

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

SUMMARY OF DEVELOPMENT

The Subject Property is located at the Southwest Corner of 4th Avenue and Loomis Street across the street to the south of the BNSF Railway and 5th Avenue Train Station and within walking distance to downtown Naperville as well as multiple commercial and convenience uses located at Washington Street and Ogden Avenue. The location presents an excellent location for a development to attract young professionals and keep empty nesters in our community with a new residential opportunity for those who desire an upscale living environment and associated amenities in close proximity to employment, mass transit, and a variety of retail and convenience uses. The proposed residential development is anticipated to provide additional housing options responsive to community needs by offering close proximity to mass transit (Pace, Amtrak, Metra), recreational uses and Burlington Square Park all in a walkable environment. The development consists of thirteen (13) homes – 9 attached single family residences and two (2) duplex buildings. Each of the homes will be maintenance free with the homeowner's association being responsible for all exterior maintenance, landscaping and snow removal. The proposed development creates an optimum use of the Subject Property by providing an underserved segment of the housing market with an opportunity to reside in Naperville, while also enhancing our real estate tax base, infusing our local economy with additional income and improving our work force.

The homes have been designed to architecturally complement the character of the existing neighborhood. This historically inspired development is a perfect bridge between the single -family residential district to the south, west and east and the railroad tracks, commuter parking and 5th Avenue Station to the North. The proposed architecture is also an excellent fit with some of the more period accurate buildings located to the south and east in the Historic District of Naperville. Exterior materials are primarily brown brick and 2 neutral colors of horizontal composite siding. Architectural accents of paneled bay windows with standing seam metal roofs punctuate the façade as well as the decorative gutters, downspouts and scuppers. Alternating masonry water tables, covered porch and covered entries as well as small Juliet balconies face 4th street and a scaled version with similar detailing fronts on Loomis Street. The windows will be double hung with a historic grill pattern. The ends and middle units will project to create a non-linear front elevation while one unit will do likewise on the duplex homes. Wrought iron railings accent the balconies at the front façade where 2ND floor balconies or smaller Juliet balconies are utilized. Special care has been taken at the ends of the building to provide additional detail to the neighbors to the west as well as the side elevation fronting on Loomis. Each home has a balcony projecting over the garage at the rear with decorative railing. The main roof of this building will be a standing seam metal roof with a flat roof portion at the ends and middle with piers and half walls to provide architectural interest. All homes are designed to accommodate a terrace level as well as hide mechanical units on the roof structure. The main expanse of roof not seen will have a lower pitch. Architectural details are utilized throughout in the form of paneled columns at end homes, large detailed brackets, brick jack arches and proper beam and column detailing at all porches. Eave brackets at the oversized third floor eave also provide architectural detail. Each home will have high quality wood and glass front door with varied entry sequence.

Upon approach to each home, one passes through a small landscaped walkway, stepping up to a concrete stoop at the entry. The ground floor of each home contains an office or living space plus a 2 car rear facing garage not visible from the street. Optional elevators in all of the homes access all floors and basement. The second floor of each home contains the main living spaces: a generous great room, a

casual dining room, a well-appointed eat-in kitchen, as well as a powder room and small butler's pantry. On the top floor are the primary bedroom suite and a second in-suite bedroom and bath as well as a laundry room. Each home will have a rooftop deck accessible through a flex room.

At the rear of each home will be the two car garages. There will be no driveways or garages fronting 4th Avenue which will enhance the front facades of each home. Overall, these features are utilized in the proposed building in ways that fit within the historical context of the neighborhood while still delivering the modern building its residents will demand. The proposed community will also provide an excellent land planning transition from the high intensity of the BNSF Railway, commuter parking and 5th Avenue Station to the north and will provide a buffer for the residential properties to the South and West by reducing the noise and disturbances currently experienced. A landscape area and fencing will also be installed adjacent to the existing residential homes along the south and west property line to provide further screening to the existing residences and enhance the view to the Subject Property. Unique to the proposed development will also be an open space area along the southern portion for the Subject Property which will be improved with a seating area for relaxation and socializing as well as landscape treatments.

