

CITY OF NAPERVILLE APPLICATION FOR DEVELOPMENT APPROVAL

DEVELOPMENT NAME (should be consistent with plat): TrueNorth Energy, LLC

ADDRESS OF SUBJECT PROPERTY: 1295 S. Rickert at 75st Street

PARCEL IDENTIFICATION NUMBER (P.I.N.): 07-26-201-005

I. APPLICANT: Ambrose Design Group, LLC

APPLICANT'S ADDRESS: P.O. Box 1870

CITY: Crystal Lake STATE: Illinois ZIP CODE: 60039-1870

PHONE: (847) 347-3721 EMAIL ADDRESS: r.ambrose@sbcglobal.net

II. OWNER(S)*: TrueNorth Energy, LLC

OWNER'S ADDRESS: 10346 Brecksville Road

CITY: Brecksville STATE: Ohio ZIP CODE: 44141

PHONE: (440) 792-4200 EMAIL ADDRESS: TGimmartino@truenorth.org

*If Owner(s) is different than Applicant, please attach a letter from the Owner(s) authorizing submittal of this Application for Development Approval.

III. PRIMARY CONTACT (review comments sent to this contact): Ron Ambrose

RELATIONSHIP TO APPLICANT: Owner of Ambrose Design Group

PHONE: (847) 347-3721 EMAIL ADDRESS: r.ambrose@sbcglobal.net

IV. OTHER STAFF

NAME: Dan Havlir

RELATIONSHIP TO APPLICANT: Civil Engineer

PHONE: (847) 520-8410 EMAIL ADDRESS: danhavlir@gmail.com

NAME: Frank Ross

RELATIONSHIP TO APPLICANT: Architect

PHONE: 724-856-1992 EMAIL ADDRESS: rcicompany@yahoo.com

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

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

ACREAGE OF PROPERTY: 1.55 Acres (67,608 sq.ft.)

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

Removal and replacement of existing Convenience Store and Car Wash. New

Convenience Store will be approximately 2300 sf larger than the existing Store. The

new Car Wash will be shorter in length by 9'-0". Both buildings will have Gable type

pitched shingled roofs. The Canopy and curb cuts will remain.

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:

- Cash Donation Land Dedication

I am authorized to make this Application, and the above information, to the best of my knowledge, is true and accurate:

Ronald J. Anderson
(signature of applicant or authorized agent)

3-1-16
(date)

SUBSCRIBED AND SWORN TO before me this 1st day of March, 2016

Sarah Nelson
(Notary Public and Seal)



EFFECTIVE PERIOD OF APPLICATION

Please note that Applications for Development 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.

Truenorth Energy
10346 Brecksville Rd
Brecksville, OH. 44141
440-792-4214



March 1, 2016

The City of Naperville

Dear Sir or Madam:

This letter of authorization gives Ron Ambrose of Ambrose Design full authority to act on the behalf of Truenorth Energy in the pursuit of Zoning and Building permits for the construction of our proposed facility in the City of Naperville.

If you require any additional information please contact me directly at 440-792-4214

Sincerely,

A handwritten signature in black ink that reads 'Thomas Gimmartino'. The signature is written in a cursive style with a large, sweeping initial 'T'.

Thomas Gimmartino
General Manager of Construction and Facilities

**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. Applicant: True North Energy, LLC
Address: 1041 S. Reynolds Road
Toledo, Ohio 43615
2. Nature of Benefit sought: Zoning and Building Permits
3. Nature of Applicant (select one):
- | | |
|--|--|
| <input type="checkbox"/> a. Natural Person | <input type="checkbox"/> d. Trust/Trustee |
| <input type="checkbox"/> b. Corporation | <input checked="" type="checkbox"/> e. Partnership (limited liability company) |
| <input type="checkbox"/> c. Land Trust/Trustee | <input type="checkbox"/> f. Joint Venture |
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of applicant:

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. True North Holdings, Inc. 1041 S. Reynolds Rd., Toledo, OH 43615 (50%)
- b. Equilon Enterprise LLC Pennzoil North Tower, 700 Milam St.,
- c. Office 2096A, Houston, TX 77002 (50%)
- d. _____
6. Name, address and capacity of person making this disclosure on behalf of the applicant:
Mark E. Lyden, 10346 Brecksville Road, Brecksville, OH 44141
President of True North Holdings, Inc., Member of True North Energy, LLC

