



## Legislation Details (With Text)

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**File created:** 1/18/2018 **In control:** City Council  
**On agenda:** 3/6/2018 **Final action:** 3/6/2018  
**Title:** Receive the staff report for Clow Creek Farm Addition (PZC 17-1-129) located near the southwest corner of 103rd Street and Book Road (Item 1 of 8)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Clow Creek Farm Subdivision Petition, 2. Development Petition, 3. Existing Conditions Floodplain Analysis, 4. NHPA Approval, 5. Trip Generation Memo

Date	Ver.	Action By	Action	Result
3/6/2018	1	City Council	received	Pass

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Receive the staff report for Clow Creek Farm Addition (PZC 17-1-129) located near the southwest corner of 103<sup>rd</sup> Street and Book Road (Item 1 of 8)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered this matter on January 17, 2018 and voted to recommend approval of the request (Approved 9-0). Staff concurs.

**BACKGROUND:**

The subject property consists of approximately 31.5 acres at the southwest corner of Book Road and 103<sup>rd</sup> Street. Clow Creek Farm currently operates on the site, and the petitioner proposes developing the property with 61 single family homes. The Southwest Community Area Plan (2002) identifies the future land use of the property as "Low Density Residential". Staff finds the proposed development to be compatible with this designation.

**DISCUSSION:**

***Annexation and Rezoning***

The subject property is contiguous to City of Naperville's municipal boundary and therefore is eligible for annexation. Upon annexation, the petitioner is seeking to rezone the subject property to R1A (Low Density Single-Family Residence District) and develop the property with single family homes. The adjacent properties to the west and south are zoned R1A with conditional uses for Planned Unit Developments. According to the Municipal Code, it is the intent of the R1A district to provide single-family areas of a low density character with lots containing a minimum of 10,000 square feet. Staff

finds the proposed zoning for the subject property to be consistent with properties in the surrounding area and the Southwest Community Area Plan (2002); and, consequently supports the petitioner's request for rezoning to R1A.

#### *Findings of Fact*

The petitioner's responses to the Standards for Rezoning, as well as additional information regarding the proposed development, can be found in the attachments. Upon review, the Planning and Zoning Commission and staff are in agreement with the petitioner's Findings and recommend their adoption by City Council.

#### ***Revocation of the Clow Creek Farm PUD Relating to the Subject Property***

The majority of the subject property is currently unincorporated; however, there is a portion of the subject property stretching along the creek that functions as a service/utility corridor that was annexed into the City in 1992. This corridor was annexed to assist in providing services and contiguity to surrounding developments. It was zoned R1A PUD in 1994, when a Preliminary PUD and Subdivision Plat for Clow Creek Farm was approved; however, it was not included in the Final Subdivision Plat and Final PUD Plat for Clow Creek Farm - Units 1 or 2. The petitioner is seeking to revoke the original Clow Creek Farm PUD as it relates to this incorporated piece, allowing the land to be governed by new ordinances pertaining to the Clow Creek Farm Addition.

The Clow Creek Farm PUD did not provide for any further rights or obligations on the subject property, and the subject property does not function as a dedicated open space area for the original PUD. As such, the existing PUD is rendered obsolete as it relates to the subject property.

The petitioner's request meets the required conditions of Section 6-4-8 (Effective Period of Planned Unit Development) of the Municipal Code for revocation of the Clow Creek Farm PUD as it relates to the subject property, and does not impact the remaining properties within the original PUD. Staff finds the proposed revocation appropriate and is supportive of the request.

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

In conjunction with the rezoning and establishment of the Clow Creek Farm Addition PUD, the petitioner requests approval of a preliminary plat of subdivision. The proposed subdivision contains sixty two lots, sixty one of which are planned for the development of single-family detached dwellings. Lot 62 will provide stormwater management for the overall development.

Subject to City Council's approval of the petitioner's requested PUD deviations, staff finds that the proposed preliminary plat of subdivision for Clow Creek Farm Addition meets all other technical requirements for approval.

#### ***Conditional Use to Establish a Planned Unit Development (PUD) & Preliminary PUD Plat***

The Municipal Code identifies that the objective of a PUD is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable zoning regulations. A PUD is intended to permit and encourage flexibility so long as the design criteria identified in Section 6-4-3 (Planned Unit Developments/Design Standards and Criteria) of the Municipal Code are met. The proposed development will accommodate sixty one single-family homes with ranging lot sizes, while maintaining the creek and wetlands that currently extend across the subject property. Staff believes that the proposed subdivision layout and open space areas satisfy the intent of the City's PUD standards.

