

# CITY OF NAPERVILLE PETITION FOR DEVELOPMENT APPROVAL

(REVISED)

DEVELOPMENT NAME (should be consistent with plat): AUBURN MANOR

ADDRESS OF SUBJECT PROPERTY: 9s364 NAPER BLVD, NAPERVILLE IL

PARCEL IDENTIFICATION NUMBER (P.I.N.) 08-32-105-001 and 08-32-117-029

**I. PETITIONER:** DRH CAMBRIDGE HOMES, INC.

PETITIONER'S ADDRESS: 750 S BUNKER CT, SUITE 500

CITY: VERNON HILLS STATE: IL ZIP CODE: 60061

PHONE: 224-223-4957 EMAIL ADDRESS: DABEAVER@DRHORTON.COM

**II. OWNER(S):** East Village, LLC, Attn: Bryan Bomba

OWNER'S ADDRESS: 6409 Breton Lakes Drive

CITY: Willowbrook STATE: IL ZIP CODE: 60527

PHONE: (630) 286-9242 EMAIL ADDRESS: bryan@bryanbomba.com

**III. PRIMARY CONTACT** (review comments sent to this contact): DEBORAH BEAVER

RELATIONSHIP TO PETITIONER: AREA MANAGER

PHONE: 224-223-4957 EMAIL ADDRESS: DABEAVER@DRHORTON.COM

## IV. OTHER STAFF

NAME: JEFF ENDE

RELATIONSHIP TO PETITIONER: PROJECT ENGINEER

PHONE: 847-643-6347 EMAIL ADDRESS: JMEnde@drhorton.com

NAME: Kimberly Marshall

RELATIONSHIP TO PETITIONER: Permit Coordinator

PHONE: (847) 362-9100 EMAIL ADDRESS: KDMarshall@drhorton.com

**V. PROPOSED DEVELOPMENT**

(check applicable and provide responses to corresponding exhibits on separate sheet)

- |  |   |
|--|---|
| <input 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 checked="" 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 7)                    |
| <input checked="" type="checkbox"/> Rezoning (Exhibit 4) to R3A                      | <input type="checkbox"/> Platted Setback Deviation (Exhibit 8)          |
| <input checked="" type="checkbox"/> Subdivision Plat (Combined Preliminary/Final)    | <input type="checkbox"/> Subdivision Deviation/Waiver (Exhibit 8)       |
| <input type="checkbox"/> Temporary Use   | <input type="checkbox"/> Other (Please Specify: _____)                  |

*\*When requesting approval of a Small Wind and/or a Solar Renewable Energy System complete Exhibit 9 instead of Exhibit 1.*

ACREAGE OF PROPERTY: 1.1448 acres (See attached legal description)

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

Petitioner proposes to develop the vacant site with 8 townhome  
units and a private drive.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**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

**Auburn Manor**  
**9S364 Naper Blvd, Naperville IL**

PINs: 08-32-105-001 and 08-32-117-029

Legal Description:

PARCEL 1:

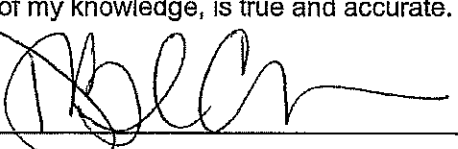
LOT 9 IN LEE WINE'S SECOND ASSESSMENT PLAT OF PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD TO THE SAID ASSESSMENT PLAT RECORDED FEBRUARY 10, 1964, AS DOCUMENT R64-4197, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 95, ORLEANS UNIT 2, BEING A SUBDIVISION IN PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 95 WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST 150.72 FEET OF SAID LOT 95; THENCE SOUTH 00 DEGREES 40 MINUTES 09 SECONDS WEST ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 60.50 FEET FOR A POINT OF BEGINNING, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID EAST 150.72 FEET; THENCE CONTINUING SOUTH 00 DEGREES 40 MINUTES 09 SECONDS WEST, A DISTANCE OF 39.82 FEET TO THE SOUTH LINE OF SAID LOT 95; THENCE SOUTH 89 DEGREES 50 MINUTES 57 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 150.72 FEET TO THE SOUTHEAST CORNER OF SAID LOT 95; THENCE NORTH 00 DEGREES 40 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 95, A DISTANCE OF 40.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 95; THENCE NORTH 89 DEGREES 54 MINUTES 51 SECONDS WEST ALONG THE NORTH LINE OF SAID EAST 150.72 FEET OF LOT 95, A DISTANCE OF 150.72 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.


