



CITY OF NAPERVILLE

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

PETITION FOR DEVELOPMENT APPROVAL

March 2, 2022

TRANSPORTATION, ENGINEERING, & DEVELOPMENT (TED) BUSINESS GROUP

Use this packet to request development approval from the City when consideration by the Naperville Planning and Zoning Commission and/or approval from the Naperville City Council is required. This Petition for Development Approval 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.

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 submitted to the City of Naperville electronically per the following table:

Required E-Plan Review Submittals	Format*	Page
Development Petition Form	PDF File	4 - 7
Disclosure of Beneficiaries	PDF File	8 - 9
Fees***	Check	10
Response to Standards Exhibits	PDF File	11 - 14
Legal Description**	MS Word File	N/A
Plan Submittals***	PDF File	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.

***Refer to the Concept Meeting Summary (if applicable) for the required plan submittals and fees or contact your Project Manager if you have questions. If you do not have a Project Manager, please email DRT@naperville.il.us or call 630-420-6100.

DEVELOPMENT REVIEW PROCESS

1. Prior to submittal of a Petition for Development Approval, please email a brief description of your project to the TED Business Group at DRT@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 Development Approval including all items noted in your Concept Meeting Summary and in the Required E-plan Review Submittals table above. All submittal materials 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 Development Approval including all items 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. Once the complete Petition for Development Approval is accepted, it will be forwarded to City departments (e.g. planning, utilities, engineering, etc.) for review and comment.
6. Upon receipt of the submittal, the Project Manager will contact you with the fee requirement for the project. All required fees must be paid in full by check payable to the City of Naperville prior to release of the City's next set of review comments. You may drop off the check to the Development Services Counter on the 1st 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.
7. Once all required fees are paid, the Project Manager will transmit the City's review comments to the Primary Contact identified on the Development Petition Form. Comments may necessitate revisions to plans prior to scheduling the project for a Planning and Zoning Commission (PZC) and/or City Council meeting.
8. The Project Manager will work with the Primary Contact to schedule a public hearing/meeting before the Planning and Zoning Commission (if required). *The Primary Contact will be notified of the hearing/meeting date approximately three weeks in advance.* As required, City staff will complete newspaper publication requirements; the Petitioner/Owner shall complete the written notice and posting of a sign on the property as defined below:

Case Type	Publication ¹	Sign	Written Notice
<i>Public Hearing Cases: variances, rezoning, conditional use, major changes, PUD deviation, and variances to Section 7-4-4 (Design Standards)</i>	Yes	Yes	Yes
<i>Minor Change: minor changes to conditional uses or PUD</i>	No	Yes	Yes
<i>Administrative Adjustments: administrative adjustments to conditional use or PUD</i>	No	No	No

¹The City will publish notice of the public hearing in a local newspaper of general circulation at least 15 days, but not more than 30 days, prior to the public hearing date.

As noted above, notice requirements vary by case type; therefore, please contact the Project Manager to review the requirements. The public notice shall be issued at least 15 days, but not more than 30 days, prior to the scheduled public hearing/meeting date (unless otherwise directed by staff).

9. Following a public hearing and recommendation by the Planning and Zoning Commission, the case will be scheduled for City Council consideration. Cases will not be scheduled for City Council until staff has determined that all plans are in technical compliance. The Primary Contact will be notified of the City Council date approximately four weeks in advance of the meeting. A summary of the meeting format for the Planning and Zoning Commission and City Council is provided as Attachment 1.

