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June 1, 2023

VIA EMAIL ONLY

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Ms. Allison Laff, AICP
Deputy Director
Planning & Development – TED Business Group
City of Naperville
400 South Eagle Street
Naperville, Illinois 60540

*RE: Franklin Partners, L.L.C. Redevelopment Site
1960 West Lucent Lane, Naperville, Illinois 60563
Planning and Zoning Commission Public Hearing – June 7, 2023
Proposed ORI Text Amendment (Case #23-1-041)*

Dear Ms. Laff:

Day & Robert, P.C. has the privilege of representing the interests of Franklin Partners, L.L.C., owner of the property located at 1960 West Lucent Lane, Naperville, Illinois 60563. The property is zoned ORI by the City of Naperville and will be impacted by the zoning text amendment under consideration and scheduled for public hearing before the Planning and Zoning Commission on June 7, 2023.

After working collaboratively with Naperville Development Partnership and key City planning and development staff for the better part of the last year, Franklin Partners is now partnered with Hillwood, a Perot Company, for demolition of the vacant office building and redevelopment of the property. As a result, the proposed text amendment incorporating very substantive land use amendments has the potential to significantly alter Franklin Partners' currently held vested property rights. For this reason, we were asked to submit this letter to be included in the materials before the City in relationship to the text amendment.

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The City has made clear that industrial warehousing, no matter how attractive a proposed structure may be, is something the current City Council would prefer to remove as a land use permitted as a conditional use within the ORI zoning district. For this specifically articulated reason, Franklin Partners and Hillwood have focused their collaborative planning resources on terminating prior efforts to process a conditional use permit for warehousing, and are now focused on developing a land use plan that would generate a technology¹ focused campus on the 40-acre property.

To attract the land use firms the City has targeted as serving the general welfare of Naperville, electrical power in excess of the current City infrastructure will be essential. With adequate electrical infrastructure Franklin Partners and Hillwood are confident that the technology focused land use and new employees and residents the City would like to attract can become a reality. Franklin Partners and Hillwood are most appreciative of the collaborative efforts the Naperville Development Partnership and City staff have invested in support of this entirely new direction.

The pending proposed ORI text amendment has the potential to significantly alter the economically viable land uses for the property. To the extent the ultimately approved text amendment is benign to Franklin Partners and Hillwood achieving their newly focused land development concept, they offer no input. They are confident the new and pending concept can succeed and greatly benefit the City.

There is, however, no guarantee that the current technology focused campus dependent upon additional electrical infrastructure can be legislatively accomplished by a majority approval from City Council. And as always, there could be unexpected challenges within the market-driven economy that could thwart not only the Franklin Partners and Hillwood plan, but also the City's new vision for the ORI zoning district.

The land uses as currently incorporated into the ORI draft text amendment are being dramatically narrowed. This narrowing follows on the heel of an earlier text amendment restriction that is less than two years old. As we have asserted over the course of the past year, several of the remaining land uses that would remain permitted of right under the current draft of the text amendment are not presently economically viable.

Franklin Partners and Hillwood look forward to continued collaboration with the Naperville Development Partnership and City planning staff toward a mutually beneficial redevelopment of the 1960 West Lucent Lane property. They do not voice opposition to the City defining an ORI land use pattern that is beneficial to the City goals and objectives. They do ask that the City continue to embrace the Franklin Partners and Hillwood technology driven land use concept that

¹ (i) Specialize manufacturing, examples, but not limited to, Defense, Aerospace, Smart, JIT, Semi-Conductor, Battery, Medical/Pharmaceutical, Robotic, Digital, Aseptic Processing, Solar Cell, etc.; (ii) Data Center.

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has replaced and superseded industrial warehouse concepts predicated on the existing zoning, and take steps to assure that the current concept remains permitted in the ORI zoning district after the text amendment is completed.

Thank you for your consideration.

Very truly yours,



Scott M. Day

SMD:kg

cc: Franklin Partners, L.L.C.
Hillwood
Sara Kopinski, AICP

Kopinski, Sara

From: Scopelliti, John
Sent: Wednesday, May 31, 2023 5:18 PM
To: Kopinski, Sara
Cc: Planning
Subject: FW: 1001 E. Chicago Ave. ORI Zoning amendments

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

John Scopelliti, MPA

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From: Jennifer Hsiao [REDACTED]
Sent: Wednesday, May 31, 2023 5:12 PM
To: Planning <Planning@naperville.il.us>
Subject: 1001 E. Chicago Ave. ORI Zoning amendments

CAUTION: This e-mail originated outside of the City of Naperville (@naperville.il.us).

DO NOT click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.

Dear Sir/Madam,

We are the property owner of 1001 E. Chicago Ave. Suite 111 (or Unit G) and we have received your letter regarding the amendments to ORI Zoning District. Due to our current residence in Washington State, we are

unable to attend the public hearing on June 7, 2023 at 7:00 pm. Therefore, we are sending you this email stating our comment as follows:

We hope that our condo located at 1001 E. Chicago Avenue can be amended to a residential condo (or at least for residential/commercial condo, which can be used for residential or commercial condo based on the needs of condo owners).

The reasons are that (a) in the future, the demand for business condo will decrease, as remote work will be more popular than before. We don't know what kind of virus will reappear like COVID-19. (PS: At present, the COVID-19 virus does not seem to have disappeared.) (b) the demand for residential condo in Naperville is increasing, especially as our condo is located in the 203-school district.

We will deeply appreciate your any help.

The owner of 1001 E. Chicago Ave. Suite 111 (or Unit G)

KECHIEN YANG and JENNIFER HSIAO