



Legislation Text

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CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for 445 Aurora Avenue (Charleston Row III) - PZC 22-1-034 (Item 1 of 3)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kathleen Russell, AICP, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered PZC 22-1-034 on July 20, 2022. The Commission voted 7-0 to approve PZC 22-1-034; staff concurs.

BACKGROUND:

The subject property is approximately 24,780 square feet and is located on the north side of Aurora Avenue east of the intersection of Eagle Street and Aurora Avenue. The property is zoned OCI (Office, Commercial and Institutional District) and is currently improved with a commercial building that was most recently used as a vet clinic. The Petitioner proposes redeveloping the property with eight (8) townhomes. To achieve this, approval of a conditional use and variances to decrease the required minimum lot area, reduce the landscaping and screening requirements adjacent to residential for parking on the west side of the property, and reduce the setback for off street parking in the front yard have been requested.

DISCUSSION:

The Petitioner, Charleston Investments, LLC, has requested approval of the following conditional use permit and variances in order to develop eight (8) single-family attached units in two buildings:

1. Conditional use to allow for townhomes in the OCI Zoning District per Section 6-7F-3.
2. Variance to Section 6-7F-5:1 to allow for one unit per 3,097.5 SQFT.
3. Variance to Section 5-10-3:5.2.1 to allow for a 3ft wide landscape area adjacent to a drive aisle.
4. Variance to Section 5-10-3:5.2.4.1 so that a solid fence does not need to be installed adjacent to a residential use.
5. Variance to Section 6-9-2:4.3.1 to allow the guest parking to be 5ft from the front property line.

Conditional Use for Single-Family Attached Dwelling Units

Section 6-7F-3 (OCI Conditional Uses) classifies single-family attached residential units as a conditional use in the OCI District. Staff considers the eight townhome units to be complementary to the adjacent properties. Staff believes the single-family attached development is appropriately located surrounded by park, school, and condominium uses. In Naperville's Land Use Master Plan, the future land use of the property is labeled as downtown which is a mixed use place type. The Naperville Downtown 2030 plan identifies the property as transitional, which provides low-intensity office, service, and residential uses that are designed in a manner compatible with adjacent neighborhoods. Staff believes the proposed use aligns with the future land use descriptions from both plans, as the single-family attached residential use acts as a transition between higher intensity uses and lower intensity uses.

The proposed townhomes will be French city style homes similar to the existing Charleston Row developments and will be comprised primarily of limestone cladding and stucco. The development will include two buildings, a five-townhome building and a three-townhome building, which will be three stories in height.

Findings of Fact

The Petitioner's responses to the Standards for Granting a Conditional Use, as well as additional information regarding the proposed development as it relates to the surrounding area is attached. Upon review, staff is in agreement with the Petitioner's Findings and recommends their adoption by the City Council.

Requested Variances

There are four variances proposed for the residential development, as further described below. Staff is supportive of each request.

Density Variance

Section 6-7F-5:1 (OCI Area Requirements) requires lots developed with single-family attached residential units to have a minimum lot area of 4,000 square feet per dwelling unit. This requirement is not intended to impose a minimum interior/livable square feet requirement for each residential unit; rather, it is used as a means of controlling the total number of units permitted on a property.

The Petitioner requests approval of a variance to allow a minimum lot area of 3,097.5 SQFT per dwelling unit. Under the code, the property would only be permitted to have six (6) units, but the Petitioner is requesting a total of eight (8) townhome units on the parcel (two more units than the code permits). Staff believes the proposed increase in density is appropriately located adjacent to the school, park, and multifamily uses. Staff does not find that the additional units will adversely impact traffic or parking at the property. The number of guest parking spaces required per unit will be met with two spaces.

Finally, it should also be noted that the minimum lot area does not directly correlate to the overall bulk of the building. For example, the number of units proposed within the building could be reduced to comply with the code while still maintain the size of the buildings as currently proposed (i.e., there would be fewer units that are larger in square feet). For the reasons above, staff is supportive of the density variance 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 City Council.