**PETITIONER'S SIGNATURE**

I, DEBORAH BEAVER AS PETITIONER'S AREA MANAGER (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)

10/29/17  
(Date)

SUBSCRIBED AND SWORN TO before me this 29<sup>th</sup> day of November, 2017

  
(Notary Public and Seal)

K MARTIN  
Official Seal  
Notary Public - State of Illinois  
My Commission Expires Sep 1, 2019

**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).

East Village, LLC, an Illinois limited liability company

By: [Signature]  
(Signature of 1<sup>st</sup> Owner or authorized agent)

\_\_\_\_\_  
(Signature of 2<sup>nd</sup> Owner or authorized agent)

Bryan Bomba, Managing Member  
(Date)

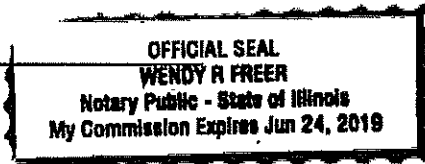
11/29/17  
(Date)

Bryan Bomba, Manager  
1<sup>st</sup> Owner's Printed Name and Title

\_\_\_\_\_  
2<sup>nd</sup> Owner Printed Name and Title

SUBSCRIBED AND SWORN TO before me this 29 day of November, 2017

[Signature]  
(Notary Public and Seal)



\* Please include additional pages if there are more than two owners.

**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. Petitioner: DRH Cambridge Homes, Inc  
Address: 750 E Bunker Cr, Suite 500  
Vernon Hills, IL 60061

2. Nature of Benefit sought: To build and sell town home units as a for profit company

3. Nature of Petitioner (select one):

- |  |                  |
|--|------------------|
| a. Natural Person                                  | d. Trust/Trustee |
| b. <input checked="" type="checkbox"/> Corporation | e. Partnership   |
| c. Land Trust/Trustee                              | f. Joint Venture |

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

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:

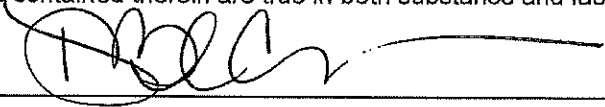
- a. D. R. Horton
- b. Publicly held listed on the NYSE
- c. \_\_\_\_\_
- d. \_\_\_\_\_

6. Name, address and capacity of person making this disclosure on behalf of the Petitioner:  
Deborah Beaver, as Area Manager for DRH Cambridge Homes, Inc. (DR Horton Homes)  
750 E Bunker Cr, Suite 500, Vernon Hills IL 60061

**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, Deborah Beaver, as Area Manager, 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 14<sup>th</sup> day of September, 2017.

  
Notary Public and seal



**Exhibit 3 to Petition for Development Approval**

**PETITION FOR ANNEXATION**

**Auburn Manor Subdivision  
9S364 Naper Boulevard**

**TO: THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS**

EAST VILLAGE, LLC, an Illinois limited liability company, as owner ("Owner") of the property hereinafter defined ("Subject Property"), hereby petitions the City of Naperville ("City") pursuant to and in accordance with Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, but subject to the prior approval of an annexation agreement which is approved by the City in accordance with Section 15.1-1 of the Illinois Municipal Code, 65 ILCS 5/15.1-1, to annex into the City's corporate limits the territory generally located at the southwest corner of Ursuline Avenue and Naper Boulevard that consists of approximately one acre which is legally described on Exhibit A attached hereto and made a part hereof by this reference thereto, and further state as follows:

1. Owner is the sole owner of record of the Subject Property.
2. The Subject Property is not located within the corporate limits of any municipality.
3. The Subject Property is now contiguous to the corporate limits of the City of Naperville.
4. No electors reside on the Subject Property.
5. A plat of annexation depicting the location, boundaries and size of the Subject Property is attached hereto as Exhibit B and made a part hereof by this reference thereto.

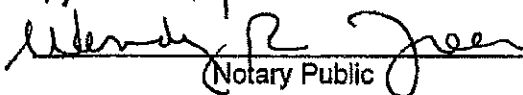
The undersigned, being first duly sworn upon oath, depose and state that I have knowledge of the matters described in the foregoing Petition for Annexation and have read the same before signing; that the statements made therein are true and correct to the best of his knowledge.

