



Legislation Text

File #: 20-1246, Version: 1

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing regarding the properties located at 252 4th Avenue, 262 4th Avenue, 329 N. Loomis Street, and 333 N. Loomis Street - PZC #20-1-075 (Item 1 of 2)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kathleen Russell, Community Planner

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC #20-1-075 was published in the Daily Herald on October 5, 2020.

BACKGROUND:

The four subject properties are located at the southwest corner of 4th Avenue and North Loomis Street and combined total approximately 29,892 square feet. The properties are zoned R2 (Single-family and Low Density Multiple-Family Residence District) and are currently improved with four single-family residences. The petitioner proposes consolidating the properties into one buildable lot, and redeveloping the property with nine townhomes and four duplex units. To achieve this, approval of a conditional use and variances allowing the development to exceed the maximum permitted height and stories, decrease the required minimum lot area, reduce the required rear yard setback along the south property line and reduce the required front yard setback along 4th Avenue have been requested.

DISCUSSION:

The petitioner, Bridge Street Properties, LLC, has requested approval of the following conditional use permit and variances in order to develop a 13-unit residential development comprised of nine attached residential units and four duplex units:

1. Conditional use to allow for townhomes in the R2 Zoning District per Section 6-6C-3:5.
2. Variance to Section 6-6C-8:1 to allow for a height of 42'1" and 3.5 stories.
3. Variance to Section 6-6C-5:2 to allow for one unit per 2,299 square feet.
4. Variance to 6-6C-7 to allow for a front yard setback of 15 feet along 4th Avenue.
5. Variance to 6-6C-7 to allow for a rear yard setback of 6 feet.

It should be noted that approval of PZC #20-1-075 is also contingent on City Council's approval of a text amendment (PZC #20-1-089, also scheduled for the 10/21/20 PZC meeting) which would extend certain zoning allowances to duplex units.

Conditional Use for Single-Family Attached Dwelling Units

Section 6-6C-3:5 (R2/Conditional Uses)

[https://library.municode.com/il/naperville/codes/code_of_ordinances?](https://library.municode.com/il/naperville/codes/code_of_ordinances?<https://library.municode.com/il/naperville/codes/code_of_ordinances?)

classifies single-family attached residential units as a conditional use. Staff considers the nine townhome units to be complementary to the adjacent properties; and, notes that the proposal would diversify the housing options in this part of the city. Staff believes the attached dwelling units are an appropriate transition from the commercial and train line to the north and the single-family residences to the south, east and west. The proposed townhomes will front 4th Avenue and will have rear loading two car garages with an access drive off the alley and North Loomis Street. In order to ensure that ample resident and guest parking is provided on site, staff recommends approval of the conditional use request subject to the condition that the petitioner includes a covenant in their HOA regulations that prohibits the use of the enclosed garage spaces for storage.

Findings of Fact

The petitioner's responses to the Standards for Granting a Conditional Use, as well as additional information regarding the proposed development as it relates to the surrounding area is attached. Upon review, staff is in agreement with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Requested Variances

There are four variances proposed for the residential development, as further described below. Staff is supportive of each request.

Height and Story Variance

The maximum height for townhomes and duplexes in the R2 district is three stories not to exceed 40 feet. The petitioner has requested a variance to [Section 6-6C-8 \(Height Limitations/Bulk Regulations\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?<https://library.municode.com/il/naperville/codes/code_of_ordinances?)

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of the Naperville Municipal Code to allow the proposed units to be 3.5 stories; and, when measured from the datum point, be 42 feet 1 inch in height.

Section 6-1-6 (Definitions) of the Code

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requires the floor area of a half story to be less than 50% of the gross building area of the story immediately below it. Furthermore, a half story includes finished or unfinished space under a roof that meets one of the following criteria: it is accessible by a stairway; it is designed to support habitable spaces as well as bathrooms, toilet rooms, closets, storage, or hallways; or, it is improved with floor sheathing or decking. The enclosed portion of the proposed top level meets all the required criteria of a half story, and measures at approximately 25% of the gross floor area of the floor below (at approximately 207 square feet).

The proposed height variance for the access stairway is consistent with other recent single family attached residential projects where a height variance was also requested (Charleston Row, Heritage Place, etc.). The additional height and half story requiring the variance is to allow for a stairwell to the

rooftop deck and functional space for the homeowners.

Staff has reviewed the requested height and story variance and feels the proposal is compatible with the existing character of the neighborhood while providing property owners with a unique amenity. The petitioner has provided a figure showing that the additional height and ½ story is out of the line of sight for pedestrians on Loomis St. and pedestrians on the access drive between the townhomes and duplexes. The townhomes and duplexes would meet the height and story requirement without the stairway area, so visually the proposed residences will not appear to exceed the requirements. Staff believes the proposed height and bulk of the development will serve as an appropriate transition between the single-family homes to the east, west and south and the adjacent nonresidential uses to the north.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Density Variance

Section 6-6C-5:2 (R2/Area Requirements)

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requires lots developed with single-family attached residential units to have a minimum lot area of 4,000 square feet per dwelling unit; as proposed through the pending text amendment, the 4,000 square foot minimum lot area would also be applicable to the proposed duplex units. This requirement is not intended to impose a minimum interior/livable square footage requirement for each residential unit; rather, it is used as a means of controlling the total number of units permitted on a property.

