



## Legislation Text

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File #: 18-467C, Version: 1

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### PLANNING AND ZONING COMMISSION AGENDA ITEM

#### **ACTION REQUESTED:**

Receive the staff report for CityGate Centre North located at 2415 & 2416 Corporate Lane, Naperville - PZC 18-1-029 (Item 1 of 4)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

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

The Planning and Zoning Commission considered this matter on June 20, 2018 and voted to recommend approval of the request (approved, 8-0). Staff concurs.

#### **BACKGROUND:**

In 2005, the subject property was approved as Lot 1B and Lot 2 of the Monarch Landing Planned Unit Development. The original approval called for the development of a continuing care retirement community (CCRC) to include 1,650 independent living units and 160 assisted living units. In 2014, the owner of Monarch Landing sought zoning and subdivision relief from the City as part of its comprehensive plan to downsize the CCRC. The 2014 approvals established that Lots 1B and 2 (the subject property) would no longer be associated with Monarch Landing and any future development on the lots would require a major change to the PUD and approval of a revised final PUD plat to establish development details for the subject property.

The petitioner, CityGate Centre North LLC, is currently before City Council requesting a major change to the PUD in order to construct a 209,589 square foot event center on the subject property. In conjunction with the major change, the petitioner also requests deviations to reduce the amount of parking required and the parking setback along Corporate Lane, as well as rezoning to ORI and a conditional use to permit an eating and drinking establishment within a PUD.

Located on the north side of Ferry Road, east of Route 59, the subject property has a common address of 2415 & 2416 Corporate Lane and is zoned OCI (Office, Commercial and Institutional District - Planned Unit Development). Lot 1B is 25.2 acres in size and is currently occupied with a surface parking lot that is used for Monarch Landing guest parking. The lot will be removed as a part of the development of the event center. Lot 2 is 2.2 acres in size and is occupied by a surface parking lot. The lot will be resurfaced and used as event center parking.

#### **DISCUSSION:**

##### ***Proposed Use***

The petitioner is proposing to construct a 209,589 square foot event center which includes two ice rinks and a 6,600 square foot restaurant. The rinks will primarily support youth hockey but will also

allow flexibility to accommodate entertainment events. Access to the development is provided via a full access point on Corporate Lane and two full access points on the private drive to the north. Vehicular and pedestrian access are provided to Monarch Landing to the west.

### ***Rezoning to ORI***

The subject property is currently zoned OCI (Office, Commercial and Institutional District). The petitioner is requesting to rezone the property to ORI (Office, Research and Light Industry District). The requested ORI zoning designation is consistent with surrounding annexed properties to the east (Dart Warehouse) and southeast (Nicor Gas). The Northwest Sector Update (1996) to the Comprehensive Plan designates the future land use of the subject property as Business Park and notes that recreational facilities are permissible in this classification provided they are compatible with the nearby development. Staff finds the proposed event center is compatible with the surrounding restaurant and hotel uses in the CityGate Centre to the south as well as the commercial nature of the Route 59 corridor to the west. As such, staff finds the proposed ORI zoning is appropriate for the subject property and compatible with the Northwest Sector Plan (1996).

The petitioner's responses to the standards for granting a rezoning are attached. Upon review, staff agrees with the petitioner's findings and recommends their adoption by City Council.

### ***Major Change to Amend a Planned Unit Development***

As noted above, the subject property was originally approved as a part of the Monarch Landing PUD. In 2014, Ordinance 14-075 approved a major change that allowed Lots 1B and 2 (the subject property) to be developed separately from Monarch Landing. The ordinance also stipulated that any future development on the subject property would require another major change to the PUD and approval of a revised final PUD plat.

The petitioner is now requesting a major change to the PUD and related deviations, as described below, in order to construct the proposed use.

