



Legislation Text

File #: 22-1106C, Version: 1

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for Naperville Polo Club located north of 119th Street, east of Route 59 and west of Book Road, and conduct the public hearing to consider the Annexation Agreement and related ordinances for said property - PZC 22-1-056 (Item 1 of 10)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, AICP, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) conducted a public hearing on the Naperville Polo Club on September 21, 2022. Four members of the public spoke on the request. One member of the public spoke in support of the proposed connection from Hawkweed Drive finding it would provide an exit from the subdivision directly to 119th Street. Three members of the public spoke in opposition generally raising concerns with the proposed density, traffic generation from the development, and the proposed Hawkweed connection. Following commissioner discussion, the PZC closed the public hearing and made a motion to approve the request (approved 7,0). Staff concurs.

BACKGROUND:

The Subject Property (“**Subject Property**” or “**Naperville Polo Club**”) is approximately 110 acres and is located at the northwest corner of 119th Street and Book Road in unincorporated Will County. The Subject Property is surrounded by a residential neighborhood to the north (South Pointe); Riverview Forest Preserve to the east; 119th Street, a residential neighborhood and agricultural property to the south; and a business to the west. The property located to the north is within the corporate limits of the City of Naperville and the properties located to the south, east, and west are in unincorporated Will County.

The Petitioner, Pulte Home Company, LLC, (“**Petitioner**” or “**Pulte**”) requests the following entitlements in order to develop the Subject Property with 261 single family detached homes and 136 single family attached homes (townhomes) for a total of 397 units, including common open space and two multiuse fields:

- Annexation; Rezoning to R2; approval of a Preliminary Subdivision Plat and Preliminary PUD Plat;
- approval of a conditional use to permit townhomes;
- approval of PUD deviations for the Springs Series and to increase the maximum height and size of the four proposed monument signs;
- approval of a variance to eliminate the masonry requirement for the townhome units;

- temporary use approval for a marketing signage plan through March 7, 2030; and
- temporary use approval to allow for the use of the soccer fields and parking lot through March 7, 2028.

Boundary Line Agreement with Plainfield. The Subject Property is not located within the City's current planning boundary; however, it is adjacent to property located within the City and to the Land Use Master Plan (2022) boundary. An ordinance approving an Intergovernmental Agreement Between the Village of Plainfield and the City of Naperville to Establish a Boundary Line will be before the City Council for consideration as a separate agenda item on the March 7, 2023 City Council Agenda. If the Boundary Agreement is approved by the City Council and also by the Village of Plainfield (the Boundary Agreement is scheduled for consideration by the Village of Plainfield on April 3, 2023), the Subject Property will be located within the City of Naperville's planning boundary.

Land Use Master Plan Goals. Staff has identified the following goals from the Land Use Master Plan which the proposed development furthers:

1. *Guiding Principle #1: Ensuring Housing is diverse, responsive to community needs, and accessible to everybody (p.27):*
 - a. Emphasize housing diversity to ensure Naperville offers homes that are comfortable, affordable, and inclusive to everybody. Provide homes that are of different types, price points, styles, and densities.
2. *Guiding Principle #4: Incorporate thoughtful design and sustainable best practices to make Naperville a healthy community (p.30)*
 - a. A healthy community prioritizes accessibility through strategies like ...promoting walking and cycling and protecting critical open space
3. *Guiding Principle #5: Coordinate with partner agencies to ensure all residents have access to quality schools, parks, open spaces, and other services (p.31):*
 - a. Support partner agencies (School Districts 203 and 204, the Naperville Park District, the Forest Preserve Districts of DuPage and Will Counties) by supporting land use patterns that provide connections between residents and nearby parks, schools, open spaces, and community facilities. Likewise, facilitating efforts to plan for and develop additional neighborhood parks, trails, and schools...

The Petitioner's proposal for the Subject Property is generally consistent with the goals of the Land Use Master Plan (2022) by providing a mix of housing types, promoting a healthy community through the provision of open space and multi-use trails, and coordinating with the City's partner agencies to provide multiuse fields and open space to be donated to the Naperville Park District (Outlots E & F) and a stormwater management area (Outlot D) to be donated to the Forest Preserve District of Will County.

