



## Legislation Details (With Text)

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**Title:** Receive the updated staff report for Columbia Park Townes located at 26W161 Old Plank Road, PZC 16-1-174. (Item 2 of 7)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application, 2. 3.15.17 PZC Minutes, 3. Building Elevations, 4. Landscape Plan, 5. Prelim Engineering, 6. Sidewalk Exhibit, 7. Sidewalk Proposal Letter 5-25-17, 8. Exhibit A- Sidewalk Map 1, 9. Exhibit B- Proposed Crosswalk Improvements, 10. Exhibit C- Stopping Distances

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 6/20/2017 | 2    | City Council | received | Pass   |
| 6/6/2017  | 1    | City Council | received | Pass   |

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Receive the **updated** staff report for Columbia Park Townes located at 26W161 Old Plank Road, PZC 16-1-174. (Item 2 of 7)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard, AICP

**BOARD/COMMISSION REVIEW:** The Planning and Zoning Commission considered PZC 16-1-174 on March 15, 2017 and voted to recommend approval of the case (Approved, 7-1). Staff concurs.

**BACKGROUND:**

The subject property is currently zoned I-1 (Light Industrial District) in unincorporated DuPage County. The 4.7 acre property is currently improved with a single-story metal building, a two-story concrete building, and associated asphalt and gravel parking areas. Located on the south side of Plank Road, east of Columbia Street, the subject property has a common address of 26W161 Old Plank Road.

The *Plank Road Study* (2010) identified six key study Sub-Areas and designated the subject property as "Sub-Area 2". Land use goals for Sub-Area 2 included respecting the established residential neighborhood character along Plank Road and providing a transition between the railroad corridor and the surrounding residential uses. Per the *Plank Road Study* (PRS), the future land use of the subject property was identified as Medium-Density Residential. Medium-Density Residential allows for townhomes, duplexes, and single-family detached structures at a density of up to 8 units per acre. The proposed R3A zoning is compatible with this designation.

## **DISCUSSION:**

### ***Proposed Use***

The petitioner, Pulte Home Company, LLC, intends to demolish the existing structures and construct 35 single-family attached residences (townhomes). The proposed residences will be 3-story units, with an optional 4<sup>th</sup> story (with no overall height increase), and an attached two car garage. Access to the development is provided via a private drive with two entrance/exit points at Plank Road. Nine guest parking spaces are available, with four guest spaces provided off-street and five guest spaces provided on-street.

The proposal requires annexation of the subject property into the City of Naperville, rezoning of the property to R3A (Medium Density Multiple-Family Residence District) upon annexation, approval of a preliminary plat of subdivision, a variance to allow an encroachment in the required rear yard, and a variance to allow the building height to exceed 35'.

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

The petitioner requests annexation into the City of Naperville. The subject property is contiguous to property that is currently within the City of Naperville and is eligible for annexation. Upon annexation, the petitioner seeks the rezoning of the property to R3A (Medium Density Multiple-Family Residence District), which is consistent with the *PRS*. According to the Municipal Code, the intent of the R3A district is provide multiple-family areas of a medium density character accommodating a variety of housing types and compatible uses. The lot area requirements established within the R3A zoning district allow for a maximum of eight dwelling units per acre, thereby ensuring compliance with the density allowances recommended through the *PRS*.

The properties to the north of the subject property are zoned R2 (Single-Family and Low Density Multiple-Family Residence District), while those to the east and west remain unincorporated and are planned for medium-density residential. The property to the south is unincorporated and is owned by the railroad. As such, staff finds the proposed R3A zoning to be both appropriate and consistent with the surrounding properties in this area.

The petitioner has provided responses to the Standards for Granting a Rezoning. Upon review, staff is in agreement with the petitioner's Findings and recommends their adoption by the City Council.

