



## Legislation Details (With Text)

**File #:** 18-188B **Version:** 1  
**Type:** Ordinance **Status:** Failed  
**File created:** 3/8/2018 **In control:** City Council  
**On agenda:** 4/17/2018 **Final action:**  
**Title:** Pass the ordinance approving a major change to the resubdivision of Lot 11 of Naperville Crossings PUD, a conditional use for an automobile repair facility, and a preliminary/final PUD plat on the property located at 3136 Anna Marie Lane (Christian Brothers Automotive Corporation) - PZC 17-1-143

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CBAC - Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - PreliminaryFinal PUD, 4. Exhibit C - Findings of Fact, 5. Exhibit D - Site Layout Plan, 6. Exhibit E - Elevations, 7. Exhibit F- Landscape Plan, 8. Photometric Plan, 9. Development Petition, 10. Location Map, 11. Naperville Crossing Vacant Lots, 12. Public Comment, 13. 3.7.18 PZC minutes, 14. Survey\_3.7.18, 15. HOA Meeting Attendees\_1.31.2018, 16. CBA Naperville - View A\_FINAL, 17. CBA Naperville - View B\_FINAL, 18. CBA Naperville - View C\_FINAL, 19. CBA Naperville - View D\_FINAL

Date	Ver.	Action By	Action	Result
4/17/2018	1	City Council	denied	Fail

### CITY COUNCIL AGENDA ITEM

#### ACTION REQUESTED:

Pass the ordinance approving a major change to the resubdivision of Lot 11 of Naperville Crossings PUD, a conditional use for an automobile repair facility, and a preliminary/final PUD plat on the property located at 3136 Anna Marie Lane (Christian Brothers Automotive Corporation) - PZC 17-1-143

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard, AICP

#### BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on March 7, 2018 and voted to recommend approval of the request (Approved, 5-3). Staff concurs.

#### BACKGROUND:

The petitioner, Christian Brothers Automotive Corporation, is requesting approval of major change to a planned unit development (PUD) in order to permit an automobile repair facility. The petitioner intends to construct a 5,500-square foot automobile repair facility with 10 service bays on the subject property.

The subject property was originally developed in 2004 as Lot 11 of the Naperville Crossings Planned Unit Development. In 2015, the property was resubdivided into Lot 23 as a part of the development

of Andy's Frozen Custard. Located on the north side of 95<sup>th</sup> Street, west of Reflection Drive, the subject property has a common street address of 3136 Anna Marie Lane. The 0.92 acre property is currently vacant and is zoned B2 PUD (Community Shopping Center District - Planned Unit Development). The Southwest Community Area Plan (2002) identifies the future land use of the subject property as mixed use commercial retail/office; the proposed development is compatible with this designation.

## **DISCUSSION:**

### ***Conditional Use & Major Change to PUD***

As noted above the subject property is part of the Naperville Crossings Planned Unit Development (PUD). The petitioner is requesting a conditional use to permit an automobile repair facility in B2 per [Section 6-7B-3 \(B2 District: Conditional Uses\)](#)

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to construct a 5,500 square foot automobile repair facility that processes typical car repairs including oil changes, alignment, suspension, and other minor repairs. The facility has 10 overhead service doors which are oriented to the east and west. Access to the property is provided via a full access point on Anna Marie Lane and via a cross access point to the Andy's Frozen Custard property to the east. Per Code, 25 parking spaces are required and 33 parking spaces are provided.

Per [Section 6-4-6:1 \(Changes to Final Planned Unit Development: Major Change\)](#)

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>, the conditional use request requires approval of a major change to the PUD. The 75-acre Naperville Crossings site was one of the 15 key sites identified during the planning process of the Southwest Community Area Plan (2002). One of the goals of the Plan is to create "a distinctive Southwest Community Area image and a range of features and gathering places that define the area and complement greater Naperville". The subject property (Lot 23) was originally designated as a single retail building and associated parking per the preliminary PUD plat for Naperville Crossing approved per Ord. 05-165. The proposed automobile repair facility, a service use, represents a departure from the PUD approved use. The subject property has remained vacant since the approval of the PUD in 2004. Other vacant lots in the PUD include Lot 9 (3.2 acres), Lot 10 (1.6 acres), and Lot 21 (formerly part of Lot 8, 2.1 acres). These properties have remained undeveloped since the approval of Naperville Crossings in 2004.

Given that the subject property has been vacant for nearly 15 years, staff finds it is appropriate to deviate from the original use (single retail building) envisioned by the PUD approval. Staff finds the proposed automotive repair facility use is appropriate for the commercial and service character of 95<sup>th</sup> Street; staff finds that a more traditional retail use may be difficult on this lot due to its limited visibility from Route 59. Staff also finds the proposed facility is compatible with and will enhance the blend of existing uses within the PUD, allowing customers to dine and shop while waiting for their cars to be serviced. As such, staff is in support of the request for a major change to the PUD, subject to the recommended conditions included below. The petitioner's responses to the standards for amending a PUD and the standards for granting a conditional use are attached. Upon review, staff is in agreement with the petitioner's findings and recommends their adoption by City Council.

