

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

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

THE UNDERSIGNED Petitioner, Hawkeye Property Holdings LLC, an Illinois limited liability company (“**Petitioner**”), respectfully petitions the City of Naperville (“**City**”) to, upon annexation of the property legally described on **Exhibit A** (“**Subject Property**”) pursuant to a separate petition for annexation submitted by the Petitioner: (i) approve a Preliminary/Final Plat of Subdivision (“**Plat of Subdivision**”); (ii) rezone the Subject Property to the City’s Transitional Use District (“**TU District**”); (iii) approve a variance to Section 6-2-10:5 of the Naperville Municipal Code, as amended (“**City Code**”) to permit a maximum rear yard coverage of 45% in lieu of 25%; and (iv) approve other such relief from the City Code as may be deemed necessary and appropriate to develop the Subject Property in accordance with the plans submitted herewith.

BACKGROUND INFORMATION

1. Hawkeye Property Holdings LLC, an Illinois limited liability company, with an office at 522 N. Washington Street, Naperville, Illinois 60563, is the Petitioner and record owner of the Subject Property.

2. The Subject Property consists of two (2) parcels (PIN 07-12-214-013 & PIN 07-12-209-024) totaling approximately 0.47 acres (or 20,540 square feet) presently zoned R-3 in unincorporated DuPage County.

3. The Subject Property is currently improved with a single-family home that has remained vacant since Petitioner’s purchase of the Subject Property.

4. Petitioner, through an affiliate company, previously received approvals for development of the Mill & Bauer Townhomes being constructed immediately to the west of the Subject Property.

5. Petitioner would like to expand upon the success of the Mill & Bauer Townhomes and seeks to demolish the existing building on the Subject Property for the Subject Property's redevelopment with three (3) duplex buildings (total of six (6) units).

6. The City's Land Use Master Plan identifies the Subject Property as "City Corridor" on its future land use map.

7. The applicable zoning districts identified for City Corridor include the TU District.

8. Two-family dwellings and duplexes are permitted uses in the TU District.

9. The existing land uses surrounding the Subject Property are as follows:

- a. North: R1 – Nike Park
- b. East: Unincorporated DuPage County – Single-Family detached
- c. South: Unincorporated DuPage County – Mayne Farm
- d. West: TU District – Mill & Bauer Townhomes

10. The Petitioner's proposal is consistent with the surrounding land uses and the City's objectives, and the requested entitlements will allow the Petitioner to utilize the Subject Property in a manner that is to its highest and best use and compatible with the surrounding environment.

11. The proposed entitlement requests meet all City and State requirements for the development of the Subject Property and will facilitate the beneficial use of the Subject Property as stated below.

SUMMARY OF DEVELOPMENT

The Subject Property is located near the northeast corner of Mill Street and Bauer Road, immediately south of Nike Park. The surrounding area has undergone significant development over the last ten years, including a church directly west across Mill Street and two high density senior living developments north of the church. South of the church is the Cress Creek Townhome community. Most recently, in 2023, Petitioner (through an affiliate company) received approvals for development of the Mill & Bauer Townhomes, which are currently being constructed immediately to the west of the Subject Property. Given the trend of development in the area, the proposed residential development will provide a consistent and appropriate transitional use to the surrounding community.

The proposed development will consist of six (6) duplex units (three (3) buildings) and will fill a supply gap of similar units in the area. These units will all be two-story (excluding each unit's unfinished basement) and come standard with three (3) bedrooms, 2.5 bathrooms, a 2-car garage, and will range from approximately 2,100 to 2,500 square feet (exclusive of basement) to help meet a significant housing demand in Naperville.

The units will be constructed with high quality materials meant to withstand the test of time. The architectural design of the duplexes will complement the Mill & Bauer Townhomes and surrounding residential homes. The buildings will feature an attractive façade comprised entirely of high-quality cementitious siding (i.e. Hardie) and/or masonry that will significantly exceed the City's required minimum of fifty percent (50%) masonry on exterior wall construction. The siding will consist primarily of 6" horizontal reveal with a mix of vertical siding.

The entrance to each unit will be covered and accented with wrapped decorative columns. Each unit will have a rear-facing balcony with decorative railing located above each unit's 2-car garage. All garages will be located in the back of the units facing Nike Park and out of sight from

the Bauer Road frontage. The windows of the homes will be double hung with a white cladded exterior. The roof will be constructed with architectural shingles. Each of the homes will be maintenance free with a homeowners' association responsible for all exterior maintenance, landscaping, and snow removal. Said maintenance responsibilities will be set forth in a declaration of covenants, conditions, and restrictions recorded against the Subject Property.

