

- North: commercial
- East: single-family residential
- South: single-family residential
- West: commercial.

H. That upon annexation of the Subject Property to the City of Naperville, the Petitioner requests that the City amend the City of Naperville Zoning Regulations to reclassify and zone the Subject Property OCI (Office, Commercial and Institutional District) pursuant to Section 6-7F-1 *et seq* of the Zoning Regulations of the Naperville Municipal Code.

I. That the requested OCI zoning would allow the uses as described in the OCI zoning classification so as to allow the Subject Property to be developed and used as a daycare center. In fact, the OCI zoning classification would allow the Petitioner to utilize the Subject Property to an extent which would be compatible with surrounding uses. This zoning classification would enable the Petitioner to expand the Subject Property's use to the highest and best use of the real estate for the benefit of both the Petitioner, the City of Naperville, and the neighboring community.

J. That the requested OCI zoning of the Subject Property satisfies the requirements for zoning and is appropriate based on the following factors:

1. *The amendment promotes the 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*

Petitioner is the contract purchaser of 1.2 acres of property located on Tuthill Road near Ogden Avenue and Naper Boulevard. In order for the Subject Property to be re-developed in the City, it must be served with public utilities, which will require annexation. Petitioner is requesting annexation of the Subject Property to the City of Naperville and rezoning of the Subject Property from R-3 in DuPage County to OCI in the City of Naperville. The parcel is currently vacant land adjacent to several commercial properties and some residential properties. The requested annexation and rezoning of the subject property will promote the health, safety, comfort, convenience and general welfare of the neighborhood by eliminating a vacant property and constructing a daycare center on the property. The OCI zoning requested for the Subject Property is in harmony with the other commercial, residential, and institutional uses in the area and will provide a buffer between the commercial properties on the North and West and the residential properties on the South and East. The Plank Road Study for this area calls for Medium Density Residential, but also calls for institutional and office/research sub-areas. The proposed daycare center will serve as a buffer between Ogden Avenue's commercial corridor and heavily traveled roads to the residential neighborhoods. The proposed daycare center will provide a direct connection to commercial uses and benefit the community with a nearby service use. The proposed use complies with the City's policies and plans by providing an institutional-type

use to complement surrounding residential and commercial areas. Therefore, the requested zoning complies with the policies and plans of the City.

2. *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 a mix of commercial and single-family residential uses. The subject property, as a daycare facility, will help to buffer the residential properties from the commercial properties along the Ogden Avenue/Naper Boulevard corridor.

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

The requested zoning classification of OCI is consistent with the commercial and residential zoning in the area. Providing low-impact, institutional uses near residential uses provides a buffer from the commercial uses to the residential properties. These low-impact, institutional uses are beneficial to the residents in that they are very near the services that aid in their daily activities. The existing zoning classification is R-3, Single Family Residential, in DuPage County. The requested zoning classification of OCI provides for office and institutional uses which will buffer residential properties from the Ogden Avenue commercial corridor and is more suitable than R-3 zoning in DuPage County.

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

While the Subject Property is currently zoned R-3, Single Family Residential, in DuPage County, it remains vacant and has not been used as residential property in DuPage County for a substantial period of time. The zoning of OCI will enable the Petitioner to develop the vacant property into a functional daycare facility which will be useful to the residents in the area in need of such a facility and eliminate a vacant parcel.

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

This portion of the City has developed with predominantly commercial uses and the essential character of the neighborhood is commercial in close proximity to residences. The OCI zoning classification would be consistent with the existing uses in the area, would provide a buffer to the residential uses, would not alter the essential character of the neighborhood, and would not be a detriment to the adjacent properties. In fact, the proposed use as a daycare center will be in harmony with the existing character of the neighborhood with a mix of commercial and residential uses and will be an improvement over a vacant lot which provides no benefit to the neighbors or the community.

K. That the requested variance of the Subject Property satisfies the requirements for zoning variances and is appropriate based on the following factors:

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

When the property was platted as a residential subdivision in DuPage County in the 1950's,