Landscaping and Screening Variances

The City has various landscaping requirements based on the use of the subject property and the surrounding uses. The Petitioner has requested two landscaping and screening variances for the proposed development. Section 5-10-3:5.2.1 (Landscaping and Screening: Perimeter Parking Lot Landscaping Area) requires a minimum five-foot wide landscape area around parking. The proposed development would have a three-foot wide landscape area on the west property line. Section 5-10-3:5.2.4.1 (Landscaping and Screening: Perimeter Parking Lot Landscaping Abutting Residential Property) requires a solid wood fence, wall, or comparable barrier when a parking lot abuts a residential property line. The Petitioner has requested to not install the fence on the west side of the property, however there will be extensive landscaping including shade trees, evergreen trees, and ornamental shrubs on the west side of the subject property to provide screening to the adjacent condominiums.

It should be noted that there is an existing parking lot on the subject property adjacent to the residential property. The proposed development will improve this condition by adding a landscaping buffer and removing the parking spaces. In the proposed plan a drive aisle will be adjacent to the residential property to the west.

RiverPlace Condominiums to the west, is in support and has requested that the fence not be installed. The Petitioner has been working closely with the adjacent property to intentionally design the landscaping to meet the needs of both properties. RiverPlace Condominiums has submitted a letter in support of plantings in lieu of a fence which is included in the attachments.

Staff has reviewed the landscaping and screening variances and feels the proposal is an overall improvement to the existing configuration. Staff believes that the Petitioner has proposed a landscape buffer that mitigates the impacts of a drive aisle adjacent to residential. The Petitioner has worked with the adjacent property owner to create a plan that addresses their concerns.

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 City Council.

Front Yard Setback for Parking Facilities Variance

The two required guest spaces for the development are proposed to be 5ft from the front property along Aurora Avenue rather 20ft which is required by the Municipal Code. Section 6-9-2:4.3.1 (Yard Requirements For Off Street Parking Facilities) requires parking facilities to be located outside of the front yard. Staff finds that the reduced setback from the front property line may be supported because the site is consistent to the adjacent properties which also have parking adjacent to the right-of-way along Aurora Avenue. Additionally, the Petitioner has proposed landscaping, including perennials and ornamental grasses, between the right-of-way and the guest spaces to reduce the visibility of the parking from the right-of-way. Staff is in support of the encroachment finding that the proposed guest parking location to be compatible surrounding uses and the appearance of the spaces will be reduced through landscaping.

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 City Council.

Landscape Plan

In addition to the landscaping on the west side of the property described in the prior section, the Petitioner will also install landscaping along all other sides of the property. The Petitioner proposes extensive landscaping including foundation plantings, shade trees, and a perimeter buffer. A complete list of the proposed plantings can be found in the landscaping plan and include a variety of shade trees, ornamental trees, evergreen trees, evergreen shrubs, ornamental shrubs, perennials, ornamental grasses, and native plantings. The proposed landscape plan exceeds the code requirements.

Pedestrian Connection to the Riverwalk

The Petitioner met with the Riverwalk Commission twice to present their project and get input relative to pedestrian connectivity. The Commission and Petitioner agreed that a pedestrian connection along the east side from Aurora Avenue north to the existing Riverwalk pathway should be constructed, and the pathway should be on the adjacent Riverwalk property instead of the 445 Aurora Avenue property. The Commission requested that the Petitioner build the walkway adjacent to the subject property to full Riverwalk standards, including brick paving, lights, and benches. The Petitioner initially proposed just a concrete sidewalk.

After considering the Commission's request the Petitioner has agreed to design, construct, and install a pedestrian path connection adjacent to the subject property. The pedestrian connection will be a seven-foot (7') wide pathway consisting of six-inch (6") curb on both sides with six feet (6') of Riverwalk style brick. The Petitioner will be responsible for the installation of concrete foundations and conduit for future light poles to be located adjacent to the pedestrian connection. At a later date, solely within the City's discretion, the City will install the wiring within the conduit, light poles, and benches as they are removed from future phases of the downtown streetscape.