EFFECTIVE PERIOD OF PETITION

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

DEVELOPMENT PETITION FORM

DEVELOPMENT NAME (should be consistent with plat): LOT 2 IN BRADFORD COMMONS

ADDRESS OF SUBJECT PROPERTY: SWC OF BEEBE AND FITNESS DRIVES, NAPERVILLE, IL

PARCEL IDENTIFICATION NUMBER (P.I.N.): 07-27-300-031

I. PETITIONER: WU&TRAN NAPERVILLE LLC

PETITIONER'S ADDRESS: 3401 AVONDALE

CITY: NEW LENOX STATE: IL ZIP CODE: 60541

PHONE: 626-512-7709 EMAIL ADDRESS: MICHAELWU8989@GMAIL.COM

II. OWNER(S): NAPERVILLE RETAIL INVESTMENTS, LLC

OWNER'S ADDRESS: ROUTE 30, BIG ROCK EXECUTIVE CENTER

CITY: BIG ROCK STATE: IL ZIP CODE: 60511

PHONE: 702-372-0128 EMAIL ADDRESS: jeff@e-a.net

III. PRIMARY CONTACT (review comments sent to this contact): SCOTT SHALVIS

RELATIONSHIP TO PETITIONER: ARCHITECT

PHONE: 708-446-4942 EMAIL ADDRESS: SCOTT.S@ARCHSTUDIOLTD.NET

IV. OTHER STAFF

NAME: MARCIA OWENS

RELATIONSHIP TO PETITIONER: ATTORNEY

PHONE: 312-701-9347 EMAIL ADDRESS: MOWENS@HONIGMAN.COM

NAME: _____

RELATIONSHIP TO PETITIONER: _____

PHONE: _____ EMAIL ADDRESS: _____

V. PROPOSED DEVELOPMENT

(check applicable and provide responses to corresponding exhibits on separate sheet)

<p>PZC&CC Processes</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Annexation (Exhibit 3) <input type="checkbox"/> Rezoning (Exhibit 4) <input type="checkbox"/> Conditional Use (Exhibit 1) <input type="checkbox"/> Major Change to Conditional Use (Exhibit 1) <input type="checkbox"/> Planned Unit Development (PUD) (Exhibit 2) <input checked="" type="checkbox"/> Major Change to PUD (Exhibit 2) <input type="checkbox"/> Preliminary PUD Plat (Exhibit 2) <input type="checkbox"/> Preliminary/Final PUD Plat <input type="checkbox"/> PUD Deviation (Exhibit 6) <input checked="" type="checkbox"/> Zoning Variance (Exhibit 7) <input type="checkbox"/> Sign Variance (Exhibit 7) <input type="checkbox"/> Subdivision Variance to Section 7-4-4
<p>CC Only Process</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Minor Change to Conditional Use (Exhibit 1) <input type="checkbox"/> Minor Change to PUD (Exhibit 2) <input type="checkbox"/> Deviation to Platted Setback (Exhibit 8) <input type="checkbox"/> Amendment to an Existing Annexation Agreement <input type="checkbox"/> Preliminary Subdivision Plat (creating new buildable lots) <input type="checkbox"/> Final Subdivision Plat (creating new buildable lots) <input type="checkbox"/> Preliminary/Final Subdivision Plat (creating new buildable lots) <input type="checkbox"/> Final PUD Plat (Exhibit 2) <input type="checkbox"/> Subdivision Deviation (Exhibit 8) <input type="checkbox"/> Plat of Right-of-Way Vacation
<p>Administrative Review Administrative Review</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Administrative Subdivision Plat (no new buildable lots are being created) <input type="checkbox"/> Administrative Adjustment to Conditional Use <input type="checkbox"/> Administrative Adjustment to PUD <input type="checkbox"/> Plat of Easement Dedication/Vacation <input type="checkbox"/> Landscape Variance (Exhibit 5)
<p>Other</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Please specify:

ACREAGE OF PROPERTY: 2.1568 ACRES

PETITIONER PROPOSES TO CONSTRUCT A SIT DOWN RESTAURANT CONSISTING OF APPROXIMATELY 16,263
SQUARE FEET WITH OUTDOOR DINING AND APPROXIMATELY 146 PARKING SPACES. THE PROPOSED
RESTAURANT WILL OPERATE AS A WU'S HOUSE WITH HIBACHI TABLES AND ADDITIONAL DINING FOR
CHINESE, SUSHI AND THAI.