The Access and circulation will also be improved with this development. Access will be provided from Loomis Street- which allows for the removal of the existing curb cuts along 4th Avenue and Loomis Street. Altogether, three curb cuts will be removed along 4th Avenue and Loomis Street. Removing the curb cuts will provide safer access and improved vehicular circulation which is an improvement of the prior conditions. Additionally, on-site parking and guest parking will be provided compliant with all City of Naperville requirements. Additionally, the 4th and Loomis frontages will be enhanced with decorative porches, parkway trees, a sided parkway and ornamental trees and shrubs.

AMMENDMENTS TO THE CONDITIONAL USE

The reason for this Petition to Amend the Previously Conditional Use is to address some aesthetic and functional revisions we are proposing for this development. The proposed revisions became necessary as we moved from the previously approved concept plans to actual construction plans and delved further into the design practicalities as well as marketability of the individual units. Care has been taken to maintain the intended architectural aesthetic of the previously presented development. The changes we are proposing are as follows:

- The entry to the individual units has changed from the left side to the right side of the front face of the unit. This is applicable to units 1,3,4,5,6,7 and 9.
- The Covered porch on the front of units 1,9,11 and 12 has been shortened from 21 feet in width to 14'-6" in width. This situation has been caused because there is a 5'-0" Public Utility easement along the sides of units 1,11 and 12 which causes us to move our escape window to the front façade of the unit instead of encroaching into the easement. We would like to make the same change to unit 9 so that we can maintain a balanced façade for the front of the main building, although there is no encroachment to consider.
- At the terrace level, we would like to expand the root top structure so it connects with the adjacent unit. This is so that we can 'stack' the stairs on each level of the building, including the terrace level. This is the most practical and economical way to design a stair location and the 3rd level design necessitates this stair location. To maintain the design intent as previously proposed, we are recessing the wall at the stairs so that it still

appears like the terrace level is centered on the roof deck. A conditional use has already been granted for this development to have a half story in order to provide for a roof top deck feature. Although allowing this change to the terrace level will increase the useable square footage at that level, we will still be compliant with the Definition of a Half Story per *City of Naperville Municipal Code Title 6-1-6:Definitions: Story, Half: The floor area of the half story shall not exceed fifty percent (50%) of the gross building area of the story immediately below it.*

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 R2 Zoning District is intended to accommodate a variety of housing types and compatible uses. The proposed amendment to the conditional use will not be detrimental to or endanger public health, safety or the general welfare. The conditional use will provide for the development of additional housing opportunities to those who currently reside in Naperville or wish to reside in Naperville. It will also provide an opportunity for those seeking an upscale row home opportunity within walking distance to mass transit as well as necessities such as pharmacies, a public park, retail and dining and entertainment venues to be able to enjoy such a lifestyle. The amendment to the conditional use will allow us to proceed with this development in compliance with the site requirements while maintaining the intended use and appearance of this development. The amendment to the conditional use will provide for the development of underperforming land to be utilized for its highest and best use which will in turn support the adjacent commercial areas and enhance the City's workforce and retail and property tax bases. The proposed amendment is also in conformance with the City's official plans for the Subject Property, including the City's draft comprehensive plan update and will serve as a complimentary residential use to the existing homes to the south, west and east.

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.

The amendment to the conditional use will provide for the improvement of the Subject Property which will improve property values in the area, and the housing stock will be improved. Additionally, the proposed community has been designed in a fashion to compliment the surrounding homes and provide a transition and buffer from the high intensity train, commuter parking and commercial uses to the north.

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 Proposed development is consistent with the City's master plan for this property and the R2 Zoning District which will then help insure the normal, orderly and desirable development of the Subject Property and adjacent areas. The proposed development will create the highest and best use of the Subject Property and will eliminate unnecessary access points on 4th Avenue and Loomis while also providing an excellent transition and buffer use for the neighbors to the west and south.

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

The proposed development is consistent with the City's R2 Zoning district as evidenced herein as well as the comprehensive master plan and comprehensive plan update for his area. The amendments requested are practical in nature and will allow us to maintain the design intent of this development.