Building Elevations

The Petitioner has submitted elevations of the townhomes which will be comprised primarily of limestone cladding and stucco. Upon review, the building elevations meet the City's requirement that 50% of the exterior wall construction be constructed of solid masonry. Additional architectural details and variations in the building's massing are also provided including accent sills around windows, cornices with decorative brackets, and patios. The design of the proposed townhomes will be similar to the existing Charleston Row developments.

Owner's Acknowledgement and Acceptance Agreement

An Owner's Acknowledgement and Acceptance (OAA) agreement is included as a part of the Ordinance approving the preliminary/final plat of subdivision for Charleston Row III. The OAA includes provisions stating the following:

- Pursuant to the requirements of Section 7-1-3:2, which allow more than one (1) building per lot, the residential units shall at all times be a part of a homeowner's association; covenants for governance of the development shall also be recorded.
- The required park and school donations will be paid on a per permit basis as is allowed in Section 7-3-5 of the Municipal Code.
- The Petitioner will construct a pedestrian connection to the Riverwalk and light foundations and conduit along the Rotary Hill park property to the east of the subject property. The Petitioner will be responsible for the costs of pedestrian connection, light foundations and conduit adjacent to the subject property. The City will reimburse the Petitioner for the cost of the pedestrian connection, light foundations and conduit from the north of the subject property to the existing Riverwalk pathway (approximately 85' north).
- The existing transformer on the site feeds the traffic signal at Aurora Avenue and Rotary Hill/Naperville Central. The Petitioner will relocate and upgrade the transformer at its sole cost. The Petitioner is also responsible for providing continuing service during the relocation and upgrade of the transformer.

Planning and Zoning Commission

The public hearing before the Planning and Zoning Commission (PZC) was conducted on July 20, 2022. Vince Rosanova, Rosanova & Whitaker, Ltd., presented the case. No members of the public spoke on the request. The PZC asked how long the prior Charleston Row developments were vacant. A member of the Petitioner's team responded that they were vacant for approximately 18 to 20 months. The Planning and Zoning Commission closed the public hearing and voted 7-0 to recommend approval of the conditional use and variances. Staff concurs with the recommendation.

Key Takeaways

- The Petitioner is requesting a conditional use to allow a townhome development in the OCI district. Staff is in support of the request due to the alignment with Naperville's future land use plans.
- The Petitioner requests approval of a variance to the area requirements to permit eight units at the property. Staff is in support of the request due to the compatibility with the surrounding uses.
- The Petitioner requests approval of two landscape and screening variances so that a solid fence does not need to be installed and a landscape area with a reduced width can be installed along the west property line. Staff is in support of these requests, as they have worked with the adjacent property owner on a landscaping buffer along the property line.
- The Petitioner requests approval of a variance to reduce the required front yard setback along the south property line for the guest parking. Staff is in support of the request due to the alignment with adjacent properties and the

screening proposed.

- Staff is supportive of the proposed use of the subject property. The proposed development is compatible with the surrounding area and includes landscaping that exceeds Code requirements.

Related Files

- Pass the ordinance approving the preliminary/final plat of subdivision and the Owner's Acknowledgement and Acceptance for 445 Aurora Avenue (Charleston Row III) - PZC 22-1-034 (Item 2 of 3)
- Pass the ordinance approving a conditional use in the OCI district to permit a single-family attached dwelling development and variances to (i) area requirements for single family attached dwellings in the OCI district; (ii) the perimeter landscaping requirements for parking lots; (iii) the screening requirements for parking adjacent to residential; and (vi) the front setback for guest parking for 445 Aurora Avenue (Charleston Row III) - PZC 22-1-034 (Item 3 of 3)

FISCAL IMPACT:

N/A