EXHIBIT 2: Section 6-4-7:1: Standards for Granting or Amending a Planned Unit Development

1. The design of the planned unit development presents an innovative and creative approach to the development of land and living environments.
2. The planned unit development meets the requirements and standards of the planned unit development regulations.
3. The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site.
4. Open space, outdoor common area, and recreational facilities are provided.
5. The modifications in design standards from the subdivision control regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations.
6. The planned unit development is compatible with the adjacent properties and nearby land uses.
7. The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the city.

1. The design of the planned unit development prevents an innovative and creative approach to the development of the land and living environments. The design contemplates a sit down restaurant consisting of approximately 16,263 square feet with a covered entrance and outdoor dining area. The building has been positioned directly at the corner of Beebe Drive and Fitness Drive to create a streetscape aesthetic with masonry on all four sides to create a consistent and modern look. The parking lot will tie into the parking lots for the daycare to the south and the fitness center to the west, so there is an easy path of travel among all properties.
2. The planned unit development meets the requirements and standards of the planned unit development regulations. The design offers a more imaginative and creative architectural design by allowing for a streetscape design and expanded outdoor patio. The project is in character with the surrounding area and the surrounding developments.
3. The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site. The design maximizes the developable area of the site and allows for entry both through Fitness Drive and through the adjacent center. It preserves the sidewalks that extend down both drives and ties in with the surrounding center.
4. Open space, outdoor common area and recreational facilities are provided. The building position at the intersection of Fitness and Beebe Drives ties in with the sidewalks that extend down both streets and will provide for an inviting design while walking or driving

through the area. The outdoor dining area has been enlarged to take advantage of the trend for outdoor living space and to provide more opportunity for those customers concerned with the Covid-19 or any other virus. The lot will be fully landscaped to tie in natural elements and to blend in with the surrounding commercial development.

5. The modification in design standards from the subdivision control regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations. The PUD zoning allows for flexibility from the regulations.
6. The planned unit development is compatible with the adjacent properties and nearby land uses. The sit down restaurant use is compatible with the retail uses surrounding the property. It will offer an alternative choice in dining in a family friendly atmosphere and will coincide well with the daycare center to the south, as peak traffic times for each business will occur at different times of the day to avoid congestion.
7. The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the City. The development falls in an area used for commercial retail, service and entertainment and will add a range of menu options from Hibachi, Chinese, Thai and Sushi and attracts a wide range of customers in a family-friendly atmosphere. It also provides for a modern building with architectural elements on all sides that tie in with the existing development and draw natural elements from the surrounding nature preserve. This parcel is ripe for development and will add additional outdoor seating to provide additional opportunity for those looking for more open space with which to dine.

EXHIBIT 6: Section 6-4-3:12.1: Standards for Approving a PUD Deviation

1. Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and
2. Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and
3. Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.
 1. The deviation would not undermine the intent and purpose of the underlying zoning district. The property lies in the B-2 PUD zoning district. The proposed use, as a sit-down restaurant, clearly falls within such zoning district and the retail and restaurant uses that surround the property. The request to reduce the number of parking spaces by 17 spaces (from 163 required parking spaces to 146 parking spaces) allows for ample parking spaces to satisfy the needs for the restaurant at a ratio of approximately 9 parking spaces per 1,000 square feet, but also allows space for an expanded outdoor patio, additional architectural features and landscaping which all satisfy the intent of the comprehensive master plan and will complement the surround area. This uses also fits well with the surrounding uses (gym and daycare), as they have different peak times to allow an orderly flow of traffic and sufficient parking for both uses while also maximizing the space available.
 2. The requested deviation would not be a detriment to the provision of municipal services and infrastructure. The reduction of 17 parking spaces would not require any change in municipal services or infrastructure from those already being provided.
 3. The requested deviation would contribute to a planned unit development with a superior level of design and amenity enhancement. The reduction in parking spaces allows for the creation of an expanded outdoor patio area. This design meets current needs, with more people feeling comfortable being outdoors and choosing to eat outdoors, and also complements the more modern look for the property. This also allows for the creation of an enlarged lobby area that provides customers with a place to wait away from the outside elements without being overly crowded.