#### ***Requested PUD Deviations:***

- ***Off-Street Parking:*** The petitioner is requesting a deviation from [Section 6-9-3 \(Schedule of Off-Street Parking Requirements: Parking Class No. 6 - Cultural, Entertainment and Sports Facilities\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH9OFSTPA_6-9-3SCOFSTPARE) <[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH9OFSTPA\\_6-9-3SCOFSTPARE](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH9OFSTPA_6-9-3SCOFSTPARE)> to reduce the amount of required off-street parking spaces. Per Code, the 209,589 square foot facility is required to provide 2,096 parking spaces (10 parking spaces per 1,000 square feet of gross floor area). The petitioner is providing a total of 1,119 parking spaces on the site; 952 spaces will be available on Lot 1B and 147 spaces will be available on Lot 2 on the east side of Corporate Lane.

In order to support the deviation request, the petitioner has submitted a parking study. The petitioner estimates that the event center will have a capacity of 4,600 seats when both ice rinks are in use. During larger entertainment style events, the center will have a maximum capacity of 6,600 seats. It is important to note that during typical hockey practices and non-tournament games, the average attendance is estimated to be between 10 and 100 spectators and the average attendance for a junior hockey game is estimated to be around 1,000 spectators. Therefore, the on-site parking will be able to accommodate the majority of events that take place at the center.

During larger entertainment style events, the petitioner intends to share parking with the CityGate Center and Calamos Corporate Center to the south across Ferry Road. The peak parking time at the CityGate and Calamos Centers is during daytime hours, while the peak parking time at the subject property is expected to be during evening and weekend hours. Per the parking study, the existing parking decks at the CityGate and Calamos Centers can be expected to accommodate any overflow parking from the subject property.

At the June 20, 2018 Planning and Zoning Commission meeting, the PZC discussed formalizing the proposed shared parking between the subject property and the Calamos and CityGate Center properties. Currently, all the properties have the same majority owner and shared parking can be achieved through the ownership. An official agreement will ensure the shared parking will be maintained through any changes in ownership. The petitioner and staff are continuing to work together on the specific mechanism for the shared parking agreement (i.e. an easement agreement, long-term lease, or other vehicle). Currently, the requirement for an official parking agreement is included as a condition of approval.

Staff is in support of the request for a parking deviation given the data provided from the parking study. Staff has included several conditions within the ordinance approving the proposed parking variance (as summarized below):

**1. Off-Site Parking**

The Owner will be required to file a permanent parking easement agreement, or equivalent vehicle, to ensure the availability of off-site parking for the proposed large scale events. In the event that the designated off-site parking becomes unavailable, an alternate parking plan will be required.

**2. Pedestrian Traffic Management Plan**

The Owner shall prepare a traffic management plan, subject to review and approval by the City, setting forth specific measures to provide for the safety of pedestrians crossing to and from the Subject Property and the Off-Site Parking property to attend such events.

**3. Remedies**

If the City finds that the Off-Site Parking, Alternate Plan, and/or Traffic Management Plans noted above are not effective, the City may require reasonable additional measures to remedy any issues experienced during the Large Scale Event. In the event that the Owner does not agree that the City requirements are reasonable, they may seek a final determination from City Council.

- *Parking Setback Along Corporate Lane:* The petitioner is also requesting a deviation from [Section 6-9-2:4.5 \(Off-Street Parking Facilities: Yard Requirements\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?) to reduce the setback requirement for the parking lot in the required yard along Corporate Lane. Per Code, parking cannot be located in the required yard setback of 30'. The petitioner is proposing to locate parking 20' from Corporate Lane, encroaching 10' into the required setback. Staff finds that the reduced setback allows the petitioner to accommodate additional parking spaces on the subject property and is in support of the deviation request.

### ***Common Open Space***

Section 6-4-3:3 of the Municipal Code requires that PUDs with non-residential uses provide outdoor common areas covering a minimum of 20% of the site. The proposed site layout provides approximately 5.03 acres of outdoor common areas, which is equivalent to approximately 20.3% of the total lot coverage. The outdoor common area includes a community hockey and amenity space on the southside of the property that features outdoor hockey space, seating, and a shade structure.

