

STATE OF ILLINOIS )  
 )  
COUNTY OF DUPAGE )  
 )  
CITY OF NAPERVILLE )

**REVISED PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN  
COMMISSION FOR DEVELOPMENT APPROVAL**

THE UNDERSIGNED Petitioner, MC Capital Naperville, LLC, an Illinois limited liability company (hereinafter “the Petitioner”) respectfully petitions the City of Naperville to approve a Minor Change to the Conditional Use 19-162 approved December 3, 2019 (Regency Inn Naperville) (hereinafter “Subject Property”) as may be necessary to develop the property legally described on **Exhibit A** (“Subject Property”), as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter the “Code”).

**BACKGROUND INFORMATION**

1. The Petitioner, MZ Capital Naperville, LLC, an Illinois limited liability company, with a registered office at 400 Skokie Blvd., Suite 580, Northbrook, Illinois is the Petitioner and owner of the Subject Property.
2. On December 3, 2019 the City Council approved a conditional use allowing for the Petitioner to convert the existing Regency Inn into a 112 unit apartment building.
3. On December 3, 2019 the City Council approved a resolution in support of new construction should Petitioner determine that new construction in lieu of a remodel of the exiting hotel would be feasible (City Council Resolution 19-46).
4. The Petitioner has now determined that a new construction project is feasible and would allow for the following additional benefits over and above the prior approved remodel project.

- The proposed new construction plan is consistent with the approved plans and requires no additional variances. The Petitioner is not requesting additional units or less parking and is remaining consistent with the approved 112 micro unit and will actually provide additional parking over and above the approved project.
- A new construction project will be more aesthetically pleasing than a retrofit of the existing structure.
- A new construction project will be more appealing to renters increasing the viability of a long term successful community as well as provide the Petitioner with lower overall operating costs including lower expenses in the following categories: utility expense, repairs and maintenance, insurance, capital improvement reserves/replacements, and the lower borrowing costs associated with new product.
- Unlike the approved remodel, new construction will conform to all new and current building codes including upgraded energy, sustainability, accessibility, and life/safety requirements.
- New construction will allow for a substantial increase in the number of accessible (likely 100% under new construction option) and adaptable units to meet the demand from rent burdened seniors in Naperville rather than minimal accessibility requirements for the remodel.
- New construction allows for a well-planned, naturally lit, and soundproof unit layout resulting in greater livability and an enhanced quality of life for residents.
- New construction will provide for an enclosed and secure interior corridors providing for better energy efficiency and greater security for residents rather than the existing structures concrete catwalk exterior hallways, stairs and exposed exterior unit entrances.
- New construction allows for the ability to provide individual electric meters for each apartment unit rather than master meter required for the remodel, as preferred by Naperville Department of Public Utilities-Electric
- New construction will not alter, but enhances, the intent and purpose of the conditional use.

**CONDITIONAL USE TO ALLOW MULTI-FAMILY IN THE OCI ZONING DISTRICT**

- a. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare.*

The proposed amendment to the conditional use will not be detrimental to or endanger public health, safety or the general welfare. The proposed amendment for new construction

enhances the desirable living options and compliments the surrounding area while also improving the real estate tax base and value of adjacent properties. The proposed development will also improve an area which is currently vacant and occupied by a blighted motel which is out of character for the area. Lastly, the proposed residential use will provide a buffer between the existing residences to the south and Ogden Avenue to the north which will improve the public welfare.

- b. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

The amendment to the conditional use will provide for the improvement of the Subject Property which will improve property values in the area as well as the elimination of several eyesores. As a result the property values in the area will increase, and the housing stock will be improved.

- c. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.*

The proposed amendment to the conditional use will allow for the highest and best use of the Subject Property, will eliminate a blighted motel use that is totally out of character for the area and will provide for attainable housing.

- d. *The establishment of the conditional use is not in conflict with the adopted comprehensive master plan.*

The proposed development is right on target with the City's initiative to improve the Ogden Avenue corridor and also provide for more attainable housing options.

**WHEREFORE**, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission take the necessary steps to approve a minor change to the conditional use and such other variances, departures or deviations as may be necessary to

develop the property legally described on **Exhibit A** (“Subject Property”), and as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter the “Code”).

RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of January, 2020.

PETITIONER: MZ Capital Naperville, LLC.,

An Illinois limited liability company.

A handwritten signature in black ink, appearing to read 'VMP', written over a horizontal line.

Rosanova & Whitaker, Ltd.  
Attorneys for the Petitioner