

CITY OF NAPERVILLE PETITION FOR DEVELOPMENT APPROVAL

DEVELOPMENT NAME (should be consistent with plat): Little Minds Learning Center - Naperville IL

ADDRESS OF SUBJECT PROPERTY: 1932 Springbrook Square Drive

PARCEL IDENTIFICATION NUMBER (P.I.N.) 07-34-300-036

I. PETITIONER: LMLC-Naperville, LLC

PETITIONER'S ADDRESS: 1999 Broadway, Suite 770

CITY: Denver STATE: Colorado ZIP CODE: 80202

PHONE: (303) 893-9500 EMAIL ADDRESS: dmarcotte@northstarcp.com

II. OWNER(S): LMLC-Naperville, LLC

OWNER'S ADDRESS: 1999 Broadway, Suite 770

CITY: Denver STATE: Colorado ZIP CODE: 80202

PHONE: (303)893-9500 EMAIL ADDRESS: dmarcotte@northstarcp.com

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

RELATIONSHIP TO PETITIONER: Consultant

PHONE: (630)862-2100 EMAIL ADDRESS: peterp@cemcon.com

IV. OTHER STAFF

NAME: _____

RELATIONSHIP TO PETITIONER: _____

PHONE: _____ EMAIL ADDRESS: _____ NAME: _____

RELATIONSHIP TO PETITIONER: _____

PHONE: _____ EMAIL ADDRESS: _____

V. PROPOSED DEVELOPMENT

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

- | | | |
|--|-------|---|
| <input checked="" type="checkbox"/> Amending or Granting a Conditional Use
(Exhibit 1)* | _____ | Landscape Variance (Exhibit 5) |
| <input checked="" type="checkbox"/> Amending or Granting a Planned Unit
Development (Exhibit 2) | _____ | Planned Unit Development Deviation
(Exhibit 6) |
| _____ Annexation (Exhibit 3) | _____ | Sign Variance (Exhibit 7) |
| _____ Plat of Easement/Vacation/Dedication | _____ | Zoning Variance (Exhibit 8) |
| _____ Rezoning (Exhibit 4) | _____ | Platted Setback Deviation (Exhibit 9) |
| _____ Subdivision Plat | _____ | Subdivision Deviation/Waiver (Exhibit 9) |
| _____ Temporary Use | _____ | Other (Please Specify: _____) |

**When requesting approval of a Small Wind and/or a Solar Renewable Energy System complete Exhibit 10 instead of Exhibit 1.*

ACREAGE OF PROPERTY: 1.39 Acres

DESCRIPTION OF PROPOSAL/USE (use a separate sheet if necessary)

The proposed development consists of constructing a 11,500 s.f. childcare, part child development and part preschool facility on Lot 9 (1.39 acres) of the Springbrook Square Subdivision located on the south east corner of Il. Rte 59 and 83rd Street. The site will provide 44 parking spaces and a playground for the children that will be enrolled in the school.

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 Land Dedication

Required Park Donation will be met by:


PETITIONER'S SIGNATURE

I, Donald J. Marcotte, Manager of LMLC-Naperville, LLC, a Colorado limited liability company, 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.

LMLC-NAPERVILLE, LLC




Donald J. Marcotte, Manager



(Date)

SUBSCRIBED AND SWORN TO before me this 7th day of June, 2017



(Notary Public and Seal)

JEFFREY J. TOMPKINS, JR.
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 19974012395
MY COMMISSION EXPIRES NOVEMBER 16, 2017

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).

LMLC-NAPERVILLE, LLC



Donald J. Marcotte, Manager

6-7-17

(Date)

SUBSCRIBED AND SWORN TO before me this 7th day of June, 2017



(Notary Public and Seal)

JEFFREY J. TOMPKINS, JR.
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 19974012395
MY COMMISSION EXPIRES NOVEMBER 16, 2017

**CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES**

In compliance with Ordinance 85-193, An Ordinance amending Title 1 (Administrative) of the Naperville Municipal Code, as amended, by adding Chapter 12 thereto requiring disclosure of certain interests by persons applying for permits, licenses, approvals or benefits from the City of Naperville.

1. Petitioner: LMLC Naperville, LLC
Address: 1999 Broadway, Suite 770
Denver, Colorado 80202

2. Nature of Benefit sought: Zoning Approval

3. Nature of Petitioner (select one):
 - a. Natural Person
 - b. Corporation
 - c. Land Trust/Trustee
 - d. Trust/Trustee
 - e. Partnership
 - f. Joint Venture

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

5. If in your answer to Section 3 you checked box b, c, d, e or f, identify by name and address each person or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, in the case of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:
 - a. _____
 - b. _____
 - c. _____
 - d. _____

6. Name, address and capacity of person making this disclosure on behalf of the Petitioner:
Donald J. Marcotte, Manager


IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than a natural person, additional disclosures are required for each entity.

