



## Legislation Details (With Text)

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**Title:** Receive the staff report for KLA Schools located at 5S241 and 5S255 Tuthill Road - PZC 18-1-101 (Item 2 of 7)

**Sponsors:**

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**Attachments:** 1. Petitioner's Letter, 2. Development Petition, 3. Disclosure of Beneficiaries, 4. News Article, 5. Recommendation 1, 6. Recommendation 2, 7. Recommendation 3, 8. Recommendation 4, 9. Trip Generation Estimates

Date	Ver.	Action By	Action	Result
1/15/2019	1	City Council	received	Pass

### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Receive the staff report for KLA Schools located at 5S241 and 5S255 Tuthill Road - PZC 18-1-101 (Item 2 of 7)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

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

The Planning and Zoning Commission considered this matter on December 19, 2018 and voted to recommend approval of the request (Approved 8-0). Staff concurs.

#### **BACKGROUND:**

The subject property is made up of two, unincorporated, vacant lots located at 5S241 and 5S255 Tuthill Road. The petitioner proposes consolidating the lots into one parcel, and developing the property with a daycare center in the City of Naperville. To do so, the petitioner requests approval of: annexation into the City; rezoning the property to OCl; a preliminary/final plat of subdivision and a platted setback deviation; and, a variance to allow parking in the required front yard along Tuthill Road.

The [Plank Road Study \(2010\)](https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cmp-espa-plank-road-study.pdf)

[<https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cmp-espa-plank-road-study.pdf>](https://www.naperville.il.us/contentassets/7fed1bf2ba19496fa9a037f019616748/cmp-espa-plank-road-study.pdf) identifies the future land use of the property as "Medium Density Residential". Staff finds the petitioner's proposal to be compatible with this designation and a good transition between commercial uses along Ogden and planned residential to the south.

## **DISCUSSION:**

The petitioner is proposing a single-story daycare center that is approximately 12,600 square feet in size with 50 onsite parking spaces. Access to the site will be provided via two curb cuts along Tuthill Road. The building elevations meet the requirements established in the Citywide Building Design Guidelines and landscaping has been provided per code.

### ***Annexation and Rezoning***

The subject property is contiguous to the City of Naperville's municipal boundary and therefore is eligible for annexation. Upon annexation, the petitioner is seeking to rezone the subject property to OCI (Office, Commercial, and Institutional District) to accommodate the development of a daycare facility. The intent of the OCI zoning district is to act as a transitional zone between intensive business areas and residential neighborhoods.

The Plank Road Study (Study) identifies the subject property and the surrounding area as a transition between the Ogden Avenue commercial corridor and adjacent residential uses to the south and east. It also identifies the area as a transition from heavily traveled roadways to residential neighborhoods. To best accommodate the transition of the built environment, the Study recommends reduced intensity of building style, height and setback, as well as landscape improvements.

Staff finds the petitioner's proposed OCI zoning and development of a daycare facility consistent with the goals of the Plank Road Study due to the site design proposed, the aesthetics and setback of the KLA Schools building, as well as the landscaping and screening proposed around the perimeter of the site. Staff finds the proposed zoning to be an appropriate transition between the heavily trafficked Ogden Avenue corridor and medium density residential uses planned to the south.

### ***Findings of Fact***

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

### ***Preliminary/Final Plat of Subdivision and Platted Setback Deviation***

The subject property currently consists of two lots totaling approximately 1.2 acres. The petitioner requests approval of a preliminary/final plat of subdivision in the OCI zoning district to consolidate the lots into one legal lot of record. The proposed lot complies with the proposed OCI zoning district's requirements.

Concurrent with the subdivision request, the petitioner proposes a platted setback deviation to allow a parking lot to be located beyond the thirty-foot platted building line setback established for 5S241 and 5S255 Tuthill Road through Doc. R1938-390671. The requested deviation is consistent with the petitioner's proposed setback variance (*as outlined in the next section of this report*) to allow eleven parking spaces to be located in the front yard. [Section 7-1-13 \(Platted Setbacks and Building Lines\) <https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT7SURE\\_CH1GEPR\\_7-1-13PLSEBULI>](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT7SURE_CH1GEPR_7-1-13PLSEBULI) of the Municipal Code requires this variance to also obtain approval of a platted setback deviation since the existing platted setback (thirty feet) is more restrictive than the OCI zoning district's front yard setback (twenty feet).

Compliance with the platted setback would require the petitioner to shift the parking lot back approximately twenty-five feet from Tuthill Road, resulting in a significant reduction in parking provided and generating the need for a parking variance. Staff recognizes the importance of onsite

parking provisions and notes that the proposed site plan is compatible with surrounding developments. Additionally, the proposed building location complies with both the platted setback and the OCI zoning district's yard requirements. As a result, Staff is supportive of the proposed preliminary/final plat and platted setback deviation.