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

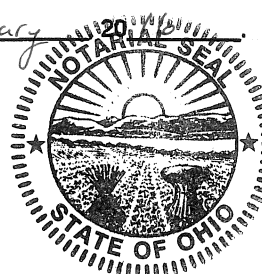
I, Mark E. Lyden, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein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

Signature: _____

Mark E. Lyden

Subscribed and Sworn to before me this 26th day of February

Karen S. Wainer
Notary Public



KAREN S. WAINER
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 06-04-2016

LEGAL DESCRIPTION

1295 RICKERT DRIVE

LOT FOUR IN TOWN SQUARE, BEING SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION TWENTY-SIX, TOWNSHIP THIRTY-EIGHT NORTH, RANGE NINE EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 7, 1989 AS DOCUMENTS NO. R89-8065S, ALL IN DUPAGE COUNTY, ILLINOIS.

PIN: 07-26-201-005

Standards for Rezoning

Municipal Code 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*

The site is intended to continue to function in its current operation as an Automobile Service Station with an accessory Car Wash use. We are intending to have the site Zoned to meet the current use and surrounding area.

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

The surrounding uses along 75th Street are also Commercially zoned. The site utilizes a common shared access drive with the restaurant to the west of the subject property.

3. *The requested zoning classification permits uses which are more suitable than the uses permitted along the 75th Street corridor; and*

The requested B2 will bring the site into a more suitable use with the surrounding area, especially along the 75th Street corridor.

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

The subject property has been operating as an automobile service station with an accessory car wash and will continue to under the rezoning classification to B2.

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

Since the use will not be changing we do not see an impact to the character of the neighborhood. We plane to improve the character of the subject property with the design of the new buildings.

Standards for Granting or Amending a Planned Unit Development

Municipal Code Section 6-4-7:1. Standards for Granting of Amending a Planned Unit Development:

1. *The design of the planned unit development presents a n innovative and creative approach to the development of land and living environments; and*

We are rezoning from a R3 PUD to a B2.

2. *The planned unit development meets the requirements and standards of the planned unit development regulations; and*

The rezoning will bring the site into compliance for the existing/proposed use.

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; and*

The site is designed to best utilize the proposed redevelopment of the land and allows better on site circulation as well as better site visibility.

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

We have provided open space to the north of the convenience store and a common area to the east of the convenience store.

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; and*

No modifications in design standards and no waivers in bulk regulations have been requested.

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

The rezoning of this property is compatible with the surrounding commercial uses.

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

The rezoning of this parcel will bring it into compliance with its current use.

Standards for Granting or Amending a Conditional Use

Municipal Code Section 6-3-8:2. Standards for Granting of 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; and*

The existing Convenience Store and Car Wash will be updated with a new fresh clean look that will blend into the adjacent area. The improved on site circulation and site lines will make the site more open and more convenient to the public.

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, not substantially diminish and impair property values within the neighborhood; and*

The current site is operating with a Convenience Store selling gasoline and offering a Car Wash as an accessory use. We plan to maintain this use but intend to improve upon it and add to the property in the immediate area.

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*

The development we are proposing on this property will have no impact on future development of the adjacent properties.

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

We are bringing the site into compliance with the surrounding uses by rezoning the site from a R3-PUD to B2. The update of this site to a Conditional Use is a requirement for all Service Stations per the Zoning Ordinance. Automobile Service Stations are allowed in the Comprehensive Master plan for this area.

Standards for Approving PUD Deviation

Municipal Code Section 6-4-3:12.1. Standards for Approving PUD Deviation:

1. *Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and*

The requested setback variance request will have no impact on the adjacent property. The building will be located adjacent to the 10' utility easement that exists on this west property line.

2. *Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and*

We will not be modifying any municipal services or infrastructure.

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; and*

Our request is to bring this site into Zoning conformance with the surrounding Commercial Development. The deviation will not be a detriment of Municipal services as the site will utilize the existing infrastructure and will not add any new undue hardship to what already exists. The proposal is intended to update the property with better building design, better site visibility along with additional landscaping to meet the requirements for the new proposed Zoning district.

We are requesting a side yard setback variance for the Car Wash Building to be located 10' from the west property line instead of the required 12'. This request is due to the location of an existing utility easement to the north and east and west of the building and the underground storage tanks to the south of the building.