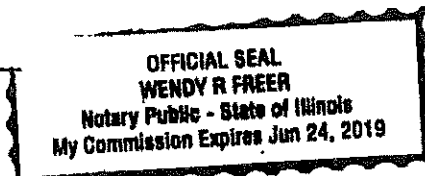
**EAST VILLAGE, LLC**, an Illinois limited liability company

By:   
Bryan Bomba, Manager

Date: 11/29/17

SUBSCRIBED AND SWORN TO before me by the person whose signature appears above this  
29 day of November 2017.

  
Notary Public



**EXHIBIT A**

**LEGAL DESCRIPTION OF THE SUBJECT PROPERTY**

LOT 9 IN LEE WINE'S SECOND ASSESSMENT PLAT OF PART OF THE NORTH HALF OF SECTION 32,  
TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD  
TO THE SAID ASSESSMENT PLAT RECORDED FEBRUARY 10, 1964, AS DOCUMENT R64-4197, IN  
DUPAGE COUNTY, ILLINOIS.

---

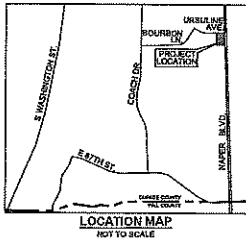


**EXHIBIT B**

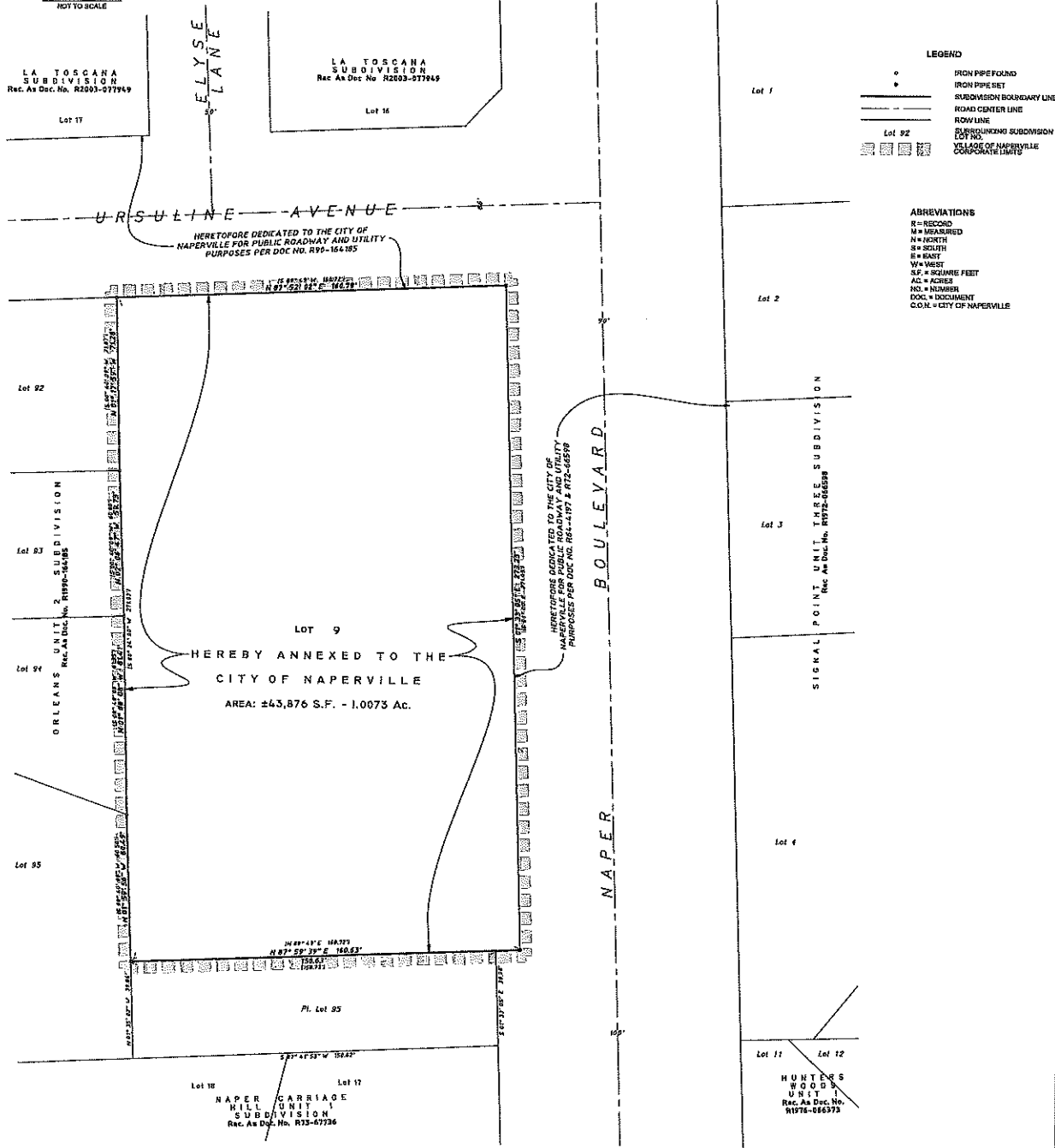
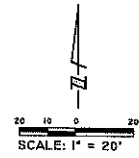
**PLAT OF ANNEXATION OF THE SUBJECT PROPERTY**