The Subject Property will be attractively landscaped to enhance the appearance of the overall community. Shade trees will be located along the north property line to complement Nike Park and provide a buffer between the uses. Parkway trees will also be installed along Bauer Road to provide an attractive streetscape. Significant landscape treatments, including shrubs and small plantings, will be provided around the structure of each duplex building.

Vehicular ingress and egress will be provided to the Subject Property via Bauer Road and Mill Street. Full access will be available at Bauer Road, with a right-out only being provided onto Mill Street. A Traffic Study has been submitted evidencing the surrounding roadway network has sufficient capacity to serve the Subject Property. Notably, the Traffic Study found that the increase in traffic will have a minimal impact to existing traffic patterns. In addition to the two (2) garage parking spots being provided for each unit, three (3) guest parking spaces will be located at the rear of the Subject Property in compliance with City Code.

REQUIRED DEVELOPMENT ENTITLEMENTS

1. Annexation to the City of Naperville;
2. Approval of a Preliminary/Final Plat of Subdivision;
3. Rezoning to the TU District;
4. Variance to Section 6-2-10:5 of City Code to permit a maximum rear yard coverage of 45% in lieu of 25%; and

5. Other such relief from the City Code as deemed necessary and appropriate to develop the Subject Property in accordance with the plans submitted herewith.

APPROVAL OF A PRELIMINARY/FINAL PLAT OF SUBDIVISION

Petitioner seeks approval of a Preliminary/Final Plat of Subdivision, a copy of which has been submitted herewith, to subdivide the Subject Property. The proposed subdivision meets the standards for a subdivision consistent with the standards set forth in the City's subdivision regulations. As such, Petitioner seeks approval of the Plat of Subdivision.

REZONE PROPERTY TO THE TU DISTRICT

i. 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

The proposed amendment will promote 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. The proposed use provides needed and desirable living options and complements the surrounding area while improving the real estate tax base. There is currently a supply gap of similar units in the northern part of Naperville, and the proposed duplexes will provide additional desired housing stock in the area. As noted, in 2023, Petitioner (through an affiliate company) received approvals for development of the Mill & Bauer Townhomes, which are currently being constructed immediately to the west of the Subject Property. The proposed duplexes are intended to be an expansion of this previously approved development.

The proposed development will provide an attractive option for those seeking an opportunity to live within walking distance of three District 203 schools: Mill Street Elementary,

Jefferson Junior High, and Naperville North High School. The proximity to Nike Park enhances the desirability for young active families. In addition, rezoning will permit the Subject Property to be developed with its highest and best use.

ii. The trend of development in the area of the subject property is consistent with the requested amendment; and

The trend of development in the area of the Subject Property is consistent with the requested amendment. The trend of development in the area of the Subject Property is diverse and the area itself consists of a mix of different uses, including single family residential, multifamily residential, townhomes, a church, and high-density senior living. Upon annexation to the City, the requested rezoning to the TU District for the Subject Property's development with duplexes is consistent with the nearby and adjacent properties.

As noted, in 2023, Petitioner (through an affiliate company) received approvals for development of the Mill & Bauer Townhomes, which are currently being constructed immediately to the west of the Subject Property. The proposed duplexes are intended to be an expansion of this previously approved development. The Cress Creek Townhomes are located immediately southwest of the Subject Property and the proposed development is complementary to that community by way of use and its comparable location along Mill Street and Bauer Road. Nike Park and Mayne Farm are located to the north and south respectively. The largely unincorporated single family Knights Subdivision and recently incorporated Adler Point Subdivision are located to the east of the Subject Property. Further, two (2) high density senior living communities were recently developed to the northwest across from Nike Park. Given the wide variety of land uses in the immediate vicinity and transitional nature of the area, the requested zoning designation in this location is consistent with the City's intent and vision for the Subject Property pursuant to the City's Land Use Master Plan and will provide for a development that reflects the trend of development in the area.