The petitioner requests approval of a variance to allow a minimum lot area of 2,299 square feet per dwelling unit. Under the code, the property would only be permitted to have seven units, but the petitioner is requesting a total of 13 townhome and duplex units on the parcel (six more units than the code permits). Staff believes the proposed increase in density serves as a transition from the more intensive commercial uses to the less dense, residential uses. The adjacent train line is an additional intensive use supporting the variance to allow for a middle ground between a nonresidential use and single-family residences on this site. Staff does not find that the additional units will adversely impact traffic or parking at the property.

Finally, it should also be noted that the minimum lot area does not directly correlate to the overall bulk of the building. For example, the number of units proposed within the building could be reduced to comply with the code while still maintain the size of the buildings as currently proposed (i.e., there would be fewer units that are larger in square footage). For the reasons above, staff is supportive of the density variance request.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Front Yard Setback Variance

Per the requirements in Section 6-3-6 (Variances) of the Naperville Municipal Code, any

recommendation by the PZC on variance requests must be predicated on the evidence that they meet the three standards outlined in Section 6-3-6:2 (Variances: Standards for Variances). The petitioner has provided a response to these standards (see attachments). Based on the factors and analysis below, staff recommends approval of the variance to the front yard for the proposed townhomes.

The proposed townhomes will be 15' from the northern property line. Per [Section 6-6C-7:1 \(Yard Requirements\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE) <https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE> of the Municipal Code, the front yard setback in the R2 zoning district is 25'. Staff finds that the reduced setback from the front property line may be supported as it appears that a majority of the homes along this block of 4th Avenue do not meet the front yard setback requirement; therefore, it is not out of character with the area to be closer to the front property line. Staff is in support of the encroachment finding the proposed alteration to be compatible with the existing homes. Additionally, a fence and landscaping will be installed on the west side of the property to provide screening to the adjacent residences. Staff recommends approval of the variance to the setback requirement from 25' to 15' from the front property line.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Rear Yard Setback Variance

Per the requirements in Section 6-3-6 (Variances) of the Naperville Municipal Code, any recommendation by the PZC on variance requests must be predicated on the evidence that they meet the three standards outlined in Section 6-3-6:2 (Variances: Standards for Variances). The petitioner has provided a response to these standards (see attachments). Based on the factors and analysis below, staff recommends approval of the variance to the rear yard setback of the proposed duplexes.

The proposed duplexes will be constructed 6' from the southern property line. Per [Section 6-6C-7:1 \(Yard Requirements\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE) <https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE> of the Municipal Code, the rear yard setback in the R2 zoning district is 25'. Staff finds that the reduced setback from the rear property line may be supported as the 6' is an existing condition because currently a residential lot would have a 6' side yard setback on the southern property line where the proposed rear yard will be located. Additionally, a fence and landscaping will be installed on the south side of the property to provide screening to the adjacent residences. Staff recommends approval of the variance to the setback requirement from 25' to 6' from the rear property line.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, staff agrees with the petitioner's Findings and recommends their adoption by the Planning and Zoning Commission.

Landscape Plan

The proposed landscaping would meet the requirements of the City's Landscaping and Screening

Ordinance. The landscape plan includes the existing boulevard trees as well as new shrubs and trees along the north and east property lines as well as a fence and shrubs along the south and west property lines to provide a physical and visual buffer between the proposed development and the existing single-family homes. The proposed development will add approximately 132 new plantings to the site. The proposal also includes a shared patio area with a seat wall. The parkway trees are the only required landscaping in the Municipal code, so the addition of the shrubs and trees along the property lines is above what is required.

Building Elevations

The petitioner has submitted elevations of the townhomes and duplexes that complement the existing homes in the area with reddish-brown brick and composite siding in varying colors. Upon review, the building elevations meet the City's requirement that 50% of the exterior wall construction be constructed of solid masonry. Additional architectural details and variations in the building's massing are also provided and include double hung windows, alternating masonry water tables, Juliet balconies, carriage style doors, and rooftop patios.

Residential Text Amendment

The proposed development is contingent on the approval of the proposed zoning text amendment (PZC 20-1-089). The residential development includes townhomes and duplexes on one lot. Lots with different types of residential housing types currently do not have an applicable set of zoning regulations. Under the current version of the Municipal code, without the proposed text amendment, townhomes are regulated by the R2 zoning requirements for area requirements and duplexes are required to follow the infill/teardown regulations. The text amendment will create a consistent set of regulations that can be applied to developments with different housing types on one lot.

Key Takeaways

- The petitioner is requesting a conditional use to allow a townhome development in the R2 district. Staff is in support of the request due to compatibility with surrounding properties.
- The petitioner requests approval of a variance to allow the development to exceed the maximum permitted height and number of stories. Staff is in support of the request because the building will not appear to exceed the height and story requirements due to the design.
- The petitioner requests approval of a variance to allow for a decrease in the required minimum lot area. Staff is in support of the request due to the surrounding land uses.
- The petitioner requests approval of a variance to reduce the front rear yard setback along the north property line. Staff is in support of the request due to the alignment with the existing structures in the neighborhood.
- The petitioner requests approval of a variance to reduce the required rear yard setback along the south property line. Staff is in support of the request due to the existing setback requirement for the current residential structure and the proposed screening.
- Staff is supportive of the proposed use and layout of the subject property. The proposed development is compatible with the surrounding area and includes landscaping that exceeds

Code requirements.

Related Files

- Consider a conditional use in the R2 district to permit townhomes and variances to (i) exceed the number of stories and height; (ii) reduce the R2 rear yard setback; (iii) reduce the R2 front yard setback; and (iv) reduce the area requirement for single-family attached dwellings in the R2 district for the properties located at 252 4th Avenue, 262 4th Avenue, 329 N. Loomis Street, and 333 N. Loomis Street - PZC #20-1-075 (Item 2 of 2)