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

In conjunction with the requested annexation and rezoning, the petitioner requests approval of a preliminary plat of subdivision for Columbia Park Townes in order to establish eight buildable lots on which the single-family attached residences will be constructed and one additional lot (Outlot A) for the private drive, common open space, and stormwater. The eight buildable lots range between 5,373 and 6,566 square feet in size; Outlot A is 144,517 square feet in size. Staff finds that the proposed preliminary plat of subdivision for Columbia Park Townes meets all technical requirements for approval.

### ***Variance for Rear Yard Setback***

Per Section 6-6D-7 (R3A: Yard Requirements), the required rear yard in the R3A district is 25'. The petitioner is requesting a variance to reduce the required rear yard to 12.7', encroaching 12.3' into the required setback. The requested variance applies only to the southwest corner of building 2. The remaining buildings comply with the rear yard setback requirement. The proposed setback variance will not have a direct impact on surrounding residential properties because the rear of subject

property abuts the railroad. The non-traditional shape of the lot also contributes to a unique condition not typically found on other properties within the zoning district. Traditional lots typically have four-sides and fairly uniform parallel property lines, which are not found on the subject property. Given these factors, staff is in support of the proposed variance.

The petitioner has provided responses to the Standards for Granting a Variance. Upon review, staff is in agreement with the petitioner's Findings and recommends their adoption by the City Council.

### **Variance for Building Height**

The petitioner also requests a variance to exceed the maximum building height of 35' in the R3A district pursuant to Section 6-6D-8 (R3A: Height Limitations/Bulk Regulations). Portions of four of the eight buildings do not meet the 35' height requirement. The proposed height variance request applies only to the side and rear elevations of buildings 2, 6, 7, and 8 as shown with a bolded line on the preliminary engineering plan. The remaining portions of the buildings and the entirety of buildings 1, 3, 4, and 5 will comply with the 35' R3A height maximum.

Per Section 6-1-6 (Definitions), height is defined as follows:

*Height of a building or structure is the vertical distance measured from a datum point established by the average of the two (2) grades along each side lot line where the front yard line meets the side lot lines to the highest point of the roof surface or parapet, in case of a flat roof; to the deck roofline of a mansard roof; and to the mean level of the underside of the rafters between the eaves and the ridge of a gable, hip or gambrel roof. When determining front yard line, variances shall not be considered.*

As noted in the above definition, height is measured using the datum point. The datum point measurement was intended for single-family residences and can be difficult to administer in single-family attached (townhome) developments. Accordingly in the case of such developments, height is measured from grade to the mid-point of the roof on all four sides of the building. On the subject property, portions of buildings 2, 6, 7, and 8 exceed the 35' height maximum due to the significant grade change on the property, thereby resulting in a unique hardship. As such, staff is in support of the requested variance due to the large grade change on the subject property.

The petitioner has provided responses to the Standards for Granting a Variance. Upon review, staff is in agreement with the petitioner's Findings and recommends their adoption by the City Council.

### **Building Elevations**

The *Plank Road Study* (2010) emphasizes respecting the established residential neighborhood character along Plank Road through the use of common residential exterior building materials and the provision of multiple projections in the building design (bay windows, pilasters, columns, piers, porches, decks, etc.). The proposed elevations use residential building materials, including brick masonry, vinyl siding, and asphalt shingles. Building projections, including a 2-story bay window, columns, and decks, are also provided. Furthermore, each unit within an overall building will project approximately 1-2' in front of/behind the adjacent unit, adding visual interest and architectural features. The petitioner has provided an additional color scheme to be used within the buildings in order to reduce monotony within the development.

Section 5-2C-3 (Exterior Wall Construction) requires that a minimum of 50% of the exterior wall construction for all single-family attached dwellings shall be constructed of solid masonry, face brick,

or manufactured concrete stone veneer. Facades fronting public or private streets shall also comply with the 50% masonry requirement. The proposed elevations, including the facades fronting both the private drive and Plank Road, meet the 50% masonry requirement as specified in the Code. Staff is supportive of the proposed building elevations.

