



## Legislation Details (With Text)

**File #:** 18-1114      **Version:** 1

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 12/12/2018      **In control:** Planning and Zoning Commission

**On agenda:** 12/19/2018      **Final action:**

**Title:** Conduct the public hearing to consider a major change to the Naperville Crossings Planned Unit Development in order to rezone Lots 9 and 21 from B2 (Community Shopping Center District) to R3 (Medium Density Multiple Family Residence District) for the subject property located north of Anna Marie Lane and west of Showplace Drive (PZC 18-1-103)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Petition for Development Approval, 2. Findings of Fact, 3. Legal Description, 4. Location Map, 5. Overall Site Map

Date	Ver.	Action By	Action	Result
12/19/2018	1	Planning and Zoning Commission	accept	Pass

### PLANNING AND ZONING COMMISSION AGENDA ITEM

**ACTION REQUESTED:**

Conduct the public hearing to consider a major change to the Naperville Crossings Planned Unit Development in order to rezone Lots 9 and 21 from B2 (Community Shopping Center District) to R3 (Medium Density Multiple Family Residence District) for the subject property located north of Anna Marie Lane and west of Showplace Drive (PZC 18-1-103)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 18-1-103 was published in the Naperville Sun on December 2, 2018.

**BACKGROUND:**

The petitioner, First National Bank of Brookfield c/o Jan L. Schultz, is requesting to rezone Lots 9 and 21 in Naperville Crossings from B2 (Community Shopping Center District) to R3 (Medium Density Multiple Family Residence District). The request represents a change in the designation of land use identified in the approved PUD and therefore requires a major change to the PUD per Section 6-4-6:1 (Planned Unit Developments: Changes to a Final PUD).

The subject property is located at north of Anna Marie Lane, west of Showplace Drive and is commonly known as Lots 9 and 21 of Naperville Crossings. Lot 9 is 3.2 acres in size and Lot 21 is 2.1 acres in size. The subject property is currently unimproved and is zoned B2 (Community Shopping Center District). The Southwest Community Area Plan (2002) identifies the future land use

of the subject property as “mixed use commercial retail/office”.

### **DISCUSSION:**

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 was to create “a distinctive Southwest Community Area image and a range of features and gathering places that define the area and complement greater Naperville”. Approximately 45 acres of the Naperville Crossings PUD’s frontage along Route 59 was designated as “Mixed Use Commercial - Retail/Office” and zoned B2, while the rear 30 acres was designated as “Medium Density Residential” and zoned R3. The subject property is part of the commercial frontage identified in the Plan, which together with the other large commercial areas along the Route 59 Corridor, was intended to provide retail, restaurant, and entertainment uses to serve the Southwest Community Area, the City of Naperville, and beyond.

While the majority of the property on the northside of the project has developed, including the designated residential lots and those along the Route 59 commercial corridor, several lots on the southside of the project have remain undeveloped since the approval of the PUD in 2004. This includes Lot 9 (3.2 acres), Lot 10 (1.6 acres), Lot 21 (2.1 acres), and Lot 23 (0.92 acres). Lot 9, located at the northeast corner of Anna Marie Lane and Reflection Drive, was originally envisioned to be developed with two four-story buildings with retail uses on the first floor and offices on the upper floors. Lot 21, created from a subdivision of Lot 8 and located at the northwest corner of Anna Marie Lane and Reflection Drive, was originally planned for a parking structure to serve the PUD. (In 2011 Lot 8 was subdivided into Lots 20 and 21; Lot 20 is currently the home of the Primrose School.)

In 2014, City Council denied a request to rezone Lot 9 from B2 (Community Shopping Center District) to R3 (Medium Density Multi-Family District) to approve a conditional use for a nursing home known as The Solana. Council found the proposed nursing home did not fit within the Naperville Crossing Design Guidelines or within the context of the surrounding businesses. To date, there have not been any development proposals for Lot 21. Given that the subject property has been vacant and underutilized for nearly 15 years, it is necessary for both developers and the City to take a fresh look at the possibilities for the PUD. As has been the case with the lots along 95<sup>th</sup> Street (i.e. Andy’s Frozen Custard on Lot 24), it is likely that the build-out of the remaining parcels in Naperville Crossings will occur on a lot-by-lot basis in accordance with the general intent, but not the specific site plan, for the PUD.

As such, the petitioner requests rezoning of the property from B2 (Community Shopping Center District) to R3 (Medium Density Multiple Family Residence District). The intent of the R3 District is to provide multiple-family areas of a medium density character accommodating a variety of housing types and compatible uses. The requested R3 zoning is consistent with other properties in the PUD (Tapestry at Naperville Crossings). While the Southwest Community Area Plan identifies the future land use of the property as “Mixed Use Commercial - Retail/Office”, it is important to note that this designation has proven itself unproductive in the marketplace.

As noted above, the subject property has remained undeveloped for nearly 15 years with few development proposals. Additionally, the subject property is located interior to the site and lacks visibility from either 95<sup>th</sup> Street or Route 59, making commercial development less viable. Given these reasons, staff finds it is appropriate to deviate from the original uses (mixed use buildings and a parking structure) as envisioned by the PUD approval. The petitioner’s responses to the standards for granting a major change and the standards for granting a rezoning are attached. Staff is in

general agreement with the petitioner's findings and recommends adoption by the Planning and Zoning Commission.

The petitioner is not proposing any development plans for the subject property at this time. If the City Council approves the requested rezoning of Lots 9 & 21 to R3, any development proposed on said lots will require a major change to the Naperville Crossings PUD per Section 6-4-6 (Planned Unit Developments: Changes to a Final Planned Unit Development) in order to establish a controlling site plan, landscape plan, and building elevations. A major change to the PUD will require a public hearing before the Planning and Zoning Commission with public notice provided. Following a recommendation by the Planning and Zoning Commission, the case will be considered by the City Council. Construction cannot commence on these properties until the above approvals are issued.

***Key Takeaways***

- The petitioner requests approval of a major change to the Naperville Crossings Planned Unit Development in order to rezone Lots 9 and 21 from B2 (Community Shopping Center District) to R3 (Medium Density Multiple Family Residence District).
- Staff is supportive of the request given the location of the lots and the continued lack of development on the lots.