DISCUSSION:

Plan Revisions Following Council Direction

On November 1, 2022, the City Council provided direction on several items related to the development including pursuance of a boundary agreement with the Village of Plainfield, redesign of the Road C and Road D intersection, whether the proposed below-market units were sufficient to support the requested deviations/variances, Pulte's contribution to fund the phase 1 engineering study for the 119th Street improvements, and whether Hawkweed Drive should remain gated during

construction of the development. The meeting minutes of this discussion are included in the attachments.

Following direction by Council, the Petitioner modified its plans. Revisions to the plans include:

- Reduction to the number of dwelling units from 401 to 397; consisting of 136 Townes units (previously 149), 56 Meadows Units (previously 54), 57 Estates Units (previously 59), and 148 Springs Units (previously 139);
- Redesign of the northern intersection of Road C and Road D to address engineering staff's safety concerns;
- Creation of a 9,760 sf outlot (outlot N) between lots 197 and 198 and a reduction of the PUD common open space from 38% to 36.82% (still in compliance with the 30% minimum);
- Reduction to the number of color palettes for the Townes series from 4 color palettes to 2 color palettes and assignment of a color scheme to each townhome building; and
- Relocation of the single family attached units to be located all on the east side of Road B (previously the single family attached units were located both on the east and west sides of Road B).

Annexation and Annexation Agreement

The Subject Property is currently located in unincorporated Will County. The Petitioner seeks to annex the property. Upon approval of annexation and the annexation agreement, the Petitioner will be required to follow the requirements stipulated in the annexation agreement. These include, but are not limited to, the following:

Sprinklers (S5.0): If the City passes an amendment to the Building, Fire or Life Safety Code which requires the installation of automatic sprinkler systems in detached single-family dwelling units, the requirement would not be applicable to the 30 restricted price units within The Springs series for a period of seven (7) years from the effective date of the Annexation Agreement.

School & Park Donations (S8.0): The school donation will be paid on a "per permit" basis. School donations will be collected by the City and distributed to the Plainfield Community Consolidated School District 202. In terms of the park donation, the petitioner will be donating a 2.2 acre parcel (Outlot F) to be utilized as a park site and a 5.82 acre outlot (Outlot E) to be utilized as multi-use fields. The petitioner will work with the Naperville Park District on an agreement to set forth the terms of the remaining donation (i.e. design, construction, timing, and payment of any remaining cash balance).

Road Improvements: Pulte will be responsible for several road improvements related to the development including:

New Book Road Improvements (S10.0): Petitioner will construct a two-lane road from the north side of the Subject Property to the south side of the Subject Property.

119th Street Road Improvements (S11.0): Petitioner will make several improvements associated with 119th Street including:

- A westbound to northbound right turn lane on 119th Street to Route 59.
- A 185' extension of the existing westbound to southbound left turn lane on 119th Street.
- Installation of left turn lanes on 119th Street adjacent to the intersections of Road B,

- Book Road and the entrance to Wolf Creek Subdivision.
- Petitioner has also agreed to an initial contribution of \$300,000.00 to fund a Phase 1 engineering study for long-term 119th Street improvements which may include potential land acquisition, road widening and bridge improvements. If the City has hired a consultant prior to the issuance of the last building permit for Polo Club, the petitioner shall pay the difference between the actual cost of the phase 1 study and the \$300,000.00 initial payment (to a maximum total contribution of \$500,000.00).

Hawkweed Drive (S12.0): The petitioner will be responsible for constructing Hawkweed Drive to the terminus of the existing Hawkweed Drive in the South Pointe Subdivision and installing an emergency gate at the terminus point. The gate shall be removed within 60 days of any of the following occurring: (1) completion of the initial development of the Polo Club; (2) completion of the long-term 119th Street improvements; or (3) five (5) years from the date of approval of the first final PUD or subdivision plat for any part of the Subject Property.