### ***Building Elevations***

The proposed Christian Brothers building is consistent with the existing design theme for Naperville Crossings with respect to the following:

- The proposed facade primarily consists of brick with a limestone veneer knee wall that wraps

the building.

- The building colors match the colors featured in the existing buildings within the Naperville Crossings PUD.
- The building incorporates four sided architecture and features elements such as ornamental brick, a knee wall, decorative lighting, and multi-paned windows.
- The overhead service doors face east and west (as opposed to facing 95<sup>th</sup> Street). Each overhead door is surrounded by a brick soldier course and the color of the door is consistent with the color scheme of the building.

The proposed building features a residential look with a pitched roof not typically seen in the development. Staff finds that the location of the store along 95<sup>th</sup> Street is separate from the activity center of the PUD (i.e., along Showplace Drive and Cantore Road in front of the Showplace Theatre) and is not located along the primary retail frontage of Route 59. As such, staff finds that some deviation from the traditional design theme of Naperville Crossings is acceptable.

### ***Performance Standards***

The petitioner is required to meet the performance standards set forth in [Title 6, Section 14 \(Performance Standards\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH14PEST) <[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH14PEST](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH14PEST)> of the Municipal Code regarding both exterior lighting and noise.

The petitioner has submitted a photometric plan which demonstrates compliance with the City's exterior lighting standards contained in Section 6-14-4:3 (Performance Standards: Exterior Lighting). The petitioner has also submitted noise data from similar stores which indicates the proposed store will maintain a decibel level below the commercial maximum of 62dB permitted by Section 6-14-4:1 (Performance Standards: Noise). It is important to note that the hours of the proposed store are Monday through Friday from 7am to 7pm with Saturday hours during the first 180 days of the store opening.

As submitted to the Planning and Zoning Commission, staff recommended a condition that the overhead doors remain closed during business operations, so as to minimize resulting noise impacts. However, during the meeting, the petitioner indicated that this is not feasible given the lack of central air conditioning within the work bays. As an alternative, the petitioner recommended a condition that screens, which can be lowered during work hours, be added in the overhead door area (as reflected on the revised elevations); these screens will also have the benefit of limiting visibility into the work space from the adjacent roadway. In addition to the screens, the petitioner has added more landscaping and screening along the eastern property line to provide enhanced buffering. Staff finds the amended conditions appropriate.

### ***Recommended Conditions of Approval***

Staff recommends approval of the requested conditional use subject to the following conditions (to be included in the ordinance):

- The approved conditional use shall be limited to the Christian Brothers Automotive Corporation. Should Christian Brothers vacate the building and a new automotive repair facility seek to occupy the building, a new conditional use will be required to be processed and will be evaluated based on the specifics of the use proposed at that time.
- The petitioner shall provide overhead screens that will be lowered upon the opening of the overhead service doors.
- The noise level of 62dB as measured at the property line shall not be exceeded. Should the

noise exceed the limit of 62dB as measured at the property line, the petitioner shall take additional measures, such as landscaping, screening, or modified service offerings, to ensure that noise levels fall within the acceptable limits.

- There shall be no outside storage of materials or equipment at the subject property.

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

The Planning and Zoning Commission opened the public hearing to consider PZC 17-1-143 on March 7, 2018. Jonathan Wakefield with Christian Brothers Automotive Corporation, spoke on behalf of the petitioner. Four members of the public provided testimony on the case. Two individuals provided comments in opposition to the project. The remaining members of the public commented on the landscape plan (note: the petitioner has further varied the tree mix based on comments received) and provided clarification on a previous project before the PZC (Bridgestone Tires).

The Planning and Zoning Commission discussed the original design and purpose of the Naperville Crossings Planned Unit Development and the fit of the proposed use. The Planning and Zoning Commission closed the public hearing and voted to recommend approval of PZC 17-1-143 (Approved, 5-3). Chairwoman Martinez, Commissioner Bansal and Commissioner Williams cast the dissenting votes, finding that the proposed use was not in alignment with the original intent of the Naperville Crossings PUD. Staff concurs with the Planning and Zoning Commission's recommendation.

### ***Key Takeaways***

- The petitioner is requesting a major change to amend the Naperville Crossings Planned Unit Development to grant a conditional use to permit an automobile repair facility.
- Staff finds the proposed automobile repair facility use is complimentary to the existing PUD and is appropriate for the commercial and service character of the 95<sup>th</sup> Street.
- Staff is in support of PZC 17-1-143, subject to the conditions noted above.

### **FISCAL IMPACT:**

N/A