



Legislation Details (With Text)

File #: 18-1042B **Version:** 1

Type: Report **Status:** Filed

File created: 1/17/2019 **In control:** City Council

On agenda: 2/5/2019 **Final action:** 2/5/2019

Title: Receive the staff report for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 2 of 7)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Development Petition, 2. Sign Variance Petition, 3. Lot Width Exhibit, 4. Prelim Engineering Plan, 5. Traffic Impact Study, 6. PZC Minutes

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------|----------|--------|
| 2/5/2019 | 1 | City Council | received | Pass |

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (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 5, 2018 and voted to recommend approval of the request (Approved 6-0). Staff concurs.

BACKGROUND:

The subject property consists of approximately 113 acres located at the northeast corner of Route 59 and 103rd Street in unincorporated Will County. Historically, the property has been operated by Wagner Farms and owned by the Wagner Limited Partnership. At this time, Wagner Limited Partnership is petitioning for annexation into the City of Naperville and Pulte Home Company, LLC, the contract purchaser of the property, requests approval to: rezone approximately 105 acres of the property to the City's R2 (Single-Family and Low Density Multiple-Family Residence) District for the development of single family detached homes; rezone approximately 8 acres of the property to the City's OCI (Office Commercial and Institutional) District for development of a religious institution for The Compass Evangelical Free Church; approve a preliminary plat of subdivision; and, approve a variance from the sign code to permit signage for the residential development to be located on The Compass Evangelical Free Church parcel.

The Southwest Community Area Plan (2002) identifies the future land use of the property as commercial, senior housing, and mixed-density residential. The proposed development of single

family homes and a religious institution deviates from the specific uses previously identified, but remains generally compatible with the transitional character of the area. Staff finds the proposed development to be well-suited and complementary to the City's long-term plans given recent development trends in the area, significant setbacks that minimize the presence of residential uses along Route 59, and the location of the nonresidential use on the hard corner of Route 59 and 103rd Street.

DISCUSSION:

Annexation and Rezoning

The subject property is contiguous to the City of Naperville's current municipal boundaries and therefore is eligible for annexation. The owner is requesting annexation of the subject property into the City of Naperville; and, the petitioner proposes rezoning a portion of the property to OCI (Office Commercial and Institutional District) and another portion to R2 (Single-Family and Low-Density Multiple-Family Residence District) upon annexation. Staff finds both zoning districts to be appropriate given the proposed subdivision layout and the zoning designations of adjacent, annexed parcels.

Several different zoning districts and land uses abut the subject property:

- the adjacent property to the west is zoned OCI and is developed with Scullen Middle School;
- the City-owned property to the south is zoned B2 (Community Shopping Center District) and is currently vacant;
- the properties to the east are developed with single family homes zoned R1A (Low Density Single-Family Residence District) or unincorporated; and,
- the properties to the north are zoned B2 and R1 (Low Density Single-Family Residence District), and include commercial businesses fronting Route 59 with Frontier Park behind them.

This collection of adjacent zoning districts and land uses is indicative of Wagner Farm's transitional nature. The Planning and Zoning Commission and staff find both the proposed OCI and R2 zoning for the subject property to be compatible with properties in the surrounding area; and, consequently support the petitioner's request as detailed below.

Compass Evangelical Free Church - Proposed OCI Zoning

To maintain consistency with City plans, the petitioner proposes reserving the hard corner of Route 59 and 103rd Street for nonresidential uses (Compass Evangelical Free Church), and zoning this property OCI. The intent of the OCI zoning district is to act as a transitional zone between intensive business areas and residential neighborhoods. Staff finds the proposed zoning to be an appropriate transition between the heavily trafficked Route 59 business corridor and the established residential neighborhoods in the vicinity. Furthermore, staff finds a nonresidential use preferable for the hard corner of Route 59 and 103rd Street due to high traffic volumes and visibility.

As part of the submittal, the petitioner has included a conceptual site plan for Compass Evangelical Free Church. The proposed site plan appears to comply with OCI zoning regulations but has not undergone a full technical review. It is important to note that the petitioner's proposal to rezone the property does not include site plan approvals for the church. In the future, as plans are finalized, the church (or any other uses permitted in the OCI zoning district) will not be required to return to the Planning and Zoning Commission to obtain any entitlements unless the OCI zoning district's regulations cannot be met.

New Residential - Proposed R2 Zoning

The intent of the R2 zoning district is to provide multiple-family areas of a low-density character accommodating a variety of housing types and compatible uses. The petitioner proposes varying residential lot sizes, ranging from 6,838 square feet to 20,065 square feet, throughout the Wagner Farms development and maintaining a significant setback and buffer from Route 59 to lessen potential impacts on the properties. Staff considers the proposed variation in lot sizes to be consistent with the comprehensive plan's vision for mixed-density residential in the area and is supportive of the proposed setbacks to deemphasize the presence of residential properties along Route 59. In addition, none of the proposed residential lots will be accessed directly from Route 59, but will be accessed from roadways internal to the development.

The smaller lots proposed are generally concentrated in the northwest portion of the property, closest to Route 59 and adjacent commercial. Larger lots are concentrated on the southern and eastern portions of the site, near existing residential subdivisions. Staff finds that the residential components of the development provide a natural transition between the heavily trafficked Route 59 corridor and low density residential neighborhoods to the east. The petitioner has confirmed that all the lots proposed will comply with the R2 zoning district's requirements.

