



## CITY OF NAPERVILLE

TRANSPORTATION, ENGINEERING, AND DEVELOPMENT (TED)  
BUSINESS GROUP  
400 S. Eagle Street  
Naperville, IL 60540  
[www.naperville.il.us](http://www.naperville.il.us)

# PETITION FOR ZONING VARIANCE

January 1, 2021

## TRANSPORTATION, ENGINEERING, & DEVELOPMENT (TED) BUSINESS GROUP

Use this packet to request a variance from the City of Naperville zoning regulations. Zoning variances are subject to a public hearing before the Planning and Zoning Commission and approval by the Naperville City Council. This Petition for Zoning Variance is available on the City's website at <http://www.naperville.il.us/developmentpetition.aspx>. Questions may be directed to the City of Naperville TED Business Group at [DRT@naperville.il.us](mailto:DRT@naperville.il.us).

### ***E-Plan Review***

"E-plan review" is short-hand for electronic plan review. It is the process of reviewing development submittals in a digital format instead of on paper. All development projects submitted to the City require e-plan review. All plans (e.g., site plan, engineering plans, landscape plans, etc.) and application materials (e.g. parking and traffic studies, application forms, etc.) associated with these projects must be provided to the City of Naperville electronically per the following table:

<b>Required E-Plan Review Submittals</b>	<b>Format*</b>	<b>Page</b>
Zoning Variance Form (Exhibit A)	PDF File	5 - 7
Response to Standards (Exhibit B or Exhibit C)	PDF File	8 - 9
Disclosure of Beneficiaries (Exhibit D)	PDF File	10 - 11
Legal Description**	MS Word File	N/A
Site Plan (e.g., Plat Survey) depicting all existing structures, patios, decks, and proposed structures, additions, signs, and/or fences and the setbacks from lot lines to such improvements ( <i>drawn to scale</i> ).	PDF File	N/A
\$500 application fee	Check payable to the City of Naperville	N/A

**\*Submittals must comply with the formatting and filename specifications detailed in the Naperville [PDF Submittal Requirements](#) and [Naperville Required Submittal List](#).**

**\*\*It is the petitioner's sole responsibility to verify that the correct legal description including address and PIN(s) is being submitted. Failure to do so may result in additional resubmittals, additional fees, meeting rescheduling, project delays, etc.**

---

### OVERVIEW OF ZONING VARIANCE PROCESS

1. Prior to submittal of a Petition for Zoning Variance, please email a brief description of your project to the TED Planning Department at [planning@naperville.il.us](mailto:planning@naperville.il.us) to determine whether or not a concept meeting is required. A project manager will be assigned to you at this time.
2. Following your concept meeting (if required), prepare a complete Petition for Zoning Variance including all items noted in the Required E-plan Review Submittals table above. All submittals shall comply with the formatting and filename specifications detailed in the Naperville [PDF Submittal Requirements](#) and [Naperville Required Submittal List](#).
3. Contact your Project Manager to obtain access to Naperville's e-Review Submittal Portal. See the [Naperville E-Review Submittal Instructions](#) for additional details.



4. Electronically submit the complete Petition for Zoning Variance including all items (except for fee) noted in the Required E-plan Review Submittals table above. *Submittals will not be accepted and/or processed until all of the submittal requirements are met.*
5. Drop off a check in the amount of \$500 to the Development Services Counter on the 1<sup>st</sup> floor of the Municipal Center, 400 S Eagle Street, or mail it to your Project Manager's attention at City of Naperville, 400 S Eagle Street, Naperville IL 60540.
6. Once the completed Petition for Development Approval is accepted, it will be forwarded to City departments (e.g. planning, utilities, engineering, etc.) for review and comment.
7. At the conclusion of the review cycle, if all fees have been paid, the Project Manager will transmit the City's technical review comments to the Primary Contact identified on the Zoning Variance Form (see page 6). Comments may necessitate revisions to plans prior to scheduling the project for a Planning and Zoning Commission (PZC) and/or City Council meeting.
8. Once department review of the Petition is completed, the project will be scheduled for a public hearing before the Planning and Zoning Commission (PZC). The Petitioner will be notified of the hearing date approximately three weeks in advance. City staff will complete newspaper notification requirements; the Petitioner is required to complete mailed notice and posting of a sign on the property (see Public Hearing Information Packet for additional information).
9. Following a public hearing and recommendation by the PZC, the case will be scheduled for City Council consideration. The Petitioner will be notified of the City Council date approximately four weeks in advance of the meeting. A summary of the meeting format for the PZC and City Council is provided on the next page of this packet.
10. Zoning variances are subject to City Council approval. Permits associated with the variance will only be granted upon City Council approval of the variance request.

