R1A upon annexation in order to annex the subject property into the City and construct a new single-family home at the property located at 710 Woodlawn Avenue.
- Staff and the Planning and Zoning Commission are in support of the request.

### ***Related Files***

- Pass the ordinance revoking ordinances 00-111, 00-112, 00-113 for 710 Woodlawn - PZC 21-1-127 (Item 2 of 5);
- Pass the ordinance authorizing the execution of the Annexation Agreement (*requires six positive votes*) for 710 Woodlawn Avenue - PZC 21-1-127 (Item 3 of 5);
- Pass the ordinance annexing 710 Woodlawn Avenue - PZC 21-1-127 (Item 4 of 5);
- Pass the ordinance rezoning 710 Woodlawn Avenue to R1A upon annexation - PZC 21-1-127 (Item 5 of 5)

### **FISCAL IMPACT:**

N/A