



Naperville

CITY COUNCIL AGENDA ITEM

SUBJECT: Harter Subdivision – PZC 12-1-080

TYPE OF VOTE: Simple Majority (except as noted below)

ACTION REQUESTED:

1. Conduct the public hearing to consider the Annexation Agreement for 24W255 Hobson Road.
2. Pass the ordinance authorizing execution of the annexation agreement (requires six positive votes).
3. Waive the first reading (requires six positive votes) and pass the ordinance annexing the property at 24W255 Hobson Road.
4. Pass the ordinance to zone the subject property to E2 (Medium Density Estate District) upon annexation and to approve the preliminary/final plat of subdivision.

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on September 5, 2012 and voted to recommend approval of the request (Approved 7-1). Staff concurs.

COUNCIL ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
N/A		

DEPARTMENT: TED – Planning Services

SUBMITTED BY: Clint Smith, AICP, Community Planner

FISCAL IMPACT:

N/A

BACKGROUND:

The 110,582 square-foot property is generally located at the southeast corner of the intersection of Hobson Road and Shamrock Court, approximately 2,000 feet east of Wehrli Road, and is zoned R-1 in unincorporated DuPage County. While currently vacant, the lot was improved at

one time with a single-family residence. The petitioner is requesting rezoning to E2 (Medium Density Estate District) upon annexation and approval of a preliminary/final plat of subdivision.

DISCUSSION:

Rezoning

Upon annexation, staff is recommending the rezoning of the property to E2 (Medium Density Estate District), which is consistent with recommendations from the Hobson Road Study (1988), which recommends a minimum lot size of 40,000 square feet (SF) for this property (see attached attachment #14 Hobson Road Study Excerpt). These recommendations are upheld again in the East Sector Update (1998). The proposed E2 zoning is also consistent with surrounding properties that have previously annexed into Naperville (see attachment #3 Site Map for zoning information).

Per the Zoning Code, the E2 District is intended to provide an environment suitable for single-family residence and compatible uses at a low rate of urban population density. The minimum lot size in the E2 is 40,000 SF for single-family detached dwellings, with a minimum lot width of 125 feet. The subject property meets all code requirements.

Preliminary/Final Plat of Subdivision

The petitioner has submitted a plat of subdivision for the current property, which is Lot 2 in Hill's Assessment Plat, in order to establish a legal lot of record (an assessment plat is not considered a legal lot of record). The plat of subdivision does not create any additional buildable lots other than the existing lot and does not require the dedication of additional right of way. The submitted plat maintains the 50-foot building setback line along Hobson Road that was previously recorded, which is consistent with the current code requirements for setbacks on E2-zoned properties along Hobson Road.

Conclusion

Staff has reviewed the petitioner's response to the Standards for Granting a Map Amendment (rezoning) and concurs with the petitioner's findings. Staff supports both the request for rezoning and a preliminary/final plat of subdivision upon annexation to the City.

Planning and Zoning Commission Action

The petitioner's request was considered by the Planning & Zoning Commission (PZC) at their September 5, 2012 meeting. Staff presented an overview of the request and provided a letter of opposition to the E2 zoning. It was noted that no variances were required. Commissioner Frost inquired about the reasoning behind allowing rezoning to E2 which allowed 1 acre lots. Staff responded that the E2 zoning is consistent with the Hobson Road study and with adjacent lots of similar size that had previously annexed into the City. Staff also noted that given the requirement that new lots created through subdividing must be at least 90 percent of the size of surrounding lots (the 90% rule), the property would not be able to be subdivided at this time without seeking a variance to the 90% rule. Commissioner Frost indicated he did not support the zoning of the property for anything less than 2.5-acre lots, so as to be consistent with the existing DuPage County zoning.

After concluding the discussion, the PZC closed the public hearing and voted to recommend approval of the request for rezoning to E2 upon annexation and for a preliminary/final plat of subdivision (approved 7-1). Staff concurs.

RECOMMENDATION:

1. Conduct the public hearing to consider the Annexation Agreement for 24W255 Hobson Road.
2. Pass the ordinance authorizing execution of the annexation agreement (requires six positive votes).
3. Waive the first reading (requires six positive votes) and pass the ordinance annexing the property at 24W255 Hobson Road.
4. Pass the ordinance to zone the subject property to E2 (Medium Density Estate District) upon annexation and to approve the preliminary/final plat of subdivision.

ATTACHMENTS:

1. Harter Subdivision – Ordinance Executing the Annexation Agreement – PZC 12-1-080
2. Harter Subdivision – Exhibit A Legal Description – PZC 12-1-080
3. Harter Subdivision – Exhibit B Site Map – PZC 12-1-080
4. Harter Subdivision – Exhibit C Annexation Agreement – PZC 12-1-080
5. Harter Subdivision – Ordinance Annexing the Subject Property – PZC 12-1-080
6. Harter Subdivision – Exhibit A Legal Description – PZC 12-1-080
7. Harter Subdivision – Exhibit B Site Map – PZC 12-1-080
8. Harter Subdivision – Exhibit C Annexation Plat – PZC 12-1-080
9. Harter Subdivision – Ordinance Rezoning Property to E2 and Plat – PZC 12-1-080
10. Harter Subdivision – Exhibit A Legal Description – PZC 12-1-080
11. Harter Subdivision – Exhibit B Prelim-Final Plat – PZC 12-1-080
12. Harter Subdivision – PZC Minutes 9-5-12 – PZC 12-1-080
13. Harter Subdivision – Resident Letter – PZC 12-1-080
14. Harter Subdivision – Hobson Road Study – PZC 12-1-080