### *Common Open Space*

Section 6-4-3:3 of the Municipal Code requires that PUDs with single-family detached residential uses provide outdoor common areas covering a minimum of 25% of the site. The proposed site layout provides approximately 7.83 acres of common open space area, which is equivalent to 25% of the total lot coverage. These open space areas include bench seating and a six foot wide trail that extends through the detention areas and connects to the sidewalks along Book Road and 103<sup>rd</sup> Street. The petitioner has also identified a Clow Family Memorial Plaque to be installed along the property's Book Road frontage to memorialize the historic significance the Clow family and farm had within the City.

### *Findings of Fact*

The petitioner's responses to the Standards for Granting or Amending a Planned Unit Development can be found in the attachments. Upon review, the Planning and Zoning Commission and staff are in agreement with the petitioner's Findings and recommend their adoption by City Council.

### ***Requested PUD Deviations***

- ***Reduction in Required Interior Side Yard Setback:*** The petitioner has requested a deviation to Section 6-6A-7 of the Naperville Municipal Code to allow for a reduced interior side yard setback throughout the proposed development. The proposed deviation would reduce the required interior side yard setback from 20 feet total with a minimum of an 8 foot interior side yard, to 16 feet total with a minimum of an 8 foot interior side yard. Staff is supportive of the requested deviation, noting that smaller lots within the adjacent Clow Creek Farm - Unit 2 were developed with reduced interior side yard setbacks and that the curvature of the proposed roads within the Clow Creek Farm Addition causes the larger lots to have narrower frontages that would benefit from reduced setbacks.

### *Findings of Fact*

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, the Planning and Zoning Commission and staff are in agreement with the petitioner's Findings and recommend their adoption by City Council.

- ***Reduction in Required Lot Area for two lots:*** Section 6-6A-5 of the Municipal Code identifies that there shall be a minimum lot area of 10,000 square feet for single-family detached dwellings in the R1A zoning district. The petitioner requests approval of a deviation to allow two of the proposed sixty one lots to be less than 10,000 square feet. One would total 9,500 square feet and one would be 9,529 square feet in size. Staff notes that the average lot size in the development is 12,505 square feet, and that proposed lot sizes exceed the requirements of the City's Ninety Percent Rule. The Ninety Percent Rule would require lots within the Clow Creek Farm Addition to be 9,060 square feet in size; therefore, staff is in support of the requested deviation.

### *Findings of Fact*

The petitioner's responses to the Standards for Approving a PUD Deviation can be found in the attachments. Upon review, the Planning and Zoning Commission and staff are in agreement with the petitioner's Findings and recommend their adoption by City Council.

### ***Landscape Plan***

The proposed landscape plan includes approximately 7.83 acres of common open space area, which has been enhanced with a recreational trail and landscaping. As required per the City's Landscaping and Screening Ordinance, new parkway trees are proposed where appropriate throughout the public rights-of-way; and, the petitioner is providing additional trees throughout the detention areas. Staff supports the landscape plan as proposed and finds that it exceeds the requirements of the City's Landscaping and Screening Ordinance.

### ***Planning & Zoning Commission Action***

The Planning and Zoning Commission considered this matter at their meeting on January 17, 2018. Two members of the public provided testimony and identified general support for the project. The President of the Clow Creek HOA voiced support for the Petitioner's proposal and felt that the project would enhance the area. The second speaker questioned impacts the project would have on Book Road and what was planned for the wetland area on the east side of the development. Following limited comments, the Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-129 (approved 9-0). Staff concurs with the Planning and Zoning Commission's recommendation.

### ***Key Takeaways***

- The petitioner is requesting annexation of a portion of the subject property into the City of Naperville, and rezoning to R1A (Low Density Single-Family Residence District) upon annexation.
- The petitioner is requesting revocation of the original Clow Creek Farm PUD as it relates to the incorporated portion of the subject property, and approval of the Clow Creek Farm Addition PUD, with deviations to the R1A district's required minimum lot size and interior side yard setbacks. Staff finds each of these requests meet the required standards.
- Staff is supportive of the proposed use and layout of the subject property. The proposed development is consistent with the City's Comprehensive Plan and includes amenities that exceed Code requirements.

### ***Related Files***

The following agenda items are related to Clow Creek Farm Addition, PZC 17-1-129:

- Conduct a public hearing to consider the Annexation Agreement for a portion of the Clow Creek Farm Addition (Item 2 of 8)
- Authorizing execution of the Annexation Agreement (Item 3 of 8);
- Annexation of a portion of the Subject Property (Item 4 of 8);
- Rezoning to R1A (Low Density Single-family Residence District) (Item 5 of 8);
- Revoking the Clow Creek Farm PUD as it relates to the Subject Property (Item 6 of 8); and
- Preliminary Subdivision Plat (Item 7 of 8); and,
- Conditional use for a Planned Unit Development and a Preliminary Planned Unit Development Plat with deviations to Sections 6-6A-5 and 6-6A-7 of the Municipal Code (Item 8 of 8).

**FISCAL IMPACT:** N/A