### **EFFECTIVE PERIOD OF APPLICATION**

Please note that Applications for Engineering Approval are only valid for a period of two years from the date of application submission and that all cases will be closed by the City without further notice to the Applicant after the two-year period has expired.



### SUMMARY OF PUBLIC MEETING FORMAT

A summary of the meeting format for the Planning and Zoning Commission (PZC) and City Council is provided below. The following is intended to provide a general overview of the format for each meeting; and the role of the Petitioner, City staff, the general public, the PZC, and the City Council. For additional information, please contact your assigned project manager.

#### PLANNING AND ZONING COMMISSION (PZC)

The Planning and Zoning Commission meeting begins at 7 p.m. (first and third Wednesday's of each month). Prior to the start of the meeting, City staff will be available to provide assistance and answer any questions or concerns. The following is a summary of the meeting format:

- City Staff Presentation – At the start of the public hearing City staff will provide a brief overview of the requested variance.
- Petitioner Testimony – Following City staff's presentation, the Petitioner, attorney representing the petitioner, and/or consultant(s) will have an opportunity to speak. The extent of the Petitioner's presentations varies by case. The Petitioner may provide a presentation, outline key points, or state that they are available for questions only.
- Public Testimony – The public will have an opportunity to provide comments on the case. The PZC Chairman will ask if any member of the audience is present to speak on the case.
- PZC Questions/Comments – Following public testimony (if any), the PZC members will discuss the variance request and may address questions to City staff and/or the Petitioner.
- PZC Recommendation – The PZC will provide a recommendation at the conclusion of their discussion. The recommendation will be forwarded to City Council for final determination. City staff will confirm a City Council meeting date with the Petitioner following the PZC meeting.

#### CITY COUNCIL

The City Council meeting begins at 7 p.m. (first and third Tuesday of each month). The Petitioner should arrive prior to 7 p.m. to register with the City Clerk's Office in order to 1) speak on the case; or 2) respond to questions only (i.e., no presentation).

The Petitioner or attorneys representing petitioner(s) may speak on an agenda item first and will be allotted up to 10 minutes. Other speakers who have signed up for the agenda item will be allotted up to three minutes to speak.

For additional information about the Naperville City Council, visit the City's website at [www.naperville.il.us/government/meet-your-city-council](http://www.naperville.il.us/government/meet-your-city-council).