Sanitary Lift Station (S16.0): Petitioner will be required to design and construct a new sanitary lift station, force main and all associated equipment to serve Polo Club and a portion of South Pointe Subdivision. Within 90 days of the operation of the new lift station, the City shall obtain an estimate of the costs to decommission the existing lift station that services a portion of South Pointe. The petitioner will then have 35 calendar days to elect to either: (1) decommission the existing South Pointe lift station or (2) reimburse the City for the cost of decommissioning the existing South Pointe lift station.

Utility Services to Subject Property (S17.0): Petitioner investigated the potential of an amendment to the current facility planning area applicable to the Subject Property for provision of wastewater services and was advised that neither the Chicago Metropolitan Agency for Planning (CMAP) nor the Illinois Environmental Protection Agency (IEPA) are enforcing or processing amendments to facility planning areas, but encourage public bodies to reach agreement with respect to such boundaries.. The Boundary Line Agreement with the Village of Plainfield provides that neither public body will object to issuance of utility permits outside their respective planning boundaries.

Restricted Price Units (S19.0): The petitioner has agreed to restrict the initial sale of 20% of the dwelling units in The Springs (30 units) and The Townes (27 units) to a price at or below \$440,000.00. This price is based on the local Naperville Area Median Income. Petitioner may increase the restricted price by 3.7% each year beginning in 2025. These restricted price units must be sold within eighteen (18) years of the effective date of the Annexation Agreement (which has a twenty (20) year term), which allows the City time to enforce the Restricted Price provisions or to seek liquidated damages if they are not complied with. Liquidated damages are specified to be a payment of \$75,000.00 plus an additional \$25,000.00 payment for each dwelling unit short of the required number of restricted price units conveyed prior to expiration of the eighteen (18) year period.

Forest Preserve Provisions in the Annexation Agreement (S21.0): The Forest Preserve District of Will County is a party to the Annexation Agreement for the limited purpose of the provisions set forth in Section S21 of the Annexation Agreement. The Forest Preserve Provisions include:

- *S21.1 (119th Street Improvements):* The Forest Preserve District will become a partner with the City on the long-term 119th Street improvements, including granting the City a 99-year, renewable lease to allow the project to move forward.

- *S21.2 (Bicycle and Pedestrian Path)*: The petitioner will construct a bike trail and pedestrian path along Old Book Road as part of an extension of the DuPage River Trail.
- *S21.3 (Donation of Forest Preserve Outlot D)*: The petitioner will donate Outlot D (10.37 acre outlot) to the Forest Preserve District).
- *S21.4 (FPD Stormwater Review)*: The petitioner grants the Forest Preserve the right to review the final engineering plans for the Subject Property.
- *S21.5 (FPD Stormwater Review)*: The petitioner grants the Forest Preserve the right to review the final landscape plans for the Subject Property.
- *S21.6 (Access to FPD property)*: The Forest Preserve will grant access to the petitioner to Forest Preserve property to decommission the lift station. Petitioner shall obtain a Forest Preserve special use permit (administrative approval).

As a note, Section G18.6 states that consent of the Forest Preserve District is only required for amending the annexing agreement in relation to Section S21.

Rezoning

The Petitioner requests rezoning upon annexation to R2 (Single Family and Low Density Multiple-family Residence District). The proposed development provides a transition from the single-family residential and forest preserve uses to the north and east, to the more intense arterial road (119th Street) to the south, and commercial and industrial districts located further to the south and west (near Route 59 and 119th Street), by situating the single family detached homes in the north and west portions of the site and the townhomes in the southeast portion of the site. The proposed mix of single family detached and single family attached is consistent with the intent of the R2 zoning district to provide multiple-family areas of low-density character accommodating a variety of housing types. The proposal is consistent with the goals and recommendations of the Land Use Master Plan by providing a variety of housing types and thoughtful design through the coordination of partner agencies. The Petitioner's responses to the Standards for Granting a Rezoning are included in the Development Petition. Staff and the Planning and Zoning Commission are in general agreement with the Petitioner's Findings and recommends their adoption by the City Council.

Preliminary Plat of Subdivision

The Petitioner requests approval of a preliminary plat of subdivision in order to subdivide the Subject Property to allow for 397 dwelling units and associated outlots. The Petitioner is seeking approval of deviations to the minimum lot width and lot size for the Springs series lots. These deviations are further described below.

