

CITY OF NAPERVILLE
ZONING VARIANCE FORM



Exhibit A

ADDRESS OF SUBJECT PROPERTY: 896 Benedetti Drive, Naperville, IL 60540

PARCEL IDENTIFICATION NUMBER (PIN): 07-13-110-002

I. PETITIONER: Windscape Naperville LLC and PBH Windscape LLC c/o Nisha Bhatia & Ivonne Matus

PETITIONER'S ADDRESS: 777 Brickell Avenue, Suite 1200

CITY: Miami STATE: Florida ZIP CODE: 33131

PHONE: 786.539.4999 EMAIL ADDRESS: nbhatia@pensamresidential.com & imatus@pensamresidential.com

II. OWNER(S): Windscape Naperville LLC and PBH Windscape LLC c/o Nisha Bhatia & Ivonne Matus

OWNER'S ADDRESS: 777 Brickell Avenue, Suite 1200

CITY: Miami STATE: Florida ZIP CODE: 33131

PHONE: 786.539.4999 EMAIL ADDRESS: nbhatia@pensamresidential.com & imatus@pensamresidential.com

III. PRIMARY CONTACT (review comments sent to this contact): Julie M. Workman, Esq.

RELATIONSHIP TO PETITIONER: Attorney Representing Petitioner & Owner

PHONE: 708.323.7815 or 312.476.7583 EMAIL ADDRESS: jworkman@llegal.com

IV. OTHER STAFF

NAME: _____

RELATIONSHIP TO PETITIONER: _____

PHONE: _____ EMAIL ADDRESS: _____

NAME: _____

RELATIONSHIP TO PETITIONER: _____

PHONE: _____ EMAIL ADDRESS: _____

CITY OF NAPERVILLE
ZONING VARIANCE FORM



Exhibit A

V. SUBJECT PROPERTY INFORMATION

ZONING OF PROPERTY: "R3 PUD" Medium Density Multi-Family Residence District

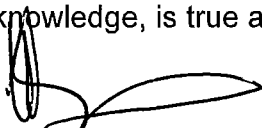
AREA OF PROPERTY (Acres or sq ft): 20.8 Acres or 923885 SF

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):

See Attached Additional Page With The Detailed Description of Variance.

VI. PETITIONER'S SIGNATURE

I, Gavin Beekman, Authorized Signatory of PBH Windscape LLC (Petitioner's Printed Name and Title), 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.

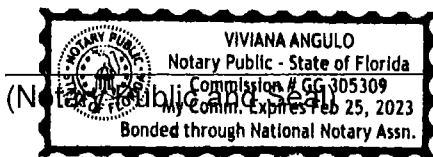


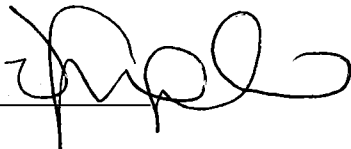
(Signature of Petitioner or authorized agent)

2/12/20

(Date)

SUBSCRIBED AND SWORN TO before me this 12 day of February, 2020





CITY OF NAPERVILLE
ZONING VARIANCE FORM



Exhibit A

V. SUBJECT PROPERTY INFORMATION

ZONING OF PROPERTY: "R3 PUD" Medium Density Multi-Family Residence District

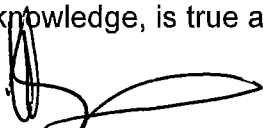
AREA OF PROPERTY (Acres or sq ft): 20.8 Acres or 923885 SF

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):

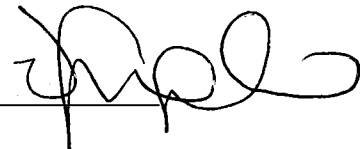
See Attached Additional Page With The Detailed Description of Variance.

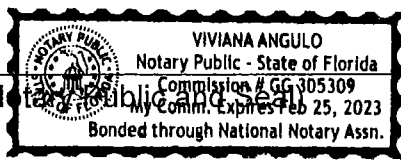
VI. PETITIONER'S SIGNATURE

I, Gavin Beekman, Authorized Signatory of PBH Windscape LLC (Petitioner's Printed Name and Title), 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.

