

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

**PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN COMMISSION
FOR ENTITLEMENTS REGARDING LOTS 9 AND 21 IN THE
NAPERVILLE CROSSINGS SUBDIVISION**

THE UNDERSIGNED Petitioner, **CALATLANTIC GROUP, INC.**, a Delaware corporation, (hereinafter “the Petitioner” or “Lennar”) respectfully petitions the City of Naperville to approve a major change to the Naperville Crossings Planned Unit Development allowing for construction of fifty-five (55) townhomes on the Subject Property which property is legally described on **Exhibit A** (“Subject Property”), pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter the “Code”).

In support of this Petition, the Petitioner states to the City of Naperville as follows:

1. First National Bank of Brookfield, a National Banking Association, 9136 Washington Avenue, Brookfield, Illinois 60513, is the owner of the Subject Property.
2. CALATLANTIC GROUP, INC., a Delaware corporation is the contract purchaser and Petitioner.
3. The Subject Property is known as Lots 9 and 21 in the Naperville Crossings Subdivision which together consist of approximately 5.33 acres. Along with the adjacent open space/detention area (lot #13) which is +/- 3.74 acres, all three lots comprise +/- 9.08 acres all located west of Showplace Drive and north of Anna Maria Lane in Naperville, Illinois.
4. The existing land uses surrounding the Subject Property are as follows:
 - a. North: B-2-PUD – Movie Theater & Daycare Facility

- b. East: B-2 PUD – Retail Uses & Restaurants
- c. South: B-2 PUD – Vacant Lots, Fire Station #10 and Andy’s Frozen Custard
- d. West: R-3 PUD & R-3A PUD – Heatherstone Duplex Subdivision & Fire Station #10

5. The Subject Property is located in Will County, Illinois, and at all times since being annexed to the City of Naperville in February of 2004 has remained vacant and underperforming.

6. On January 15, 2019 the City of Naperville granted approval of a major change of the Naperville Crossings Planned Unit Development to rezone lots 9 and 21 from B-2 PUD to R-3 PUD to provide for a future residential development.

7. The Petitioner’s request is consistent with the mixed-use intent of the original Naperville Crossings Planned Unit Development which anticipated retail, residential, recreation and office uses.

8. The Petitioner’s development proposal is consistent with the Tapestry at Naperville Crossings community which is also zoned R-3, is located off of Route 59 and 95th Street and has been a very successful residential community adding to the success and vibrancy of Naperville Crossings.

9. The City’s R-3 zoning district is specifically intended to provide for multiple-family areas of a medium density character accommodating a variety of housing types and compatible uses.

10. The Petitioner’s request is consistent with the intent of the City’s R-3 zoning district, and has been designed without the need for variances from the City’s R-3 zoning district.

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

12. The Petitioner is not seeking any zoning variances and the proposed fifty-five homes fall within the permitted density of the City's R-3 zoning district.

SUMMARY OF DEVELOPMENT

The Subject Property is located interior to the Naperville Crossings Subdivision which development offers shopping, dining, recreation, employment as well as multi-family living. As such, the location presents an opportunity to provide an additional residential use to enhance the development and provide a unique new residential opportunity. To this end, extensive care was taken to create a site plan and housing option that fits harmoniously within the Naperville Crossings Subdivision. The residences aim to provide an additional housing opportunity which is expected to appeal to young professionals, first time millennial home buyers and empty nesters who desire upscale living options in close proximity to a variety of entertainment, dining and shopping opportunities while also avoiding the daily responsibilities of home ownership and exterior maintenance. The proposed development will create an optimum use of the Subject Property by providing this 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, improving our work force and fulfilling the mixed use intent of Naperville Crossings.

The proposed community combines attractively designed townhomes complimenting the existing Naperville Crossings Subdivision with enhanced streetscapes to expand upon the existing environment with outdoor recreation and socialization areas along with interconnecting sidewalks

to serve the future residents. The exterior of the buildings will fit seamlessly into Naperville Crossings by borrowing elements of architectural expression balanced with subdued colors that will enhance the surrounding environment. The exterior elevations are finished on all sides using a material palette that reinforces the sense of place that has been established by Naperville Crossings. The materials include a mix of brick and siding. Home sizes will range from 1700 to 2400 square feet and are a mix of two and three bedrooms. All townhomes have been designed to front along the adjacent roadways with all garages being internal to the site and out of view to further draw upon any urban feel.

In addition to the complimentary architecture, extensive streetscape and landscape plans has been created to enhance the view to the Subject Property and the Naperville Crossings streetscape. The landscape plan will include a variety of landscape treatments along the perimeter roadways including parkway trees, planter boxes, decorative pavers, and street lighting all which are consistent with the established Naperville Crossings streetscape. Additionally, to keep a consistent theme, parallel parking will be installed along Showplace Drive. Sidewalks will be incorporated along all perimeter roadways consistent with the existing Naperville Crossings streetscape and additional sidewalks will be provided to connect each building to the Naperville Crossing center as well as the interior courtyards on each lot.

With regard to access, the community has been designed with multiple access points from both Reflection Drive and Anna Marie Lane. The access points will provide the residents with access to their garages located to the rear of each building. The site plan has been designed to create an urban feel with front entries facing the adjacent roadways along with private open space courtyards interior to the site. Additionally, extensive sidewalks along the entire perimeter of the community and connection points to the adjacent retail and entertainment uses will enhance

pedestrian connectively. The central courtyards will provide a shared private greenspace including seating areas, walkways, and mail facilities. Each home will have a two car garage as well as driveway parking for an additional two cars. Lastly, with regard to setbacks, the site plan has been designed to meet and exceed all applicable R-3 setback requirements.