VI. REQUIRED SCHOOL AND PARK DONATIONS (RESIDENTIAL DEVELOPMENT ONLY)

(per Section 7-3-5: Dedication of Park Lands and School Sites or for Payments or Fees in Lieu of)

Required School Donation will be met by:

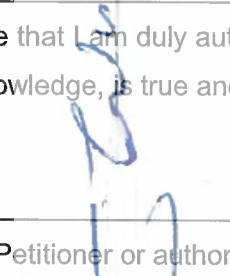
- Cash Donation (paid prior to plat recordation)
- Cash Donation (paid per permit basis prior to issuance of each building permit)
- Land Dedication

Required Park Donation will be met by:

- Cash Donation (paid prior to plat recordation)
- Cash Donation (paid per permit basis prior to issuance of each building permit)
- Land Dedication

VII. PETITIONER'S SIGNATURE

I, CHANG JIN WU (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.

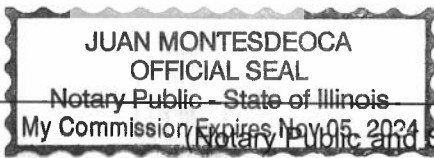


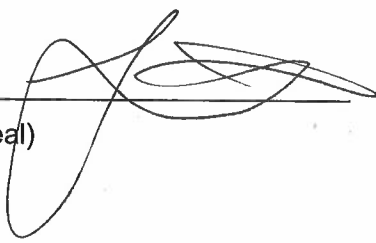
(Signature of Petitioner or authorized agent)

7-28-22

(Date)

SUBSCRIBED AND SWORN TO before me this 28TH day of JULY, 2022





VIII. OWNER'S AUTHORIZATION LETTER¹

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 1st Owner or authorized agent)

(Signature of 2nd Owner or authorized agent)

10/12/22

(Date)

(Date)

Jeff R. ... as ... Agent

1st Owner's Printed Name and Title

2nd Owner Printed Name and Title

SUBSCRIBED AND SWORN TO before me this 12th day of October, 2022

Kimberly M. Roth

(Notary Public and Seal)



¹ Please include additional pages if there are more than two owners.

CITY OF NAPERVILLE
PETITIONER/APPLICANT - DISCLOSURE OF BENEFICIARIES

In compliance with Title 1 (Administrative), Chapter 12 (Disclosure of Beneficiaries) of the Naperville Municipal Code ("Code"), as amended, the following disclosures are required when any person or entity applies for permits, licenses, approvals, or benefits from the City of Naperville unless they are exempt under 1-12-5:2 of the Code. Failure to provide full and complete disclosure will render any permits, licenses, approvals or benefits voidable by the City.

1. Petitioner: WU&TRAN NAPERVILLE LLC
Address: 3401 AVONDALE
NEW LENOX, IL 60451

2. Nature of Benefit sought: MAJOR CHANGE TO PUD AND ZONING VARIANCE

3. Nature of Petitioner (select one):

- | | |
|-----------------------|---|
| a. Individual | e. Partnership |
| b. Corporation | f. Joint Venture |
| c. Land Trust/Trustee | g. <u>Limited Liability Corporation (LLC)</u> |
| d. Trust/Trustee | h. Sole Proprietorship |

4. If Petitioner is an entity other than described in Section 3, briefly state the nature and characteristics of Petitioner:

5. If your answer to Section 3 was anything other than "Individual", please provide the following information in the space provided on page 9 (or on a separate sheet):

- **Limited Liability Corporation (LLC):** The name and address of all members and managing members, as applicable. If the LLC was formed in a State other than Illinois, confirm that it is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
- **Corporation:** The name and address of all corporate officers; the name and address of every person who owns five percent (5%) or more of any class of stock in the corporation; the State of incorporation; the address of the corporation's principal place of business. If the State of incorporation is other than Illinois, confirm that the corporation is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
- **Trust or Land Trust:** The name, address and interest of all persons, firms, corporations or other entities who are the beneficiaries of such trust.
- **Partnerships:** The type of partnership; the name and address of all general and limited partners, identifying those persons who are limited partners and those who are general partners; the address of the partnership's principal office; and, in the case of a limited partnership, the county where the certificate of limited partnership is filed and the filing number.
- **Joint Ventures:** The name and address of every member of the joint venture and the nature of the legal vehicle used to create the joint venture.
- **Sole Proprietorship:** The name and address of the sole proprietor and any assumed name.
- **Other Entities:** The name and address of every person having a proprietary interest, an interest in profits and losses or the right to control any entity or venture not listed above.