 2/12/20
(Signature of Petitioner or authorized agent) (Date)

SUBSCRIBED AND SWORN TO before me this 12 day of February, 2020

(Notary Public and Seal) 





VII. 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).

(Signature of 1st Owner or authorized agent) (Signature of 2nd Owner or authorized agent)

2/12/20

(Date)


(Date)


Alexander V. Ponomarenko, Authorized Signatory

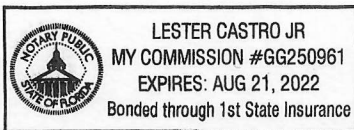
1st Owner's Printed Name and Title

2nd Owner's Printed Name and Title

SUBSCRIBED AND SWORN TO before me this 12th day of February, 2020



(Notary Public and Seal)



CITY OF NAPERVILLE
ZONING VARIANCE FORM

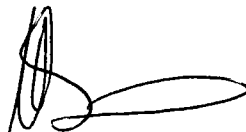


Exhibit A

VII. 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).

(Signature of 1st Owner or authorized agent)



(Signature of 2nd Owner or authorized agent)

(Date)

2/12/20

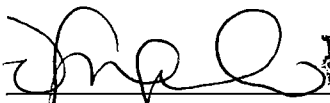
(Date)

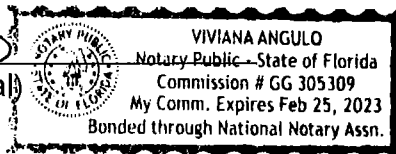
1st Owner's Printed Name and Title

Gavin Beekman, Authorized Signatory

2nd Owner's Printed Name and Title

SUBSCRIBED AND SWORN TO before me this 12 day of February, 2020


(Notary Public and Seal)



**CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES**

In compliance with Title 1 (Administrative), Chapter 12 (Disclosure of Beneficiaries) of the Naperville Municipal Code (“Code”), as amended, the following disclosures are required when any person or entity applies for permits, licenses, approvals, or benefits from the City of Naperville unless they are exempt under 1-12-5:2 of the Code. Failure to provide full and complete disclosure will render any permits, licenses, approvals or benefits voidable by the City.

1. Petitioner: Windscape Naperville LLC and PBH Windscape LLC c/o Nisha Bhatia & Ivonne Matus
 Address: 777 Brickell Avenue, Suite 1200
Miami, Florida 33131

2. Nature of Benefit sought: See Attached Additonal Sheet With Nature of Benefit Sought.

3. Nature of Petitioner (select one):

- | | |
|-----------------------|--|
| a. Individual | e. Partnership |
| b. Corporation | f. Joint Venture |
| c. Land Trust/Trustee | g. Limited Liability Corporation (LLC) |
| d. Trust/Trustee | h. Sole Proprietorship |

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

5. If your answer to Section 3 was anything other than “Individual”, please provide the following information in the space provided on page 11 (or on a separate sheet):

- **Limited Liability Corporation (LLC):** The name and address of all members and managing members, as applicable. If the LLC was formed in a State other than Illinois, confirm that it is registered with the Illinois Secretary of State’s Office to transact business in the State of Illinois.
- **Corporation:** The name and address of all corporate officers; the name and address of every person who owns five percent (5%) or more of any class of stock in the corporation; the State of incorporation; the address of the corporation's principal place of business. If the State of incorporation is other than Illinois, confirm that the corporation is registered with the Illinois Secretary of State’s Office to transact business in the State of Illinois.
- **Trust or Land Trust:** The name, address and interest of all persons, firms, corporations or other entities who are the beneficiaries of such trust.
- **Partnerships:** The type of partnership; the name and address of all general and limited partners, identifying those persons who are limited partners and those who are general partners; the address of the partnership's principal office; and, in the case of a limited partnership, the county where the certificate of limited partnership is filed and the filing number.
- **Joint Ventures:** The name and address of every member of the joint venture and the nature of the legal vehicle used to create the joint venture.
- **Sole Proprietorship:** The name and address of the sole proprietor and any assumed name.
- **Other Entities:** The name and address of every person having a proprietary interest, an interest in profits and losses or the right to control any entity or venture not listed above.

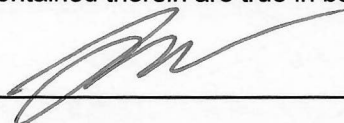
6. Name, address and capacity of person making this disclosure on behalf of the Petitioner:

Alexander V. Ponomarenko, Authorized Signatory of Windscape Naperville LLC, 777 Brickell Avenue, Suite 1200, Miami, Florida 33131


Gavin Beekman, Authorized Signatory of PBH Windscape LLC, 777 Brickell Avenue, Suite 1200, Miami, Florida 33131

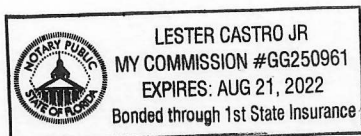
VERIFICATION

I, Alexander V. Ponomarenko (print name), 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 12 day of February, 2020.


Notary Public and seal



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

Alexander V. Ponomarenko, Authorized Signatory of Windscape Naperville LLC, 777 Brickell Avenue, Suite 1200, Miami, FL 33131

Gavin Beekman, Authorized Signatory of PBH Windscape LLC, 777 Brickell Avenue, Suite 1200, Miami, FL 33131

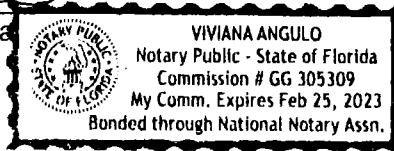
VERIFICATION

I, Gavin Beekman (print name), 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 12 day of February, 2020.


