



Legislation Details (With Text)

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

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On agenda: 1/6/2021 **Final action:** 1/6/2021

Title: Conduct the public hearing regarding an amendment to Section 6-7F-3 of the Municipal Code to allow eating establishments, when located within a planned unit development, as a conditional use in the OCI (Office, Commercial and Institutional) zoning district (PZC 20-1-124)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Proposed Amendment, 2. Text Amendment Request Letter

Date	Ver.	Action By	Action	Result
1/6/2021	1	Planning and Zoning Commission	approved	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing regarding an amendment to Section 6-7F-3 of the Municipal Code to allow eating establishments, when located within a planned unit development, as a conditional use in the OCI (Office, Commercial and Institutional) zoning district (PZC 20-1-124)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Sara Kopinski, AICP

ENTITLEMENTS REQUESTED:

A text amendment to Section 6-7F-3 of the Naperville Municipal Code to allow eating establishments, when located within a planned unit development, as a conditional use in the OCI zoning district.

BOARD/COMMISSION REVIEW:

Required notice of PZC 20-1-106 was published in the Daily Herald on Monday, December 21, 2020; Thursday, December 24, 2020; and Monday, December 28, 2020.

BACKGROUND:

A development petition has been submitted by Inter-Continental Real Estate & Development Corporation for CityGate West, a mixed-use development in the City's OCI zoning district. In conjunction with this development request, the petitioner requested that a text amendment to 6-7F-3 be processed to allow eating establishments, when located within a planned unit development, as a conditional use in the OCI zoning district. The PZC concurred with this request and initiated the text amendment on December 16, 2020.

DISCUSSION:

The intent of the OCI zoning district is to act as a transitional zone between intensive business areas and residential neighborhoods. This district should contain office, residential, institutional and support commercial facilities. Currently, several commercial uses including offices, financial institutions, civic buildings, daycare centers, fitness facilities, and services such as barber shops, cleaners, pet grooming, repair shops, and similar businesses are permissible uses in the OCI zoning district. Full-service hotels, general retail, multi-family residential, and other uses are conditional uses in the OCI district.

The petitioner requests approval of a text amendment to designate eating establishments as a conditional use in the OCI zoning district when they are part of a PUD. The petitioner believes that restaurants are a complementary use to those already permitted and that they offer a supporting amenity. Additionally, full-service hotels within the OCI zoning district are required to have eating establishments available to them (whether they are internal to the hotel or provided within a campus or PUD setting).

Staff agrees that eating establishments are appropriate within the OCI zoning district and notes that these uses are often a critical component of a regional destination, such as the anticipated CityGate West development. Staff believes that amending [Section 6-7F-3 \(OCI/Conditional Uses\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH7BUDI_ARTFOCOFCOINDI_6-7F-3COUS) of the Naperville Municipal Code to allow eating establishments as conditional uses when they are part of a PUD will benefit properties zoned OCI without changing the intent of previous amendments or disrupting surrounding residential neighborhoods. Conditional uses are reviewed on a case by case basis, and each development proposed will be reviewed for its appropriateness within its own surrounding context.

The draft ordinance reflecting the above changes is attached. The proposed code language is underlined. Staff is supportive of the proposed changes.