iii. The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification; and

The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification. The Subject Property is currently zoned R-3 in unincorporated DuPage County and is identified as “City Corridor” on the future land use map included in the City’s Land Use Master Plan. Applicable zoning districts for City Corridor include the TU District, various business districts (including the community shopping center and general commercial districts) and OCI, which includes commercial services, banks, and professional and medical offices. The proposed TU District designation and duplex units are consistent with the Subject Property’s designation under the Land Use Master Plan and the proposal is far more consistent with the character of the surrounding area than the more intense uses that could otherwise be proposed and permitted under the TU, B2, B3, or OCI zoning districts consistent with “City Corridor” designated properties.

iv. The subject property has not been utilized under the existing zoning classification for a substantial period of time; and

The Subject Property has never been utilized under the existing zoning classification within the City of Naperville. Upon annexation to the City, City Code requires Petitioner to request a zoning designation for the Subject Property.

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

The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. To the contrary, the proposed duplexes will be complementary to the uses in the vicinity and are appropriate based upon the transitional nature of the area. The proposed duplex development is consistent with the character of the

surrounding area, which includes a diverse mixture of uses, including: a farm, a park, a church, high density senior living, townhomes, medium density residential, and single family residential.

The architectural design of the duplexes will complement the Mill & Bauer Townhomes and surrounding residential homes. The buildings will feature an attractive façade comprised entirely of high-quality cementitious siding (i.e. Hardie) and/or masonry that will significantly exceed the City's required minimum of fifty percent (50%) masonry on exterior wall construction.

The entrance to each unit will be covered and accented with wrapped decorative columns. Each unit will have a rear-facing balcony with decorative railing located above each unit's 2-car garage. All garages will be located in the back of the units facing Nike Park and out of sight from the Bauer Road frontage. The windows of the homes will be double hung with a white clad exterior.

In addition, the Subject Property will be attractively landscaped to enhance the appearance of the overall community. Shade trees will be located along the north property line to complement Nike Park and provide a buffer between the uses. Parkway trees will also be installed along Bauer Road to provide an attractive streetscape. Significant landscape treatments, including shrubs and small plantings, will be provided around the structure of each duplex building.

Vehicular ingress and egress will be provided to the Subject Property via Bauer Road and Mill Street. Full access will be available at Bauer Road, with a right-out only being provided onto Mill Street. A Traffic Study has been submitted evidencing the surrounding roadway network has sufficient capacity to serve the Subject Property. Notably, the Traffic Study found that the increase in traffic will have a minimal impact to existing traffic patterns. In addition to the two (2) garage parking spots being provided per unit, three (3) guest parking spaces will be located at the rear of the Subject Property in compliance with City Code.

**APPROVE A VARIANCE FROM SECTIONS 6-2-10:5 TO PERMIT A MAXIMUM
REAR YARD COVERAGE OF 45% IN LIEU OF 25%**

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

The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan. The Subject Property is currently zoned R-3 in unincorporated DuPage County and is identified as “City Corridor” on the future land use map included in the City’s Land Use Master Plan. Applicable zoning districts for City Corridor include the TU District, various business districts (including the community shopping center and general commercial districts) and OCI, which includes commercial services, banks, and professional and medical offices. The proposed TU District designation and duplex units are consistent with the Subject Property’s designation under the Land Use Master Plan. The proposed TU zoning district designation is intended to provide a gradual, compatible transition between uses and allows for flexible development patterns that respond to surrounding context while preserving neighborhood character and scale. The proposed variance directly supports these objectives, as the proposed development features rear-loaded duplexes and enhanced streetscape design, which contribute to the district’s transitional form and walkable environment. The requested variance is necessary to facilitate this site layout and building configuration. While the proposed layout requires a variance for rear yard coverage, the rear yard will still be attractively landscaped to enhance the appearance of the overall community, with shade trees being located along the north property line to complement Nike Park and provide a buffer between the uses. For the foregoing reasons, the requested variance is in harmony with the general purpose and intent of City Code and the adopted Land Use Master Plan.

ii. *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.*

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. The variance from City Code is necessary to implement a high-quality, rear-loaded duplex development at the Subject Property. The Subject Property is uniquely positioned in a transitional area, including Nike Park to the north and Bauer Road to the south. The development has been designed such that all garages will be located in the rear of the units facing Nike Park and out of sight from the Bauer Road frontage to provide for an enhanced streetscape. To facilitate this site design, drive aisles and parking are required to be located in the rear yard and exceed the permitted 25% maximum coverage. Given this, and to permit the proposed site design, Petitioner requests a variance to permit up to 45% coverage in the rear yard.