Preliminary Planned Unit Development

The Subject Property consists of approximately 110 acres that today is predominately used as sporting fields with several associated structures and gravel parking areas. The Petitioner seeks approval of a conditional use for the proposed Polo Club Preliminary PUD in order to develop the property with four different housing series including 261 single family detached homes and 136 single family attached homes for a total of 397 dwelling units.

The four different housing series are: Estates, Meadows, Springs, and Townes. Each series is described below and a site plan that identifies the location of each housing series can be found in the attachments:

Estates Series (57 Single Family Detached Dwelling Units)

The Estates series is comprised of 57 lots located in the northern portion of the property created for construction of 57 single family detached dwelling units. The lots range in size from roughly 7,920 square feet to 15,681 square feet. The Estates Series lots are the largest single family lots included within the development. These lots will be in compliance with the R2 minimum required lot area (6,000 square feet) and lot width (50'). No deviations are sought for creation of the Estates series.

Meadows Series (56 Single Family Detached Dwelling Units)

The Meadows series is comprised of 56 lots generally located in the northern portion of the property, south of the Estates series, created for construction of 56 single family detached dwelling units. The lots range in size from 6,720 square feet to 10,499 square feet, in compliance with the R2 minimum required lot area (6,000 square feet) and lot width (50'). No deviations are sought for creation of the Meadow series.

Springs Series PUD Deviations (148 Single Family Detached Dwelling Units)

The Springs series is comprised of 148 lot and are generally located in the southwest portion of the property. The Petitioner seeks approval of several deviations in order to permit the Springs series lots. The deviations are as follows:

Code Provision	Requirement	Request Deviation
Minimum Lot Size (Section 6C5:1)	6,000 square feet	4,510 square feet
Minimum Lot Width (Section 6C6:1)	50'	41'
Front Yard Setback (Section 6C7:1)	25'	20'
Interior Side Yard Setback (Section 6C7:1)	16' total for 2 side yards with each side yard a minimum of 6'	11' total for 2 side yards with each side yard a minimum of 5'
Corner Side Yard Setback (Section 6C7:1)	15'	10'
Rear Side Yard Setback (Section 6C7:1)	25'	20'
Easement Encroachment (Section 6-2-3:5.3)	No encroachment above ground level to the sky across, under or over an interior side yard drainage or utility easement from ground level to the sky	12" encroachment for the eaves

Staff is supportive of the requested deviations as the Springs series will diversify the City's housing stock. The Petitioner's responses to the Standards for Granting a PUD Deviation are included in the attachments. Staff and the Planning and Zoning Commission are in general agreement with the Petitioner's Findings and recommends adoption by the City Council.

Conditional Use for 136 Single Family Attached Dwelling Units (Townes Series)

The Townes series are generally located in the southeast portion of the property and are comprised of 136 units within 29 buildings. The number of units per building ranges from 3 units to 6 units. Each unit features front loaded 2-car garages and driveways which accommodate 2 cars. The Townes will be in compliance with the maximum permitted height of 3 stories, not to exceed 40 feet.

The R2 zoning district requires a conditional use for single family attached dwelling units. Staff is

supportive of the proposed townhome housing type finding it complements the proposed development and will diversify the housing options in south Naperville. The Petitioner's responses to the Standards for Granting a Conditional Use are included in the Development Petition. Staff and the Planning and Zoning Commission are in general agreement with the Petitioner's Findings and recommends adoption by the City Council.

Parking

The development proposes a minimum 2 parking spaces per dwelling unit provided in an enclosed garage and 2 parking spaces provided on private driveways for a total of 4 parking spaces per dwelling unit. This exceeds the code required parking of 2 parking spaces for single family detached dwelling units and 2.25 parking spaces for single family attached dwelling units. Residents also have the ability to parking on the street during the day. The on-street parking option will function as overflow parking for any additional guests visiting the site (note: overnight on-street parking is not permitted).