CITY OF NAPERVILLE  
**ZONING VARIANCE FORM**



Exhibit A

**ADDRESS OF SUBJECT PROPERTY:** 47 East Chicago Avenue, Naperville, IL

**PARCEL IDENTIFICATION NUMBER (PIN):** 07-13-431-019

**I. PETITIONER:** Fidelity Brokerage Services LLC

PETITIONER'S ADDRESS: 88 Black Falcon Avenue, Suite 167

CITY: Boston STATE: MA ZIP CODE: 02210

PHONE: 857-275-8966 EMAIL ADDRESS: taran.grigsby@fmr.com

**II. OWNER(S):** LLJ GW Washington, LLC

OWNER'S ADDRESS: 750 B Street, Suite 3020

CITY: San Diego STATE: CA ZIP CODE: 32101

PHONE: 619-814-0565 EMAIL ADDRESS: epodolsky@lljventures.com

**III. PRIMARY CONTACT** (review comments sent to this contact): Peter Friedman

RELATIONSHIP TO PETITIONER: Attorney

PHONE: 312-528-5192 EMAIL ADDRESS: peter.friedman@elrodfridman.com

**IV. OTHER STAFF**

NAME: Elizabeth Eromin

RELATIONSHIP TO PETITIONER: Director, Leasing & Transactions

PHONE: 617-538-5032 EMAIL ADDRESS: elizabeth.eromin@fmr.com

NAME: \_\_\_\_\_

RELATIONSHIP TO PETITIONER: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

CITY OF NAPERVILLE  
**ZONING VARIANCE FORM**

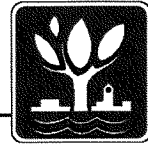


Exhibit A

**V. SUBJECT PROPERTY INFORMATION**

ZONING OF PROPERTY: B4 - Downtown Core District

AREA OF PROPERTY (Acres or sq ft): 2,437 SF- Building 23,754 SF - Entire Property

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):

Please see attached pages

**VI. PETITIONER'S SIGNATURE**

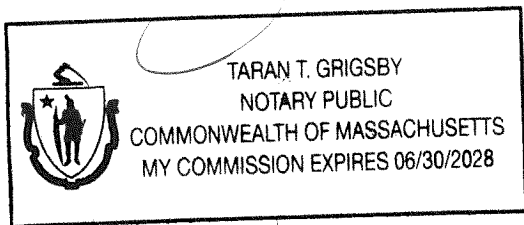
I, Kevin McLaughlin, Chief Financial Officer (Petitioner's Printed Name and Title), being duly sworn, declare that I am duly authorized to make this Petition, and the above information, to the best of my knowledge, is true and accurate.

Kevin McLaughlin  
(Signature of Petitioner or authorized agent)

November 1, 2024  
(Date)

SUBSCRIBED AND SWORN TO before me this 1st day of November, 2024

Taran T. Grigsby  
(Notary Public and Seal)



CITY OF NAPERVILLE  
**ZONING VARIANCE FORM**

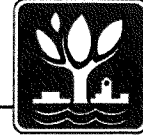



Exhibit A

**VII. OWNER'S AUTHORIZATION LETTER**

I/we hereby certify that I/we am/are the owner(s) of the above described Subject Property. I/we am/are respectfully requesting processing and approval of the request(s) referenced in this Petition. I/we hereby authorize the Petitioner listed on this Petition to act on my/our behalf during the processing and presentation of this request(s).

  
\_\_\_\_\_  
(Signature of 1<sup>st</sup> Owner or authorized agent)

\_\_\_\_\_  
(Signature of 2<sup>nd</sup> Owner or authorized agent)

11/01/2024  
(Date)

\_\_\_\_\_  
(Date)

Leonardo Simpser, Manager  
1<sup>st</sup> Owner's Printed Name and Title

\_\_\_\_\_  
2<sup>nd</sup> Owner's Printed Name and Title

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Notary Public and Seal)

*best certificate attached*





## PETITION FOR ZONING VARIANCE

### Detailed Description of Variation

**Applicant: Fidelity Brokerage Services LLC (“*Fidelity*”)**

**Property: 47 East Chicago Avenue, Naperville, Illinois**

#### **Use Variation:**

The Property is located within the City’s B4 – Central Business District (“***B4 District***”). Pursuant to Section 6-7D-2 of the Naperville Zoning Ordinance, “General Service” uses are permitted within the B4 District under certain conditions. Section 6-7D-4(1) then provides that general service uses are not permitted below the second floor of any building or structure. Fidelity desires to open a new branch on the Property with the second floor being utilized as an investment center and the ground floor being a retail space designed to attract and serve walk-in customers. The City has classified Fidelity’s proposed use as a “General Service Use.” Therefore, a variance from Section 6-7D-4(1) of the Naperville Zoning Ordinance is requested to allow the proposed use on the ground floor of the Property.