The petitioner's responses to the standards for amending a PUD and the standards for approving a PUD deviation are attached. Upon review, staff is in agreement with the petitioner's findings and recommends their adoption by City Council.

### ***Conditional Use for Eating/Drinking Establishment***

The petitioner is also requesting a conditional use to permit an eating and drinking establishment within the proposed building to be located at the subject property. Per [Section 6-8B-3 \(ORI District: Conditional Uses\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH8INDI_ARTBOROFRELIINDI) <[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH8INDI\\_ARTBOROFRELIINDI](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH8INDI_ARTBOROFRELIINDI)>, an eating and drinking establishment is an allowable conditional use provided it is part of a planned unit development. The proposed event center includes a 6,600 square foot full service restaurant. Staff finds the restaurant is an appropriate use within this PUD and is compatible with the adjacent hotel and restaurant uses to the south. Given these factors, staff in support of the conditional use request.

The petitioner's responses to the standards for granting a conditional use are attached. Upon review, staff is in agreement with the petitioner's findings and recommends their adoption by City Council.

### ***Building Design***

The proposed building will be constructed using color integrated precast concrete with a sandblast finish that will match the Hotel Arista on the CityGate campus to the south. Wall mounted panels along the first level of the building provide a greenscape system, which acts as a trellis on the precast and provides visual interest on the pedestrian level. Windows and green colored panels are displayed on the upper level. The building has an interior service corridor to house the dumpsters, generators, and other storage equipment. Mechanical equipment will also be included in the service corridor. Staff finds the proposed elevations are appropriate for the event center use and are compatible with surrounding buildings.

### ***Planning and Zoning Commission Action***

The Planning and Zoning Commission opened the public hearing to consider PZC 18-1-029 on June 20, 2018. Kenneth Witkowski with Calamos Real Estate spoke on behalf of the petitioner. Two residents of Monarch Landing, Mr. Richard Backer and Ms. Marscha Chenoweth, spoke during public testimony. Mr. Backer discussed the effects of the project on nearby Monarch residents, requesting additional landscaping along the west property line. Ms. Chenoweth raised concern with security and potential trespassers on the Monarch Landing property.

The Planning and Zoning Commission discussed formalizing the shared parking agreement between the CityGate Centre North and the CityGate/Calamos property to the south (note: conditions addressing the PZC's recommendation are included in the ordinance). PZC closed the public hearing and voted to recommend approval of PZC 18-1-029 (Approved, 8-0). Staff concurs with the Planning and Zoning Commission's recommendation.

### ***Key Takeaways***

- The petitioner is requesting rezoning to ORI, a major change to amend a planned unit development (PUD) with deviations to reduce the number of required off-street parking spaces and the parking setback, and a conditional use to permit an eating and drinking establishment.
- Staff recommends the rezoning as ORI zoning is compatible with adjacent properties and the comprehensive plan.
- Staff also recommends the major change to the PUD and associated deviations, finding the requests meet the standards for granting a major change.
- Finally, staff recommends approval of the conditional use for an eating and drinking establishment and finds the use is compatible with surrounding restaurant and hotel uses.

### ***Related Items***

The following agenda items are related to PZC 18-1-029:

- Pass the ordinance rezoning the property located at 2415 & 2416 Corporate Lane from OCI (Office, Commercial and Institutional District) to ORI (Office, Research and Light Industry District) CityGate Centre North - PZC 18-1-029 (Item 2 of 4)
- Pass the ordinance granting a major change to the Monarch Landing PUD located at 2415 & 2416 Corporate Lane with deviations to reduce the amount of parking and the parking setback along Corporate Lane, CityGate Centre North - PZC 18-1-029 (Item 3 of 4)
- Pass the ordinance granting a conditional use for the property located at 2415 & 2416 Corporate Lane to permit an eating/drinking establishment as a part of a planned unit development, CityGate Centre North - PZC 18-1-029 (Item 4 of 4)

### **FISCAL IMPACT:**

N/A