CHANG JIN WU, MEMBER AND MANAGER, 50%

KRISTY TRAN, MEMBER, 50%

6. Name, address and capacity of person making this disclosure on behalf of the Petitioner:
CHANG JIN WU, MANAGER

VERIFICATION

I, CHANG JIN WU (print name), being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the Petitioner, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature: _____

Subscribed and Sworn to before me this 28TH day of JULY, 2022.

Notary Public and seal JUAN MONTESDEOCA
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires Nov 05, 2024

CITY OF NAPERVILLE
PROPERTY OWNER - DISCLOSURE OF BENEFICIARIES

In compliance with Title 1 (Administrative), Chapter 12 (Disclosure of Beneficiaries) of the Naperville Municipal Code ("Code"), as amended, the following disclosures are required when any person or entity applies for permits, licenses, approvals, or benefits from the City of Naperville unless they are exempt under 1-12-5:2 of the Code. Failure to provide full and complete disclosure will render any permits, licenses, approvals or benefits voidable by the City.

1. Owner: NAPERVILLE RETAIL INVESTMENTS, LLC
Address: ROUTE 30, BIG ROCK EXECUTIVE CENTER
BIG ROCK, ILLINOIS 60511

2. Nature of Benefit sought: MAJOR CHANGE TO PUD/ZONING VARIANCE

3. Nature of Owner (select one):
 - a. Individual
 - b. Corporation
 - c. Land Trust/Trustee
 - d. Trust/Trustee
 - e. Partnership
 - f. Joint Venture
 - g. Limited Liability Corporation (LLC)
 - h. Sole Proprietorship

4. If Owner is an entity other than described in Section 3, briefly state the nature and characteristics of Owner:

5. If your answer to Section 3 was anything other than "Individual", please provide the following information in the space provided on page 9 (or on a separate sheet):
 - a. **Limited Liability Corporation (LLC):** The name and address of all members and managing members, as applicable. If the LLC was formed in a State other than Illinois, confirm that it is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
 - b. **Corporation:** The name and address of all corporate officers; the name and address of every person who owns five percent (5%) or more of any class of stock in the corporation; the State of incorporation; the address of the corporation's principal place of business. If the State of incorporation is other than Illinois, confirm that the corporation is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
 - c. **Trust or Land Trust:** The name, address and interest of all persons, firms, corporations or other entities who are the beneficiaries of such trust.
 - d. **Partnerships:** The type of partnership; the name and address of all general and limited partners, identifying those persons who are limited partners and those who are general partners; the address of the partnership's principal office; and, in the case of a limited partnership, the county where the certificate of limited partnership is filed and the filing number.
 - e. **Joint Ventures:** The name and address of every member of the joint venture and the nature of the legal vehicle used to create the joint venture.
 - f. **Sole Proprietorship:** The name and address of the sole proprietor and any assumed name.
 - g. **Other Entities:** The name and address of every person having a proprietary interest, an interest in profits and losses or the right to control any entity or venture not listed above.

Beneficial Owners, Alan J. Feldman Living Trust (10%); APR 2021 Investment Trust (1%); Christine Rayman (1%); Danny Morrissey (30%); Evan Rayman Revocable Trust (28%); and Rayman Realty Trust (30%)

6. Name, address and capacity of person making this disclosure on behalf of the Owner: Jeff Ratzer, not individually but as Vice President of Executive Affiliates, Inc., as the Manager of Consolidated Realty Management, LLC, as the Manager of Naperville Retail Investments, LLC, 47W210 Route 30, Big Rock, IL 60511.