Open Space Improvements

The proposed Polo Club development provides approximately 27 acres of common open space, or roughly 36.82% of the Subject Property, exceeding the 30% minimum area required by City Code. The open space includes landscaped buffer areas and stormwater management ponds. A multi-use path will be constructed along the north side of 119th Street from the west property line to the east end of the property. This multi-use path will also run north-south through the development on the west of Book Road and along the northeast portion of the property within outlot D (to be dedicated to the Forest Preserve District). In addition to the provided open space, the Petitioner is also proposing two multi-use fields with associated parking and an additional open space in the center of the site (outlot F). However, these fields and outlot will be dedicated to the Naperville Park District and therefore, these cannot be counted towards the PUD open space calculation.

Landscape Plan

In addition to the required parkway trees along all public rights-of-way, the landscape plan includes a variety of landscaping to buffer, provide shade, and enhance the proposed development. Landscape buffers are provided along 119th Street and Book Road to provide screening from those roadways. The entrance to the development from 119th Street (Road B) is designed as a boulevard with landscaping proposed in the median and along the side of the roadway which leads to a landscaped roundabout. A 25' wide landscape buffer is also proposed along the north property line between the Estates Series and the neighborhood to the north.

Building Elevations and Masonry Variance

The Petitioner has submitted a building elevation packet which includes depictions of the proposed Meadows, Estates, Springs, and Townes series. The packet includes two different color palettes for the Townes Series and a plan which identifies the which color palette will be assigned to each townhome building. An anti-monotony provision has been provided for the single family detached buildings. This provision prohibits the single family detached buildings directly next door or directly across the street from having the same front elevation and/or color package as one another.

Per Section 5-2C-3 (Exterior Wall Construction), the proposed townhomes are required to provide a minimum of 50% masonry (brick and/or stone) exterior building materials. The Petitioner is seeking approval of a variance to the masonry requirements to reduce the required masonry for the townhome units to 0%. The Petitioner has indicated that each townhome unit will consist primarily of

vinyl siding and will include portions of masonry (as depicted on the submitted building elevations); however, since the proposed masonry varies between each building and the Petitioner has not committed to a minimum % masonry per building, the Petitioner is seeking a variance is to reduce the required masonry from 50% to 0% for each townhome building.

The Petitioner has stated that the masonry variance is being requested since the masonry requirement adds substantial development costs which does not support the desire to sell the 20% of the townhomes at a below market rate upon the initial sale. Additionally, the Petitioner notes the variance will help to provide consistent architecture throughout the development as the masonry requirement is not required for the single family detached units. The Petitioner also finds the vinyl siding product has improved significantly and is now a thicker and more durable product, reducing the maintenance cost once found to be necessary with the vinyl product. The Petitioner's responses to the standards for granting a variance are included in the Development Petition. Staff and the Planning and Zoning Commission are in general agreement with the Petitioner's Findings and recommends adoption by the City Council.

Monument Sign Deviations

Per the Municipal Sign Code, a total of four monument signs are permitted (maximum two per entrance) per subdivision. These signs are permitted to be a maximum size of 32 square feet and a maximum height of 6' with the exception that this sign height may be increased to 9' along an arterial roadway.

The Petitioner proposes to install four monument signs each monument sign will be 40 square feet in size. Two monument signs are proposed at the Book Road entrance and will be 8'-4" in height and two are proposed at the 119th Street entrance and will be 9'-0" in height. The Petitioner seeks deviations to increase the sign size from 32 square feet to 40 square feet and increase the sign height along Book Road from 6' to 8'-4" (note: 119th Street is considered to be a major arterial roadway therefore a deviation for the height of these signs is not required).

Staff does not have a concern with the proposed monument sign size or height and is in support of the requests. The Petitioner's responses to the Standards for Granting a PUD Deviation are included in the Development Petition. Staff and the Planning and Zoning Commission are in general agreement with the Petitioner's Findings and recommends adoption by the City Council.

Traffic Impact Study (TIS)

As part of the submittal, the Petitioner has provided a Traffic Impact Study. The City has retained Civiltech Engineering, Inc. to conduct a review of the Traffic Impact Study. Civiltech reviewed the TIS and provided feedback and the Petitioner revised the TIS in response to this feedback. The revised TIS can be found in the attachments.