### ***Landscape Plan***

One of the objectives of the *PRS* is to promote compatibility between adjacent developments. Compatibility can be achieved through landscape buffering and screening. The proposed landscape plan includes substantial landscaping along the Plank Road frontage, including several types of trees, as well as shrubs and perennials. Additional screening is provided by a 3' high ornamental fence along Plank Road. Staff finds the proposed landscape plan meets the objectives of the *Plank Road Study* (2010) and all technical requirements for approval.

### ***Sidewalk Connection***

Staff has requested the petitioner provide a sidewalk along both the property's Plank Road frontage and to the west along the neighboring properties through Columbia Street. Staff recommends installation of the proposed sidewalk connection as it will provide residents of the Columbia Park Townes development access to the Naperville Metra Station and Columbia Estates Park to the north.

At the June 6, 2017 City Council meeting, the petitioner's attorney, Russ Whitaker, submitted a letter and exhibits regarding possible alternatives in the event that Petitioner cannot come to an agreement with BNSF regarding the cost of obtaining a license to install sidewalk needed in order for residents of the development to safely access the train station. During the meeting, City Council had extensive discussions regarding the sidewalk options and continued the case to the June 20<sup>th</sup> City Council meeting to provide the petitioner's attorney additional time to discuss the issue with BNSF.

On June 14, 2017, after significant negotiations between Pulte and BNSF, BNSF has agreed to enter into a perpetual License for a Bicycle Path/Pedestrian Walkway on the portion of its property that is needed in order for the sidewalk from the Columbia Park Townes project to the train station to be built. The cost for the License, which will be in the City's name but paid for by Pulte, will be fourteen thousand dollars (\$14,000). The provision addressing the sidewalk in the Annexation Agreement (\$9.0) remains valid as written.

### ***Key Takeaways***

- The petitioner seeks to construct 35 single-family attached residences. The property will be subdivided into eight buildable lots on which the residences will be constructed and one outlot for the private drive, common open space, and stormwater.
- The petitioner is requesting approval of annexation in the City of Naperville, rezoning to R3A, a preliminary plat of subdivision, variances to allow an encroachment in the required rear yard setback, and to exceed the maximum building height of 35'.
- Staff supports the requests given their alignment with the intent of the *Plank Road Study* (2010), the intent of the R3A (Medium Density Multiple-Family Residence) District, and the standards for granting variances.

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

The Planning and Zoning Commission opened the public hearing to consider PZC 16-1-174 on March 15, 2017. Russ Whitaker, attorney with Rosanova & Whitaker, spoke on behalf of the

petitioner. Two members of the public spoke regarding traffic and density. Commissioners Crawford, Hansen, Hastings, and Martinez voiced concern with the appearance of the façades along Plank Road.

The Commission closed the public hearing and voted to recommend approval of PZC 16-1-174 (Approved, 7-1). Commissioner Crawford cast the dissenting vote stating concerns with the density, the setback along Plank Road, and the building elevation along the Plank Road frontage. Staff concurs with the Planning and Zoning Commission's recommendation.

### ***Related Agenda Items***

The following six agenda items are related to the Columbia Park Townes case:

- Conduct the public hearing to consider the Annexation Agreement for the Subject Property located at 26W161 Old Plank Road.
- An ordinance authorizing execution of the Annexation Agreement.
- An ordinance annexing the Subject Property located at 26W161 Old Plank Road.
- An ordinance rezoning the Subject Property to R3A (Medium Density Multiple-Family Residence District) upon annexation.
- An ordinance approving the Preliminary Plat of Subdivision for Columbia Park Townes.
- An ordinance approving variances from 6-6D-7 (R3A: Yard Requirements) and 6-6D-8 (R3A: Height Limitations/Bulk Regulations) relating to setback and height requirements.

### **FISCAL IMPACT:**

N/A