VERIFICATION

I, Jeff Ratzer, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the Owner, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature: _____

By: Jeff Ratzer, not individually but as Vice President of Executive Affiliates, Inc., as the Manager of Consolidated Realty Management, LLC, as the Manager of Naperville Retail Investments, LLC

Subscribed and Sworn to before me this 2nd August, 2022.

Jane E. Przybylski
Notary Public and seal



LEGAL DESCRIPTION

LOT 2 IN BRADFORD COMMONS RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 5 AND 6, OF PART OF THE SOUTH WEST $\frac{1}{4}$ OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 17, 2021, AS DOCUMENT NUMBER R2021-139056.

PIN: 07-27-300-031

Commonly known as: 2703 Beebe Drive, Naperville, Illinois 60564

REQUIRED FEES

*The City of Naperville will not release review comments for your submittal until all fees are paid.
If applicable, refer to the Concept Meeting Checklist for a summary of the required fee submittals or contact a project manager.*

FEE	AMOUNT
Base Process Fee*	
A) PZC-CC (annexation)	\$4,000.00
B) PZC-CC (non-annexation)	\$3,000.00
C) CC only	\$2,000.00
D) Administrative	\$500.00
*Resubmittal fee of 25% of the Base Fee Applies to the 4 th resubmittal and each subsequent submittal thereafter.	
Engineering Review Fee	
A) Preliminary Engineering	\$25.00 per page
B) Final Engineering	\$150.00 per page
Agreements (e.g., annexation, owner's acknowledgement, encroachment, easements, declarations, surety, at-risk)	
A) Basic	\$250.00 per agreement
B) Standard	\$500.00 per agreement
C) Complex	\$1,000.00 per agreement
Technical Study and Report Review Fee	\$400 (includes all resubmittals)
Field Change	\$300 (includes all resubmittals)
Record Drawings	\$300 (includes all resubmittals)
Temporary Use Requiring Only Council Approval	\$500.00
Variance Only	\$500.00
Publication of Legal Notice	Direct Invoice of Cost

REQUIRED RESPONSE TO STANDARDS EXHIBITS

Provide responses to corresponding exhibits on separate sheet (see Page 5 *Proposed Development* for required exhibit submittals). Except as otherwise described, responses to the applicable exhibits are required per the Naperville Municipal Code.

The Naperville Municipal Code requires a petitioner who is seeking approval of various entitlements to respond to a set of standards that demonstrate both the need and appropriateness of the request. Your response to the standards is forwarded to the Planning and Zoning Commission and City Council for consideration as required, along with a report prepared by staff, when reviewing your request. It is important to provide thorough responses to each of the standards listed below.

To assist in better understanding the intent of each standard, see Exhibit 7 for helpful information to consider when preparing your responses.

EXHIBIT 1: Section 6-3-8:2: Standards for Granting or Amending a Conditional Use

1. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare;
2. 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;
3. 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; and
4. The establishment of the conditional use is not in conflict with the adopted comprehensive master plan.

EXHIBIT 2: Section 6-4-7:1: Standards for Granting or Amending a Planned Unit Development

1. The design of the planned unit development presents an innovative and creative approach to the development of land and living environments.
2. The planned unit development meets the requirements and standards of the planned unit development regulations.
3. The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site.
4. Open space, outdoor common area, and recreational facilities are provided.
5. The modifications in design standards from the subdivision control regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations.
6. The planned unit development is compatible with the adjacent properties and nearby land uses.
7. The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the city.

EXHIBIT 3: Section 7-1-8 of the Illinois Municipal Code (65 ILCS 5/7-1-8)

1. This Petition for Development Approval shall include a petition for annexation signed by all property owner(s) of record for all land included with the annexation request.
2. Are there residents (i.e., property owners or tenants) on the subject property?
 - a. Yes, there are residents (i.e., property owners or tenants) on the subject property.
 - Complete the written petition signed by all property owner(s) of record as described above.
 - The written petition shall also include signatures from at least 51% of the electors (i.e., persons registered to vote) residing on the subject property.
 - b. No, there are no residents (i.e., property owners or tenants) on the subject property.
 - Complete the written petition signed by the property owner(s) of record as described above.
 - The petition shall state that no electors (i.e., persons registered to vote) reside on the subject property.