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

The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. As noted, The Subject Property is identified as “City Corridor” on the future land use map included in the City’s Land Use Master Plan. Applicable zoning districts for City Corridor include the TU District, such that the proposed TU District zoning designation and duplex units are consistent with the Subject Property’s designation under the Land Use Master Plan. The proposed TU zoning district designation is intended to provide a gradual, compatible transition between uses and allows for flexible development patterns that respond to surrounding context while preserving neighborhood character and scale. The proposed variance directly supports these objectives. The development features rear-loaded

duplexes and consistent streetscape design, which contribute to the district's transitional form and walkable environment. The requested variance is necessary to facilitate this site layout and building configuration.

In addition, given the surrounding context, the proposed development will provide an attractive option for those seeking an opportunity to live within walking distance of three District 203 schools: Mill Street Elementary, Jefferson Junior High, and Naperville North High School. The proximity to Nike Park enhances the desirability for young active families. While the proposed layout requires a variance for rear yard coverage, the rear yard will still be attractively landscaped to enhance the appearance of the overall community, with shade trees being located along the north property line to complement Nike Park and provide a buffer between the uses. The result is a thoughtfully planned, well-integrated housing project that supports walkability, neighborhood identity, and Naperville's broader infill and sustainability objectives.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner respectfully requests the City Council and Plan Commission take the necessary steps to, upon annexation of the Subject Property: (i) approve a Plat of Subdivision; (ii) rezone the Subject Property to the TU District; (iii) approve a variance to Section 6-2-10:5 of City Code to permit a maximum rear yard coverage of 45% in lieu of 25%; and (iv) approve other such relief from City Code as may be deemed necessary and appropriate to develop the Subject Property in accordance with the plans submitted herewith.

RESPECTUFLLY SUBMITTED this 23rd day of January, 2026.

PETITIONER:

Hawkeye Property Holdings LLC

an Illinois limited liability company

A handwritten signature in black ink, appearing to read "Rosanova & Whitaker", is written over a horizontal line.

Rosanova & Whitaker, Ltd.
Attorney for Petitioner

EXHIBIT A
LEGAL DESCRIPTION

LOTS 10, 11, 12, 13 AND 14 IN BLOCK 17, AND THE SOUTH 10 FEET OF THE VACATED 20 FOOT WIDE PUBLIC ALLEY, VACATED PER DOCUMENT R2004-241006, LYING IMMEDIATELY NORTH OF AND ADJOINING SAID LOT LOTS 10, 11, 12, 13 AND 14, IN NAPER VILLA MANOR, BEING A SUBDIVISION OF THE SOUTH HALF OF SECTION 1, AND IN THE SOUTH HALF OF SECTION 1 AND OF THE NORTH HALF OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 1926 AS DOCUMENT 213969, IN DUPAGE COUNTY, ILLINOIS.

ALSO, LOT 15, IN BLOCK 17, AND THE SOUTH 10 FEET OF THE VACATED 20 FOOT WIDE PUBLIC ALLEY, VACATED PER DOCUMENT R2004-241006, LYING IMMEDIATELY NORTH OF AND ADJOINING SAID LOT 15, IN NAPER VILLA MANOR, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 1 AND IN THE NORTH HALF OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 1926 AS DOCUMENT 213969, IN DUPAGE COUNTY, ILLINOIS.

ALSO, THE WEST 16.5 FEET OF VACATED PEARSON STREET (FORMERLY KNOWN AS WEBSTER STREET) VACATED PER DOCUMENT R2010-031981, LYING IMMEDIATELY EAST OF AND ADJOINING LOT 15, IN BLOCK 17, AND THE SOUTH 10 FEET OF THE VACATED 20 FOOT WIDE PUBLIC ALLEY, VACATED PER DOCUMENT R2004-241006, LYING IMMEDIATELY NORTH OF AND ADJOINING SAID LOT 15, IN NAPER VILLA MANOR, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 1 AND IN THE NORTH HALF OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 1926 AS DOCUMENT 213969, IN DUPAGE COUNTY, ILLINOIS.

PINs:

07-12-214-013

07-12-209-024

Commonly known as:

27w240 Bauer Rd., Naperville, IL 60563

27w280 Bauer Rd., Naperville, IL 60563