



Naperville

CITY COUNCIL AGENDA ITEM

SUBJECT: Siena Construction, Inc – PZC 12-1-105

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

ACTION REQUESTED:

1. Conduct the public hearing to consider the Annexation Agreement for 5S425 Wright Street.
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 5S425 Wright Street.
4. Pass the ordinance to zone the subject property to R1A (Low Density Single-Family Residence District) upon annexation.

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on September 5, 2012 and voted to recommend approval of the request (Approved 8-0). 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 29,185 square-foot property is generally located on Wright Street, approximately 150 feet south of 14th Avenue, and is zoned R-4 in unincorporated DuPage County. While currently vacant, the lot was improved at one time with a single-family residence.

The petitioner is requesting annexation of the subject property into the City of Naperville, with rezoning of the property to R1A (Low Density Single-Family Residence District) upon annexation. The property is currently a legal lot of record and does not require a new plat of subdivision, nor is the petitioner requesting to subdivide the property to create additional lots.

DISCUSSION:

Rezoning

Upon annexation, staff is recommending the rezoning of the property to R1A, which is consistent with the low density residential land use recommendations from the East Sector Plan Update (1998). The Plan further states that a goal of the Plan is to “Preserve/create high quality residential development”, and goes on to recommend a policy to implement that goal: “Retain the overall low density residential character of this sector as indicated on the future land use map”. Staff is of the opinion that the R1A zoning meets the intent of the recommendations in the East Sector Plan Update to ensure the continued land use as low density residential. The proposed R1A zoning is also consistent with most surrounding properties that are currently within Naperville (see attached Site Map for zoning information).

Per zoning regulations, the R1A District is intended to provide single-family areas of a low density character with lots containing a minimum of 10,000 square feet. The minimum lot width is 70 feet. The subject property meets all code requirements.

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 the request for rezoning to R1A 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, which was followed by attorney Len Monson answering questions for the petitioner. Mr. Monson noted that the request requires no variances. One individual who lived adjacent to the property testified during the public hearing, and inquired if he would be forced to annex, if he would be required to connect to the City’s utilities, and if public notice would be given when a house is constructed on the lot. Staff noted that he would not be forced to annex or connect to utilities, and no notice would be sent out in regards to construction as the site requires no variances.

After limited discussion concluded, the PZC closed the public hearing and voted to recommend approval of the request for rezoning to R1A upon annexation (approved 8-0). Staff concurs.

RECOMMENDATION:

1. Conduct the public hearing to consider the Annexation Agreement for 5S425 Wright Street.
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 5S425 Wright Street.

4. Pass the ordinance to zone the subject property to R1A (Low Density Single-Family Residence District) upon annexation.

ATTACHMENTS:

1. Siena Construction – Ordinance Executing the Annexation Agreement – PZC 12-1-105
2. Siena Construction – Exhibit A Legal Description – PZC 12-1-105
3. Siena Construction – Exhibit B Location Map – PZC 12-1-105
4. Siena Construction – Exhibit C Annexation Agreement – PZC 12-1-105
5. Siena Construction – Ordinance Annexing the Subject Property – PZC 12-1-105
6. Siena Construction – Exhibit A Legal Description – PZC 12-1-105
7. Siena Construction – Exhibit B Location Map – PZC 12-1-105
8. Siena Construction – Exhibit C Annexation Plat – PZC 12-1-105
9. Siena Construction – Ordinance Rezoning Property to R1A
10. Siena Construction – Exhibit A Legal Description – PZC 12-1-105
11. Siena Construction – Exhibit B Location Map – PZC 12-1-105
12. Siena Construction – PZC Minutes 9-5-12 – PZC 12-1-105