



Legislation Details (With Text)

File #: 17-623 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/7/2017 **In control:** City Council

On agenda: 8/15/2017 **Final action:** 8/15/2017

Title: Pass the Ordinance Approving the Final Plat of Subdivision, the Owner's Acknowledgement & Acceptance (OAA), and a Deviation to Section 7-3-5:5 (Dedication of Park Lands and School Sites) for Columbia Park Townes Subdivision Located at 26W161 Old Plank Road, PZC 17-1-061.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Columbia Park Townes - Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Final Plat, 4. Exhibit C - Findings of Fact, 5. Exhibit D - OAA, 6. Exhibit E - Final Landscape, 7. Application, 8. Location Map

Date	Ver.	Action By	Action	Result
8/15/2017	1	City Council	passed	

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the Ordinance Approving the Final Plat of Subdivision, the Owner's Acknowledgement & Acceptance (OAA), and a Deviation to Section 7-3-5:5 (Dedication of Park Lands and School Sites) for Columbia Park Townes Subdivision Located at 26W161 Old Plank Road, PZC 17-1-061.

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Erin Venard

BOARD/COMMISSION REVIEW:

Not Required.

BACKGROUND:

The petitioner, Pulte Home Company, LLC, requests approval of a Final Plat of Subdivision, the Owner's Acknowledgment and Acceptance (OAA), and a deviation to Section 7-3-5:5 (Dedication of Park Lands and School Sites) in order to subdivide the subject property into eight buildable lots and one outlot to construct 35 single-family attached residences. 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) identifies the future land use of the subject property as Medium-Density Residential; the project is compatible with this designation.

DISCUSSION:

On June 20, 2017, the subject property was annexed into the City per Ordinances 17-091 and 17-

092. In conjunction with the annexation, the property was rezoned to R3A (Medium Density Multiple-Family Residence District) and granted variances for the height of buildings 2, 6, 7, and 8, and the rear yard setback of building 2 per Ordinances 17-093 and 17-095. A Preliminary Plat of Subdivision was also approved per Ordinance 17-094. The petitioner now requests approval of the Final Plat of Subdivision for Columbia Park Townes.

Per Section 7-2-2:5 (Subdivision Plat Procedures: Review) of the Naperville Municipal Code, a request for a Final Subdivision Plat in which no zoning variances are required is sent directly to City Council for review and approval. The Final Plat of Subdivision is consistent with the approved Preliminary Subdivision Plat. Staff finds that the requested Final Plat of Subdivision for Columbia Park Townes meets all of the City's technical requirements and therefore recommends approval.

School/Park Deviation

The petitioner is seeking City Council consideration of a deviation from Section 7-3-5 of the Naperville Municipal Code with respect to the timing of payment for required school and park donations for the Columbia Park Townes Subdivision (note: PZC review of this request is not required). Specifically, the petitioner is requesting payment of said donations prior to issuance of each building permit, rather than a lump sum payment which would be due to the City prior to recording of the subdivision plat for the development (as currently required by code). The petitioner's deviation request is consistent with the City's pending text amendment (PZC 16-1-032) and is therefore supported by staff.

Owner's Acknowledgement and Acceptance

An Owner's Acknowledgement & Acceptance agreement has been referenced within the ordinance approving the Final Plat of Subdivision. Within the OAA, specific provisions are included regarding the petitioner's required school and park donations, which are based on 35 3-bedroom attached units as required per Section 7-3-5 (Dedication Of Park Lands and School Sites Or For Payments Or Fees In Lieu Of) of the Municipal Code. The OAA has been prepared in a manner consistent with the requested school/park deviation noted above (i.e., donation shall be paid prior to issuance of each building permit). Should City Council not approve the requested deviation, staff should be directed to amend the proposed ordinance and OAA prior to recording.

The OAA also includes conditions relating to the Plank Road sidewalk. The petitioner has agreed to install public sidewalk across the Plank Road frontage, as well as on the south side of Plank Road west from the subject property to Columbia Street (off-site sidewalk) at their sole cost. The City does not have right-of-way for the off-site sidewalk. The petitioner has agreed to obtain legal rights to install the off-site sidewalk and transfer said rights to the City after the sidewalk installation is completed. The sidewalk installation shall be completed prior to the issuance of final occupancy or three years after annexation, whichever occurs first.

Key Takeaways

- The petitioner requests approval of the Final Plat of Subdivision, the Owner's Acknowledgement and Acceptance (OAA), and a deviation to Section 7-3-5:5 (Dedication of Park Lands and School Sites) for Columbia Park Townes Subdivision.
- The Final Plat of Subdivision is consistent with the approved Preliminary Plat of Subdivision and staff recommends approval.

FISCAL IMPACT:

N/A