- a. *The design of the planned unit development presents an innovative and creative approach to the development of land and living environments.*

The Naperville Crossings Planned Unit Development was approved as a mixed use development consisting of entertainment uses, residential uses, office uses and retail/commercial uses. Over the past 15 years retail/commercial uses have filled in along Route 59, a movie theater was constructed internal to the site, and the Tapestry Apartment Community was constructed. While the retail areas adjacent to Route 59 have filled in over the years, the lots adjacent to 95th Street along with internal lots 9 and 21 have sat totally dormant. On January 15, 2019 the City Council rezoned the Subject Property to R-3 PUD to allow for residential uses to contribute to the overall success of the mixed use vision for Naperville Crossings. The proposed residential community 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 development and enhance the City's retail and property tax bases. The proposed residential community is also in conformance with the City's official plans in that the Naperville Crossings Planned Unit Development has always been intended to be a mixed-use development.

- b. *The planned unit development meets the requirements and standards of the planned unit development regulations.*

There are no variances being sought by the Petitioner. The proposed Major Change to the Planned Unit Development will allow the Petitioner to utilize the Subject Property to an extent that is compatible with the surrounding environment and to its highest and best use. The proposed

planned unit development meets the requirements and standards of the planned unit development regulations as follows:

- (i) Ownership and Control: The proposed development meets the ownership and control requirements.
- (ii) Area, Lot Width, Yard, and Height/Bulk Requirements: The proposed development meets the applicable standards of the R-3 zoning district.
- (iii) Common Open Space: Common open space was master planned as part of the development improvements for Naperville Crossings. Additional open space areas have been incorporated into the plan as central courtyards, buffer areas as well as additional improvements to the detention basin on Lot #13.
- (iv) Landscaping, Screening, and Tree Preservation: A landscape plan has been submitted in compliance with the City's requirements for landscaping and screening upon development of the Subject Property.
- (v) Lighting: The proposed development complies with the City's exterior lighting regulations.
- (vi) Pedestrian and Bicycle Circulation: The provisions pertaining to Pedestrian and Bicycle Circulation will be met and exceeded.
- (vii) Relationship to Adjoining Land: The proposed residential use is consistent with the mixed-use concept of the Naperville Crossings Planned Unit Development and will actually enhance the viability of the commercial uses within the development. Additionally, the proposed major change will provide for a residential development which is consistent with the adjacent

zoning of the Heatherstone Subdivision (R-3A PUD) and Fire Station #10 (R-3 PUD) to the West and Primrose daycare to the south.

- (viii) Density Bonuses: No Density bonuses are requested.
- (ix) Park and School Sites: Park and School donations will be required as part of this development. The Owner has already dedicated Lot #12 to the City of Naperville to provide for Fire Station #10.
- (x) Public Improvements: All public improvements have been provided for as part of the Naperville Crossings PUD, including signalized access points at Route 59 and 95th Street and a dedication of land which is now home to Fire Station No. 10.

c. 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.

There are no existing natural features on the site. The Subject Property has already been subdivided and improved. The existing site consists of roughly graded vacant land. The future plan will incorporate residential uses, maximize connectivity to the existing retail component of Naperville Crossing and support the viability of the overall development. Overall, the proposed residential community will greatly enhance Naperville Crossings and efficiently utilize residential property which has been vacant and underperforming for many years. The proximity of extensive retail opportunity will significantly reduce the need for vehicular travel.

d. Open Space, outdoor common area, and recreational facilities are provided.

Open space and outdoor common area including central courtyards have been incorporated into the future residential site plans and reviewed by city planning staff to confirm compliance with the City's open space requirements. Additionally, recreational opportunities are provided

within the Naperville Crossings Subdivision which include health and fitness uses, a movie theater, retail and shopping uses as well as dining.

- e. 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.*

The Petitioner is not seeking any modifications in design standards from the subdivision control regulations or waivers in bulk regulations from the zoning regulations.

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

The proposed use of the Subject Property is consistent with the proposed mixed-use development of Naperville Crossings. Naperville Crossings was conceptualized as a mixed-use development with a combination of retail, service commercial uses, professional and medical office uses and residential uses. The retail commercial component of the development is largely developed along Illinois Route 59. The proposed residential development will provide for a beneficial use of the Subject Property. The proposed community will bring additional patrons to the development and thereby support the viability of the commercial portions of Naperville Crossings. Additionally, the proposed development is consistent with the established residential uses to the west (Heatherstone Subdivision), as well as the Primrose daycare facility to the north.

- g. The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the City.*

The proposed development is consistent with the overall Naperville Crossings Planned Unit Development, which anticipated a mixed-use development. In addition, the proposed development is consistent with the formerly approved residential component on the Subject Property. Lastly, the proposed rezoning is consistent with the City's comprehensive plan which designated the Subject Property as mixed-use residential and commercial.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission take the necessary steps to: 1) grant a major change to the Naperville Crossings Planned Unit Development and approve the PUD Plan for the Subject Property as depicted on the plans submitted herewith.

RESPECTFULLY SUBMITTED this 18 day of June, 2019.

PETITIONER:

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Attorneys for the Petitioner

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