Findings of Fact

The petitioner's responses to the Standards for Granting a Map Amendment 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 Plat of Subdivision

The petitioner requests approval of a preliminary plat of subdivision to subdivide the subject property into one nonresidential lot zoned OCI; and, 312 residential lots and 12 open space or stormwater management outlots zoned R2. Staff has confirmed with the petitioner that all proposed lots comply with their underlying zoning district's minimum requirements, and no variances are necessary to subdivide the property. Staff finds the proposed preliminary plat of subdivision meets all technical requirements for approval.

Dedication of Park Lands and School Sites or For Payments or Fees In Lieu Of

The Petitioner agrees to meet all school and park donation requirements for the subject property as set forth in Section 7-3-5 (Dedication of Park Lands and School Sites or For Payments or Fees In Lieu Of) of the Naperville Municipal Code. The Petitioner has elected to pay the required school donation fees on a per-permit basis (pursuant to Section 7-3-5:5.2.2), prior to the issuance of each building permit. Required park donation fees are being addressed through an Impact Fee Payment Agreement entered into by the Naperville Park District and Pulte Home Company LLC. The Agreement was formally considered by the Board of Park Commissioners on January 31, 2019, and is attached to the Wagner Farms Annexation Agreement as Exhibit E. Section 7-3-5:12.7 of the Municipal Code identifies that this agreement is subject to City Council's approval. Council's review and approval of the Wagner Farms Annexation Agreement will indicate approval of the Impact Fee Payment Agreement as well.

Sign Variance

The primary entrance to the residential portions of the development is located along 103rd Street where it intersects with the new Daybreak Drive extension. The petitioner proposes installing two subdivision signs to identify the residential development at this intersection. One sign is proposed on

the east side of the road (future residential property), and one sign is proposed on the west side of the road (future church property).

Section 6-16-4 of the Municipal Code permits subdivisions that are ten acres or larger to have two ground signs per entrance; however, these signs are permissible only on properties that are being used for residential purposes. As a result of subdividing the property and rezoning the southwest corner to OCl, one of the subdivision entrance signs proposed is on a property being used for nonresidential purposes (Compass Evangelical Free Church), thus necessitating the need for a variance.

Upon review, staff has confirmed that the subdivision sign requiring a variance meets all other subdivision sign code regulations, including permissible square footage, height and setbacks. Staff notes that the anticipated appearance and function of the combined subdivision entrance signs will be consistent with other neighborhood entrances in the City. Furthermore, the church parcel is anticipated to have its own separate entrance further west on 103rd Street, so staff does not anticipate passersby having any confusion with property identification.

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 and recreational amenities exceed the requirements of the City's Landscaping and Screening Ordinance. The landscape plan includes a continuous landscape buffer along the property's entire Route 59 frontage, a landscaped boulevard entrance to the development from 103rd Street, and a meandering trail system with open space areas that provide north-south connections for residents to use to access Frontier Park or recreate. Parkway trees are being provided as required by Code.

Planning & Zoning Commission Action

The Planning and Zoning Commission considered this matter at their meeting on December 5, 2018. Twelve members of the public spoke during the public hearing and offered differing opinions on the following: flooding and traffic impacts; buffering between the proposed development and Wheatland South; impacts to the school district; preferences for a higher density, mixed-use development including commercial and senior housing. The Planning and Zoning Commission closed the Public Hearing and voiced support for the project noting that the proposal meets the standards for granting a rezoning and the standards for granting a variance. The Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 18-1-087 (approved 6-0). Staff concurs with the Planning and Zoning Commission's recommendation.

Key Takeaways

- The owner is requesting annexation of the subject property into the City of Naperville. The subject property is contiguous to the City's current municipal boundaries and therefore is eligible for annexation.
- Upon annexation, the petitioner is requesting rezoning a portion of the property to OCl (Office Commercial and Institutional District) and a portion of the property to R2 (Single-Family and Low-Density Multiple-Family Residence District). The Planning and Zoning Commission and

staff are in support of the request due to the transitional nature of the property and compatibility of the proposed zoning designations with abutting land uses.

- The petitioner requests approval of a preliminary plat of subdivision to subdivide the subject property into one nonresidential lot zoned OCI; and, 312 residential lots and 12 open space or stormwater management outlots zoned R2. The Planning and Zoning Commission and staff are in support of the request due to the subdivision design and its compliance with underlying zoning district requirements.
- The petitioner requests approval of a sign variance to permit signage for the residential development to be located on The Compass Evangelical Free Church parcel. The Planning and Zoning Commission and staff are supportive of the request due to the way the property has been subdivided and the sign's compliance with other applicable code regulations in terms of square footage, height and setbacks.
- 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 and includes amenities that exceed Code requirements.

Related Files

The following agenda items are related to PZC 18-1-087:

- Conduct the public hearing to consider the Annexation Agreement for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 1 of 7);
- Pass the ordinance authorizing execution of the Annexation Agreement for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 3 of 7);
- Pass the ordinance annexing the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 4 of 7);
- Pass the ordinance rezoning the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) to OCI (Office Commercial and Institutional District) and R2 (Single-Family and Low-Density Multiple-Family Residence District) - PZC 18-1-087 (Item 5 of 7);
- Pass the ordinance approving the preliminary subdivision plat for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 6 of 7); and,
- Pass the ordinance approving a variance to Section 6-16-4 (Signs on Residential Property) of the Naperville Municipal Code for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 7 of 7).