### **Setback Variance**

#### Section 6-9-2:4 (Off Street Parking Facilities)

[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH9OFSTPA\\_6-9-2OFSTPAFA](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH9OFSTPA_6-9-2OFSTPAFA)

of the Municipal Code requires parking facilities in business districts to be located outside of the required front and corner side yards. The petitioner requests a variance to allow eleven parking spaces to be located in the subject property's required front yard, adjacent to Tuthill Road.

The OCI zoning district requires a twenty-foot front yard to be maintained. The petitioner's proposed site design maintains a front yard that is 5.13 feet in depth at its narrowest point to ensure code required parking can be provided on the site. To mitigate the impacts of a reduced setback, the petitioner proposes landscaping and screening that exceeds code requirements along Tuthill Road. Screening is provided across 100% of the affected area and includes shade trees and ornamental plantings. Staff notes that the property across the street, on the west side of Tuthill, is zoned B3 (General Commercial), and is used for nonresidential purposes (Regency Inn). This ensures that the requested variance will not bring the parking any closer to a residential property than would otherwise be permitted. Furthermore, the adjacent property to the north is developed with a Chase Bank that also locates parking along Tuthill Road. On this property, parking maintains a setback of approximately 5 feet, which is consistent with the petitioner's proposal.

Upon review, the Planning and Zoning Commission and staff find the requested variance to be reasonable and the petitioner's proposed mitigation efforts to be sufficient to minimize any adverse impacts.

### **Findings of Fact**

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

### **Landscape Plan**

The proposed landscaping meets the requirements of the City's Landscaping and Screening Ordinance. Landscaping amenities are provided along Tuthill Road to screen the parking facilities from the roadway, and vegetation is proposed around the perimeter of the building, as well as around the perimeter of the site.

### **Building Elevations**

The petitioner worked closely with staff to ensure high quality building elevations were proposed to comply with the City's Building Design Guidelines. Upon review, staff finds that the elevations exceed City requirements. The daycare center is to be constructed out of lightly colored face brick and cast stone.

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

The Planning and Zoning Commission considered this matter at their meeting on December 19, 2018. Four members of the public spoke in favor of the project and commented on the importance of

early childhood education in the community; and, one member of the public identified concerns regarding increased traffic on Tuthill and additional site runoff that could be generated by the development. The Planning and Zoning Commission closed the Public Hearing and voiced support for the project noting that it was a low impact use that is consistent with the goals of the Plank Road Study. The Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 18-1-101 (approved 8-0). Staff concurs with the Planning and Zoning Commission's recommendation.

### **Key Takeaways**

- The petitioner is requesting annexation of the subject property into the City of Naperville, and rezoning to OCI upon annexation. The Planning and Zoning Commission and staff are in support of the request due to compatibility with adjacent land uses and consistency with the Plank Road Study.
- The petitioner requests approval of a preliminary/final plat of subdivision to consolidate two unincorporated lots into one lot in the OCI zoning district, as well as a platted setback deviation. Staff is in support of the request because the plat meets technical requirements for approval and the proposed platted setback deviation maintains consistency with surrounding developments.
- The petitioner requests a variance from Section 6-9-2:4 to allow parking facilities in the required front yard setback in the OCI zoning district. The Planning and Zoning Commission and staff are supportive of the request noting that an enhanced landscape buffer to lessen perceived impacts of the variance along Tuthill has been provided, the property on the opposite side of Tuthill is a commercial property, and the parking proposed is consistent with the parking facilities on the adjacent lot to the north.
- The Planning and Zoning Commission and staff are supportive of the proposed use and layout of the subject property. The proposed development is compatible with the surrounding area.

### **Related Files**

The following agenda items are related to PZC 18-1-101:

- Conduct the public hearing to consider the Annexation Agreement for KLA Schools located at 5S241 and 5S255 Tuthill Road - PZC 18-1-101 (Item 1 of 7);
- Pass the ordinance authorizing execution of the Annexation Agreement for KLA Schools located at 5S241 and 5S255 Tuthill Road - PZC 18-1-101 (Item 3 of 7);
- Pass the ordinance annexing the subject property located at 5S241 and 5S255 Tuthill Road (KLA Schools) - PZC 18-1-101 (Item 4 of 7);
- Pass the ordinance rezoning the subject property located at 5S241 and 5S255 Tuthill Road (KLA Schools) to OCI (Office, Commercial, and Institutional District) - PZC 18-1-101 (Item 5 of 7);
- Pass the ordinance approving the preliminary/final subdivision plat and platted setback deviation for the subject property located at 5S241 and 5S255 Tuthill Road (KLA Schools) - PZC 18-1-101 (Item 6 of 7); and,
- Pass the ordinance approving a variance to Section 6-9-2:4 of the Naperville Municipal Code for the subject property located at 5S241 and 5S255 Tuthill Road (KLA Schools) - PZC 18-1-101 (Item 7 of 7).