



## Legislation Details (With Text)

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**File #:** 18-461      **Version:** 1

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 5/29/2018      **In control:** City Council

**On agenda:** 6/5/2018      **Final action:**

**Title:** Receive the staff report for the Naperville IPT Subdivision (IPT Industrial Building) - PZC 18-1-025 (Item 1 of 4)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application

Date	Ver.	Action By	Action	Result
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### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Receive the staff report for the Naperville IPT Subdivision (IPT Industrial Building) - PZC 18-1-025 (Item 1 of 4)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

#### **BOARD/COMMISSION REVIEW:**

N/A

#### **BACKGROUND:**

The subject property is located south of North Aurora Road, north of the Burlington Northern & Santa Fe Railroad, east of the Canadian National Railway and approximately two hundred and fifty feet (250') west of Frontenac Court. The property is currently owned by the City, vacant and consists of 21.622 acres in the City's I Industrial District. The petition seeks to subdivide the subject property into two lots, and transfer ownership of Lot 1 in the Naperville IPT Subdivision to the developer through a purchase and sale agreement. Lot 2 in the Naperville IPT Subdivision will remain under City ownership.

#### **DISCUSSION:**

##### **Zoning Considerations**

The request for approval of a preliminary/final plat of subdivision is being made to subdivide the subject property into two lots in the I zoning district. Lot 1 is proposed to be 357,192 square feet (8.2 acres) in size, while Lot 2 will consist of 584,671 square feet (13.42 acres). The remaining 0.378 acres will be dedicated to the City for North Aurora Road right-of-way.

Both Lot 1 and Lot 2 of the proposed subdivision meet the Industrial District's required minimum lot width and lot area. Future development on the proposed lots will be subject to the requirements of [Section 6-8C \(I Industrial District\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH8INDI_ARTCIINDI_6-8C-1IN) of the Municipal Code. Staff finds the proposed preliminary/final plat of subdivision meets all technical requirements for approval.

## **OAA**

An Owner's Acknowledgement & Acceptance Agreement is attached to the ordinance approving the Preliminary/Final Plat of Subdivision. Within the OAA, specific provisions are included regarding the City's and the petitioner's obligations for road construction of the Frontenac Court extension, along with commitments for construction timing and maintenance. Also included is the petitioner's requirement to pay a sidewalk fee-in-lieu of actual installation in the amount of \$18,346.77 to the City for future sidewalk along North Aurora Road, which will provide funds for such sidewalk installation upon completion of the North Aurora Road street improvements.

## **Easement Agreement**

Upon subdivision of the subject property, and closing as provided in the Purchase and Sale Agreement, IPT Naperville DC LLC (the "developer") will own Lot 1 and the City will retain ownership of Lot 2. Due to the lot configurations, there are associated easements that will be granted to the developer and to the City through the attached Easement Agreement. The specific easements are as follows:

- Storm Water Discharge Facilities easement (located on Lot 2): Granted to the developer by the City to allow a private storm water discharge pipe to be located on Lot 2 (City property).
- Pump Station Access easement (located on Lot 1): Granted to the City by the developer to allow City access on Lot 1 to access a future pump station along North Aurora Road.
- Lot 2 Access easement (located on Lot 1): Granted to the City by the developer to allow access from the termination of Frontenac Court right-of-way to Lot 2.

The Easement Agreement establishes the rights and obligations of the City and developer as to each easement granted.

## **Purchase & Sale Agreement**

On March 21, 2017, City Council approved Resolution 17-015 declaring the subject property as surplus and no longer necessary, appropriate, or required for the use of the City. The subject property was dually posted for sale, and IPT is the highest bidder. The Purchase and Sale Agreement provides for the subject property to be conveyed to the developer for \$2,150,000 which is higher than the appraised value of \$1,900,000.00. The City is exercising its home rule authority in entering into this agreement.

## **Related Files**

The following agenda items are related to PZC 18-1-025:

- Pass the ordinance approving the preliminary/final plat of subdivision for the Naperville IPT Subdivision (IPT Industrial Building) - PZC 18-1-025 (Item 2 of 4)
- Pass the Resolution Approving an Easement Agreement with IPT - PZC 18-1-025 (Item 3 of 4)
- Pass the Resolution Approving a Purchase and Sale Agreement with IPT - PZC 18-1-025 (Item 4 of 4)

**FISCAL IMPACT:**

IPT Naperville DC LLC is required to pay the City \$2,150,000.00 for the purchase of the subject property.