



## Legislation Text

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File #: 18-323C, Version: 1

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### PLANNING AND ZONING COMMISSION AGENDA ITEM

#### **ACTION REQUESTED:**

Conduct the public hearing for The Enclave on Book located east of Book Road and north of Hassert Boulevard - PZC 18-1-001 (Item 1 of 3)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly

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

Official notice for the public hearing for PZC 18-1-001 was published in the Naperville Sun on April 29, 2018.

#### **BACKGROUND:**

The subject property consists of approximately 4.5 acres, and is generally located on the east side of Book Road, north of Hassert Boulevard. The petitioner, JHL Developments LLC, is requesting annexation, rezoning upon annexation to the R1 (Low Density Single-Family Residence District) zoning district, a variance to the R1 interior side yard setback requirements, and approval of a preliminary/final plat of subdivision in order to develop 8 single family detached homes and one associated outlot. The property is currently vacant and is zoned A-1 (Agricultural) in unincorporated Will County. The properties immediately north and east of the subject property are zoned R1 (Low Density Single-Family Residence District), and properties immediately south are unincorporated Will County.

The subject property is identified in the 2002 Southwest Community Area Plan of the Comprehensive Plan with the future land use of the property being "Community Facilities". While the 2002 Southwest Community Area Plan identifies the future land use as being "community facilities", no details regarding future facility needs are discussed for the site (i.e. future school site, library site, church site, etc.) on Figure 6 of the plan (located on page 30). Staff believes that the "community facilities" future land use designation is reflective of the property's ownership by the Zion Evangelical Lutheran Church and adjacency to their existing church facilities. However, if Zion Lutheran Church does not intend to improve the subject property with their facilities, staff has no concerns with the requested residential use of the property.

#### **DISCUSSION:**

##### ***Case History***

The original public hearing for PZC 18-1-001 was opened at the April 18, 2018 Planning and Zoning Commission meeting (PZC). One member of the public spoke in opposition to the proposal based on the overall development patterns in south Naperville and requested to see more open space. Staff voiced their concerns with the R1A zoning given the zoning of surrounding properties and their

improvement in compliance with the R1 standards. The PZC also expressed concern for the R1A zoning request. A motion was made to continue PZC 18-1-001 to the May 2, 2018 PZC meeting and a recommendation was made for the petitioner to meet with staff to alter the proposal (motion approved, vote 7-0). Per the request of the petitioner, PZC 18-1-001 was resumed and continued at the May 2, 2018 PZC meeting to allow the petitioner additional time to work with staff and provide additional public notice to alter the request (motion approved, vote 9-0).

### ***Revisions to Request***

The petitioner, JHL Developments LLC, has submitted an alternate proposal based upon feedback from the PZC and staff. In addition to the original request, the petitioner has submitted an additional option to rezone the property to the R1 district (Low Density Single-Family Residence District) upon annexation with a variance to the R1 interior side yard setback requirements (Section 6-6L-7:1). Per the R1 district, each side yard setback must be a minimum of 10', with a combined total of 25' for both side yards. The petitioner is requesting to reduce the minimum side yard setback requirement from 10' to 8' but still meet the 25' requirement for the total of the interior side yards.

Staff finds the requested zoning variance still maintains compatibility with the intent of the R1 district and the surrounding area. Staff does not have any concerns with the requested variance given that the size and density of the proposed single family detached houses will still be consistent with surrounding properties. The petitioner's responses to the Standards for Granting a Zoning Variance are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends adoption by the Planning and Zoning Commission.

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

Upon review, staff found the proposed R1 zoning to be compatible with surrounding zoning districts and is recommending approval of the rezoning to R1 (Low Density Single-Family Residence District). Rezoning to R1 upon annexation will maintain consistency with surrounding properties and the manner in which they have been developed. The petitioner's responses to the Standards for Granting a Map Amendment are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends adoption by the Planning and Zoning Commission.

### ***Preliminary/Final Plat of Subdivision***

In conjunction with the requested annexation and rezoning, the petitioner requests approval of a preliminary/final plat of subdivision for Enclave on Book. The proposed subdivision contains eight lots and one associated outlot. The eight lots are planned for the development of single-family detached housing and the outlot will be improved as part of the stormwater management easement.

The proposed lots are in compliance with the R1 zoning district minimum lot width and lot area requirements. Per the standards established in Section 7-4-4:2.4 (Land Use: Ninety Percent Rule) of the Municipal Code, the ninety percent (90%) rule applies to the subdivision of the properties. Upon review of the ninety percent rule regulations, the minimum lot size requirements are required to be a minimum of 15,425 square feet. The smallest lot proposed is 15,874 square feet; therefore, the proposed lot sizes comply with the 90% rule requirement.

Per the standards established in 7-2-2:5 (Subdivision Plat Procedures), the petitioner's preliminary/final plat of subdivision request is not reviewed by the Planning and Zoning Commission since no variances to the subdivision requirements is requested. Information on the request is

provided for reference and review of the request will be heard by the City Council at a subsequent meeting date.

### ***Landscape Plan***

The proposed landscape plan identifies new parkway trees where appropriate along Book Road and along the proposed street, Sparkles Court. Staff supports the landscape plan as proposed and finds that it meets the requirements of the City's Landscaping and Screening Ordinance.

### ***Key Takeaways***

- The petitioner requests annexation and rezoning upon annexation into the City of Naperville for the vacant subject property located east of Book Road and north of Hassert Boulevard.
- PZC 18-1-001 originally appeared before the PZC on April 18, 2018. Staff was not in support of the rezoning request to the R1A zoning district. The case was continued to allow the petitioner and staff to come to an agreement on rezoning of the property upon annexation.
- The petitioner is proposing two options for consideration by the PZC:
  - Option 1: Rezoning to R1A upon annexation.
  - Option 2: Rezoning to the R1 zoning district upon annexation and a variance to the interior side yard setback requirements (Section 6-6L-7:1) to reduce the interior side yard minimum from 10' to 8', while maintaining the 25' total.
- Staff supports Option 2 given that rezoning to R1 upon annexation will maintain compatibility with surrounding incorporated properties and the requested variance will allow for the houses to be built at a density that is consistent with surrounding R1 properties.