Notary Public and seal



PBH Windscape, LLC and Windscape Naperville, LLC
Windscape of Naperville
Supplement to Exhibit D: Disclosure of Beneficiaries

2. Nature of Benefit Sought: Variance to Modify Setback Requirement from 30 feet to 25 feet; PUD Deviation to modify parking requirement from 604 spaces to 584 spaces.

5. LIMITED LIABILITY COMPANY INFORMATION:

1st Owner Contact Information:

Windscape Naperville LLC, a Delaware limited liability company
c/o Nisha Bhatia & Ivonne Matus
777 Brickell Avenue, Suite 1200
Miami, Florida 33131

Windscape Naperville LLC Member Information:

Alexander V. Ponomarenko Revocable Trust Dated 8/12/2016
c/o Alexander V. Ponomarenko
9702 S.W. 69th Place
Pinecrest, Florida 33156

2nd Owner Contact Information:

PBH Windscape LLC, a Delaware limited liability company
c/o Nisha Bhatia & Ivonne Matus
777 Brickell Avenue, Suite 1200
Miami, Florida 33131

PBH Windscape LLC Member Information:

Pensam Windscape LLC, a Florida limited liability company
c/o Nisha Bhatia, Esq.
777 Brickell Avenue, Suite 1200
Miami, Florida 33131

Authorization to do Business in the State of Illinois:

Filed Application for Admission to Transact Business for Windscape Naperville LLC, a Delaware limited liability company filed on November 23, 2016; copy attached.

Filed Application for Admission to Transact Business for PBH Windscape LLC, a Delaware limited liability company filed on November 1, 2016; copy attached.

Form **LLC-45.5**
May 2012

Secretary of State
Department of Business Services
Limited Liability Division
501 S. Second St., Rm. 351
Springfield, IL 62758
217-524-8008
www.cyberdriveillinois.com

Illinois
Limited Liability Company Act
Application for Admission to
Transact Business

FILE

This space for use by Secretary of State.

FILED

NOV 23 2016

JESSE WHITE
SECRETARY OF STATE

SUBMIT IN DUPLICATE
Type or Print Clearly.

This space for use by Secretary of State.

Filing Fee: \$500

Penalty: \$

Approved: 

Payment must be made by certified check, cashier's check, Illinois attorney's check, C.R.A.'s check or money order payable to Secretary of State.

1. Limited Liability Company Name: Windscape Naperville, LLC

2. Assumed Name: _____
(This item is only applicable if the company name in item 1 is not available for use in Illinois, in which case form LLC 1.20 must be completed and submitted with this application.)

3. Jurisdiction of Organization: Delaware

4. Date of Organization: October 18, 2016

5. Period of Duration: Perpetual
(Enter Perpetual unless there is a Date of Dissolution provided in the agreement, in which case enter that date.)

6. Address of the Principal Place of Business: (P.O. Box alone or c/o is unacceptable.)

9702 SW 69th Place
Number Street Suite #
Pinecrest, FL 33156
City State ZIP Code

7. Registered Agent: CT Corporation System
First Name Middle Name Last Name

Registered Office: 208 South LaSalle Street, Suite 814
Number Street Suite #
(P.O. Box alone or c/o is unacceptable.)
Chicago IL 60604
City State Zip Code

Note: The registered agent must reside in Illinois. If the agent is a business entity, it must be authorized to act as agent in this state.

8. If applicable, Date on which Company first conducted business in Illinois: _____

(continued on back)

9. Purpose(s) for which the Company is Organized and Proposes to Conduct Business in Illinois: to own real estate

10. The Limited Liability Company: (check one)

a. Is managed by the manager(s) (List names and addresses.)

Alexander Ponomarenko

9702 SW 69th Place

Pinecrest, FL 33156


b. has management vested in the member(s) (List names and addresses.)

11. The Illinois Secretary of State is hereby appointed the agent of the Limited Liability Company for service of process under circumstances set forth in subsection (b) of Section 1-50 of the Illinois Limited Liability Company Act.

12. This application is accompanied by a Certificate of Good Standing or Existence, duly authenticated within the last 60 days, by the officer of the state or country wherein the LLC is formed.

13. The undersigned affirms, under penalties of perjury, having authority to sign hereto, that this application for admission to transact business is to the best of my knowledge and belief, true, correct and complete.

Dated: November 22, 2016
Month, Day, Year


Signature

ALEXANDER PONOMARENKO Manager
Name and Title (type or print)

If applicant is signing for a Company or other Entity, state Name of Company and indicate whether it is a member or manager of the LLC.