VERIFICATION

I, Donald J. Marcotte, 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 8th day of February, 2017


Notary Public and seal

KRISTI L. FISHER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20034002770
MY COMMISSION EXPIRES JANUARY 24, 2019

Re part 4. Above: Donald J. Marcotte and R Brian Watson each own 50% of LMLC Naperville, LLC. Their address is 1999 Broadway, Suite 770, Denver, Colorado 80202

LEGAL DESCRIPTION

SPRINGBROOK SQUARE LOT 9

LOT 9 IN SPRINGBROOK SQUARE, BEING A RESUBDIVISION OF LOTS 1-8 (INCLUSIVE) IN GIASSE CENTER - PHASE II, IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 24, 2007 AS DOCUMENT R2007-015108, IN DUPAGE COUNTY ILLINOIS.

PIN#: 07-34-300-036

ADDRESS: 1932 SPRINGBROOK SQUARE DRIVE

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.

The proposed major change to the Planned Unit Development (PUD) for Springbrook Square Lot 9 will not be detrimental to, or endanger the public health, safety and general welfare. The development is designed to be high quality consistent with the overall character of the Springbrook Square Subdivision and additionally provides a use that meets market demands. The proposed development shall be complementary to the other uses within the overall Springbrook Square development, such as office, by providing daycare services for employees within the development.

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.

The major change to the PUD for Lot 9 of Springbrook Square shall not be injurious to the use and enjoyment of other properties in the overall subdivision or adjacent residential areas. It shall not substantially diminish and impair property values within the neighborhood. The proposed development that is consistent with the overall Springbrook Square Subdivision and will maintain adjacent property values while providing a use that is compatible with the uses in the overall subdivision and nearby residential uses.

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.

The proposed development shall be constructed in a manner that is consistent with the original PUD and shall meet current City of Naperville ordinances. Therefore, the establishment of the conditional use shall not impede the normal and orderly development and improvement of the remaining vacant lots within the overall Springbrook Square Subdivision.

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

The establishment of the conditional use is not in conflict with the adopted comprehensive master plan; specifically the Southwest Community Area Plan. The proposed major change to the PUD provides another compatible land use for the overall Springbrook Square Subdivision, which is designed as a pedestrian-friendly commercial development as recommended by the City's comprehensive plan. The overall development provides pedestrian connections between buildings, four sided architectural buildings, usable amenities such as courtyards,

and open plazas, and unifying architectural design elements throughout the overall development.

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.

The overall Springbrook Square Planned Unit Development (PUD) presented an innovative and creative approach to commercial land development by allowing multiple uses within the PUD that were interconnect with an extensive amount of pathways and walkways. The development was designed to allow for employees of specific uses to walk and utilize retail, restaurant, and other service oriented uses within the development. Each lot was to maintain a specific amount of open space in order to accommodate the overall approved open space for the entire PUD. The proposed major change to Lot 9 still maintains the core aspect of the approved PUD while asking to change the use from office/medical office to a daycare facility/preschool due to market demands.

2. The Planned Unit Development meets the requirements and standards of the Planned Unit Development Regulations.

The amendment to the Planned Unit Development is consistent with the requirements and standards of the existing Planned Unit Development Ordinance. The proposed amendment meets the design criteria by meeting the underlying B2 zoning bulk regulations. The proposed amendment for Lot 9 also increases the open area from 9,836 s.f. (from the approved PUD) to 12,570 s.f. The amendment provides 4,385 s.f. of pathways / walkways that connect the proposed building to the overall Springbrook Square Development and its common open space and site amenities such as a stormwater management area with passive recreation.

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 proposed amendment to the Planned Unit Development for Lot 9 provides pedestrian and vehicle connectivity within the overall Springbrook Square PUD with pedestrian connections and vehicle cross access easements while maintaining the natural drainage patterns on the site that were incorporated in the original design of the Springbrook Square PUD.

4. Open space, outdoor common area and recreational facilities are provided.

The proposed amendment also increases the open area of Lot 9 from 9,836 s.f. (from the approved PUD) to 12,570 s.f. The amendment provides 4,384 s.f. of pathways/walkways that connect the proposed building to the overall Springbrook

Square Development and its open space and site amenities such as a stormwater management area with passive recreation.

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.

The proposed major change to the approved PUD for Lot 9 is not requesting any modifications to the City's design standards within the subdivision control and zoning regulations.

6. The planned unit development is compatible with the adjacent properties and nearby land uses.

The proposed daycare/preschool use is compatible with the adjacent office, retail, restaurant, daycare and nearby residential uses. The location of Springbrook Square PUD is ideal for this type of use with the nearby residential areas.

7. The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the City.

The proposed development on Lot 9 meets the objectives of the comprehensive plan within this area. The future land use plan identifies the Springbrook Square Subdivision as mixed use commercial retail/office. The proposed amendment changes the use from office on this particular site to a daycare/preschool facility. Lot 9 has been platted and zoned B2 PUD since 2006 and has not been developed until this time. The petitioner is requesting a change in use from office to a daycare/preschool based on market demand.