Hawkweed Drive Closure

At the November 1, 2022 meeting, Council directed the Petitioner to gate the Hawkweed Drive connections for emergency vehicle access only until (a) the end of construction activity in the Polo Club development, (b) completion of the long-term improvements of 119th street, or (c) 5 years from the date of approval of the first Final PUD plat, whichever comes first. These terms have been specified in the annexation agreement. As has been done with other developments (i.e. Costco, Walmart) with similar anticipated traffic concerns, staff will collect traffic data on area streets following the opening of Hawkweed Drive. Based on actual traffic data, traffic calming measures included in

the City's toolkit can be considered if conditions exceed established typical ranges.

Temporary Use Requests

The Petitioner is requesting approval of a temporary use for approval of a marketing signage plan and for approval of continued use of the seventeen soccer fields and parking lot on the Subject Property. The temporary use approval for the marketing signage plan establishes the parameters of the sign marketing plan for the development including the total number of signs and the timeframe and would remain in place until March 7, 2030. The Petitioner has requested the City Council approve a temporary use to permit the continued use of the existing soccer fields and parking lot on the Subject Property. Upon annexation and rezoning to R2, the soccer fields and parking lot will no longer be permitted uses in the R2 District. Therefore, petitioner has requested a temporary use to allow the continued use of the fields and lot through March 7, 2028.

Waste Service Pickup Plan

All trash and recycling cans will be brought to the street by each individual unit owner for pickup by Groot Waste Management Services for all residential dwelling units (single family detached and townhome units). This approach has been approved by Groot. However, staff notes that this plan may result in many trash and recycling cans near the entrances of the townhome buildings as Groot will only service from the public streets and will not turn into the private drives of the townhomes. Staff notes that the Petitioner will be required to submit a trash plan with submittal of the Final Planned Unit Development that illustrates that there is enough space to house the containers without obstructing the drive aisles/sidewalks or damaging landscaping.

Key Takeaways

- The Petitioner requests annexation, rezoning to R2 upon annexation, preliminary plat of subdivision, a conditional use for a Preliminary PUD, a conditional use for single-family attached dwelling units (townhomes), a masonry waiver for the single-family attached dwelling units, 7 deviations for the Springs Series single family detached homes, and 2 deviations to install monument signs in order to develop a mix of 261 single family detached and 136 single family attached (townhomes) on the Subject Property.
- Staff and the Planning and Zoning Commission are supportive of the proposed use and layout of the Subject Property and finds the proposed development to be compatible with the surrounding area.

Related Files

The following agenda items are related to PZC 22-1-056:

- Pass the ordinance authorizing the execution of the Annexation Agreement (*requires six positive votes*) for Naperville Polo Club - PZC 22-1-056 (Item 2 of 10)
- Pass the ordinance annexing Naperville Polo Club - PZC 22-1-056 (Item 3 of 10)
- Pass the ordinance rezoning the Subject Property to R2 upon annexation - PZC 22-1-056 (Item 4 of 10)
- Pass the ordinance approving a preliminary/final plat of subdivision - PZC 22-1-056 (Item 5 of 10)
- Pass the ordinance approving a conditional use to establish the Preliminary PUD for Naperville Polo Club with deviations - PZC 22-1-056 (Item 6 of 10)

- Pass the ordinance approving a conditional use to permit single family attached units (townhomes) - PZC 22-1-056 (Item 7 of 10)
- Pass the ordinance approving a variance to the exterior wall construction requirements - PZC 22-1-056 (Item 8 of 10)
- Pass the ordinance approving a temporary use to establish a marketing signage plan - PZC 22-1-056 (Item 9 of 10)
- Pass the ordinance approving a temporary use for soccer/recreational fields and associated parking lot - PZC 22-1-056 (Item 10 of 10)

FISCAL IMPACT:

Upon annexation of the Naperville Polo Club property, the City may become responsible for a share of the costs to undertake certain 119th Street improvements, estimated to cost approximately \$20 million dollars.