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

NOVEMBER 01, 2016

0587079-8

NATIONAL REGISTERED AGENTS INC
208 SO LASALLE ST, SUITE 814
CHICAGO, IL 60604-1101

RE PBH WINDSCAPE, LLC

DEAR SIR OR MADAM:

IT HAS BEEN OUR PLEASURE TO APPROVE YOUR REQUEST TO TRANSACT BUSINESS IN THE STATE OF ILLINOIS. ENCLOSED PLEASE FIND THE APPROVED APPLICATION FOR ADMISSION.

PLEASE NOTE! THE LIMITED LIABILITY COMPANY MUST FILE AN ANNUAL REPORT PRIOR TO THE FIRST DAY OF THIS MONTH OF QUALIFICATION NEXT YEAR. FAILURE TO TIMELY FILE WILL RESULT IN A \$300 PENALTY AND/OR REVOCATION. A PRE-PRINTED ANNUAL REPORT WILL BE MAILED TO THE REGISTERED AGENT AT THE ADDRESS ON OUR RECORDS APPROXIMATELY 45 DAYS BEFORE THE DUE DATE.

MANY OF OUR SERVICES ARE AVAILABLE AT OUR CONTINUOUSLY UPDATED WEBSITE. VISIT WWW.CYBERDRIVEILLINOIS.COM TO VIEW THE STATUS OF THIS COMPANY, PURCHASE A CERTIFICATE OF GOOD STANDING, OR EVEN FILE THE ANNUAL REPORT REFERRED TO IN THE EARLIER PARAGRAPH.

SINCERELY YOURS,

JESSE WHITE
SECRETARY OF STATE
DEPARTMENT OF BUSINESS SERVICES
LIMITED LIABILITY DIVISION
(217) 524-8008

Form **LLC-45.5**
May 2012

Secretary of State
Department of Business Services
Limited Liability Division
501 S. Second St., Rm. 351
Springfield, IL 62756
217-524-8008
www.cyberdriveillinois.com

Illinois
Limited Liability Company Act
**Application for Admission to
Transact Business**

FILE #

This space for use by Secretary of State.

FILED

NOV - 1 2016

JESSE WHITE
SECRETARY OF STATE

SUBMIT IN DUPLICATE

Type or Print Clearly.

This space for use by Secretary of State.

Filing Fee: \$500

Penalty: \$

Approved: 

Payment must be made by certified check, cashier's check, Illinois attorney's check, C.P.A.'s check or money order payable to Secretary of State.

1. Limited Liability Company Name: PBH Windscape, LLC

2. Assumed Name: _____
(This item is only applicable if the company name in Item 1 is not available for use in Illinois, in which case form LLC 1.20 must be completed and submitted with this application.)

3. Jurisdiction of Organization: Delaware

4. Date of Organization: October 21, 2016

5. Period of Duration: Perpetual
(Enter Perpetual unless there is a Date of Dissolution provided in the agreement, in which case enter that date.)

6. Address of the Principal Place of Business: (P.O. Box alone or c/o is unacceptable.)

777 Brickell Ave, Suite 1200
Number Street Suite #
Miami, Florida 33131
City State ZIP Code

7. Registered Agent: National Registered Agents, Inc.
First Name Middle Name Last Name

Registered Office: 208 S. La Salle Street, Suite 814
Number Street Suite #
(P.O. Box alone or c/o is unacceptable.)
Chicago IL 60604
City Zip Code

Note: The registered agent must reside in Illinois. If the agent is a business entity, it must be authorized to act as agent in this state.

8. If applicable, Date on which Company first conducted business in Illinois: _____

(continued on back)

LLC-45.5

9. Purpose(s) for which the Company is Organized and Proposes to Conduct Business in Illinois: To engage in and conduct all business permitted by law.

10. The Limited Liability Company: (check one)

a. is managed by the manager(s) (List names and addresses.)

Pensam Management Services, Inc.

777 Brickell Ave, Suite 1200

Miami, Florida 33131

b. has management vested in the member(s) (List names and addresses.)

11. The Illinois Secretary of State is hereby appointed the agent of the Limited Liability Company for service of process under circumstances set forth in subsection (b) of Section 1-50 of the Illinois Limited Liability Company Act.

12. This application is accompanied by a Certificate of Good Standing or Existence, duly authenticated within the last 60 days, by the officer of the state or country wherein the LLC is formed.

13. The undersigned affirms, under penalties of perjury, having authority to sign hereto, that this application for admission to transact business is to the best of my knowledge and belief, true, correct and complete.

Dated: October 28, 2016

Month, Day, Year



Signature

the Director of Pensam Management Services,
Inc., the Manager of PBH Windscape, LLC

Gavin Beekman

Name and Title (type or print)

If applicant is signing for a Company or other Entity, state Name of Company and indicate whether it is a member or manager of the LLC.