EXHIBIT 4: Section 6-3-7:1: Standards for Granting a Map Amendment (Rezoning)

1. The amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other official plans of the City; and
2. The trend of development in the area of the subject property is consistent with the requested amendment; and
3. The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification; and
4. The subject property has not been utilized under the existing zoning classification for a substantial period of time; and
5. The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

EXHIBIT 5: Section 5-10-7: Standards for Granting a Landscape Variance

1. Strict enforcement of this chapter would result in practical difficulties or impose exceptional hardships; and
2. The principal reason for the variance is other than an increased income or revenue from the property; and
3. The variance, if granted, will not alter the essential character of the neighborhood, will not be a substantial detriment to adjacent property, and will not increase congestion or traffic hazards in the public streets, or otherwise impair the public health, safety, comfort, and general welfare.

EXHIBIT 6: Section 6-4-3:12.1: Standards for Approving a PUD Deviation

1. Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and
2. Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and
3. Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.

EXHIBIT 7: Section 6-3-6:2: Standards for Granting a Zoning Variance

1. The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan; and

Explanation: The Zoning Code seeks to improve and protect the public health, safety, comfort, convenience, and general welfare of the people by establishing a uniform set of rules applicable to each zoning district. A variance is a request to deviate from the standard rules. In this response, you should provide an explanation as to how the overall intent of the zoning code (see Purpose and Intent of the Zoning Code) and the comprehensive master plan (see City's website) will still be maintained if the specific variance you are requesting is granted.

2. **Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and**

Explanation: Explain how your property is different from others that are zoned and used in a similar manner (i.e., other residential lots) and how these differences make it difficult to comply with the standard code requirements. For example, the location of a mature tree on your property may make it difficult to build an addition onto your home in a location that complies with required setbacks. As a result, you may be seeking a variance to locate a portion of the addition within the required setback in order to preserve the tree. In this case, the tree presents a special condition and unusual hardship for your property that makes compliance with the code difficult. Per the code, hardships should not be self-imposed (i.e., "I would simply like a bigger addition than permitted") and should not be financially based (i.e., "It will be too costly to build in compliance with the Code").

3. **The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.**

Explanation: Provide details as to how the requested variance, if granted, will not significantly impact the surrounding properties and neighborhood. Questions to ask yourself when preparing this response may include: Will the variance result in an improvement that is out of character or inconsistent with surrounding properties? Will abutting properties be impacted by the variance I am requesting? If so, what considerations/alterations/conditions have been made to protect the adjacent properties from the proposed improvement? Are other properties in the immediate area improved in a similar manner?

EXHIBIT 8: Section 7-1-8-:2.3: Standards for Granting a Subdivision Deviation

1. The Petitioner has shown that strict adherence to the provisions of this Title would cause unnecessary hardship due to conditions which are unique to the site and not caused by the Owner or Petitioner; and
2. The requested Subdivision Deviation is not contrary to the intent and purpose of the provisions of this Title.

EXHIBIT 9: Section 6-15-6:3: Standards for Granting a Conditional Use for Renewable Energy Systems

1. The City Council shall determine that the Petition has met all of the general requirements of this Chapter, except those for which a variance has been specifically granted or sought; and
 2. The proposed energy system shall further the intent of this Chapter and provide renewable energy to the property on which it is proposed; and
 3. The proposed renewable energy system is located in such a manner as to minimize intrusions on adjacent residential uses through siting on the lot, selection of appropriate equipment, and other applicable means; and
 4. The proposed renewable energy system complies with the service rules and policies of City of Naperville's Department of Public Utilities - Electric as may be amended from time to time; and
 5. The establishment of the proposed renewable energy system will not prevent the normal and orderly use, development or improvement of the adjacent property for uses permitted in the district.
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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 Planning and Zoning Commission, and the City Council. For additional information, please contact a project manager at (630) 420-6100 x9.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission meeting begins at 7 p.m. 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 Petitioners' 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 Planning and Zoning Commission 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. 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/council.aspx.