



Legislation Text

File #: 18-1119B, Version: 1

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for Leigh Subdivision located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Item 1 of 6)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered PZC 18-1-114 on December 19, 2018; one member of the public spoke in opposition of the proposal stating that the proposed 50' wide lots did not fit in with the character of the neighborhood and raised concern regarding water and sewer. The petitioner responded stating the properties to the south are unincorporated and that the proposed water and sewer alignment has been reviewed. The PZC voted to recommend approval of the proposed rezoning of the Subject Property to R3A (Approved, 8-0). Staff concurs.

BACKGROUND:

The subject properties are located on the east side of Naperville/Wheaton Road, just south of Ogden Avenue, with a common street address of 5S275 and 5S311 Naperville/Wheaton Road. The northern property, 5S275 Naperville/Wheaton Road, is approximately 23,000 sf and is currently improved with a single-family home which is proposed for demolition. The southern property, 5S311 Naperville/Wheaton Road, is approximately 22,000 sf and is currently vacant. Both properties are in unincorporated DuPage County and were recorded as Lots 9 and 10 in Block 4 of DuPage Farms with a 30' platted building line.

The petitioner, Naperville Wheaton LLC, is requesting annexation, approval of an annexation agreement, rezoning upon annexation to the R3A zoning district (Medium Density Multiple-Family Residence District), and approval of a preliminary plat of subdivision in order to develop 4 single family detached homes.

DISCUSSION:

Annexation and Rezoning

The subject properties are located within the study area of the Plank Road Study (2010). The purpose of this study is to evaluate the future land use of unincorporated areas in proximity to Plank Road. The subject properties are within sub-area 3 of the Plank Road Study (p 20) which identifies the future land use of the subject properties to be medium-density residential upon annexation. This recommendation was provided in recognition that the area serves as a transition between the Ogden Avenue commercial corridor and adjacent residential uses to the south and east. The proposed R3A

zoning classification is consistent with the recommendations of the Plank Road Study and while the proposal calls for four single-family detached homes, staff finds it maintains the intention of the Study based on the proposed housing type and design. Specifically, the 50' average lot width will produce a different single-family housing product that is in line with the envisioned density of the area.

The R3A district minimum lot size for single family detached dwellings is 6,000 square feet. The average lot area is 11,000 square feet which exceeds the R3A minimum. The proposed single-family homes are a permitted use in the R3A district and are consistent with the character of the surrounding neighborhood and the Plank Road Study, as such staff finds the proposed zoning to be appropriate. The petitioner's responses to the Standards for Granting Rezoning are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends approval of the Annexation and Rezoning.

Preliminary Plat of Subdivision

In conjunction with the requested annexation and rezoning, the petitioner requests approval of a preliminary plat of subdivision Leigh Subdivision. The proposed subdivision contains four lots. The four lots are planned for the development of single-family detached housing.

The four-single family detached homes will meet the setback requirements of the R3A zoning district. The R3A zoning district setback requirements include: 25' front yard setback, 6' interior side yard setback, and 25' rear yard setback. Currently, a 30' platted setback exists on the property. Per Section 7-1-13 (Platted Setback and Building Lines) of the Naperville Municipal Code, "where a platted building or setback line is in conflict with the required yard provisions of Title 6, Zoning Regulations, of this Code, the more restrictive requirement shall apply." Accordingly, the improvements on the subject properties must comply with the 30' platted building setback line. However, as proposed, 7' of the property will be dedicated as public right-of-way which will reduce the existing 30' platted building setback line to a 23' platted setback line. Therefore, the proposed single family detached homes will meet the 25' R3A front yard setback requirement while also being in compliance with (behind) the 23' platted building setback line.

The proposed lots are in compliance with the R3A 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. The 90% rule requires any newly subdivided lots to be 90% of the mean of the lots within 300' of the subject property. Upon review, staff located the properties within 300' of the subject property and found that any applicable lots were unincorporated or nonresidential lots. Per Section 7-4-4:2.4.1 residential lots that are not located within the corporate limits of the City shall be excluded from the calculation. In addition, per Section 7-4-4: 2.4.1.1 nonresidential lots or lots being used for nonresidential purposes are also excluded from the calculation. Therefore, the 90% rule does not apply given that there are no applicable lots within 300' of the subject properties.

Given the compliance with code requirements, staff recommends approval of the Preliminary Plat of Subdivision.

Key Takeaways

- The petitioner is currently requesting annexation into the City of Naperville, approval of an annexation agreement, rezoning to R3A upon annexation, and approval of a preliminary plat of

subdivision.

- The subject property is contiguous to property in the City of Naperville. Staff finds the proposed R3A zoning is consistent with the Plank Road Study. Staff and the PZC support the proposal.

FISCAL IMPACT:

N/A

Related Files

The following agenda items are related to PZC 18-1-114:

- 19-078 Conduct the public hearing for Leigh Subdivision located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Item 2 of 6)
- 19-079 Pass the ordinance authorizing the execution of an Annexation Agreement for the Property located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Item 3 of 6)
- 19-083 Pass the ordinance annexing certain property located at located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Item 4 of 6)
- 19-084- Pass the ordinance rezoning the property located at located at 5S275 and 5S311 Naperville/Wheaton Road to R3A - PZC 18-1-114 (Item 5 of 6)
- 19-085 Pass the ordinance approving the preliminary plat of subdivision for Leigh Subdivision- PZC 18-1-114 (Item 6 of 6)