# PLAT OF ANNEXATION TO THE CITY OF NAPERVILLE OF

P.L.N. NO. 08-32-105-001



LOT 9 MAP LINE NORTH'S SECOND ASSESSMENT PLAT OF PART OF THE NORTH HALF OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD TO THE 640 ASSESSMENT PLAT RECORDED FEBRUARY 19, 1984, AS DOCUMENT 184-4191, IN DU PAGE COUNTY, ILLINOIS.



**LEGEND**

- IRON PIPE FOUND
- IRON PIPE SET
- SUBDIVISION BOUNDARY LINE
- ROAD CENTER LINE
- ROW LINE
- PLEASANT SUBDIVISION
- LOT NO.
- VILLAGE OF NAPERVILLE
- CORPORATE LIMITS

**ABBREVIATIONS**

- R = RECORD
- N = MEASURED
- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- S.F. = SQUARE FEET
- AC. = ACRES
- N.O. = NUMBER
- DOC. = DOCUMENT
- C.O.M. = CITY OF NAPERVILLE

**HEREBY ANNEXED TO THE  
CITY OF NAPERVILLE**  
AREA: ±43,876 S.F. - 1.0073 Ac.

**SURVEYOR NOTES**

- NAME OF SURVEYOR, THE BEARINGS SHOWN ON THE PLAT MAP ARE STATE OF ILLINOIS ASSIGNED BEARINGS ON MAP NUMBER ILLINOIS EAST ZONE, 10N STATE PLANE COORDINATES AS REFERENCED FROM KANA COMPANY'S R1X COUNTY OF DU PAGE NETWORK.
- THERE ARE NO ELECTIONS THAT RESIDE ON THE PROPERTY ANNEXED.
- THERE ARE NO HABITABLE STRUCTURES ON THE PROPERTY ANNEXED.

**STATE OF ILLINOIS** )  
COUNTY OF DU PAGE )

APPROVED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DU PAGE COUNTY, ILLINOIS.  
DATED AT \_\_\_\_\_ ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

BY: \_\_\_\_\_ CITY CLERK

**DU PAGE COUNTY CLERK'S CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DU PAGE )

I, \_\_\_\_\_ COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT.

I, FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT WHEATON, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_.

\_\_\_\_\_  
COUNTY CLERK

**RECORDER OF DEEDS**

STATE OF ILLINOIS )  
COUNTY OF DU PAGE )

RECORDED ON \_\_\_\_\_ A.D. 20\_\_\_\_

**SCHMIDTKE ENGINEERING**

1035 WEST WASHINGTON STREET, SUITE 100, WHEATON, ILLINOIS 60187  
TEL: 630-399-8800 FAX: 630-399-8801  
WWW.SCHMIDTKEENGINEERING.COM

EXPIRES 11-30-18

<p><b>HAEGER ENGINEERING</b> CONSULTING ENGINEERS • LAND SURVEYORS 100 EAST STATE ROADWAY, SCHMIDTKE, IL 60173 TEL: 847.394.6600 FAX: 847.394.4408 ILLINOIS PROFESSIONAL ENGINEER LICENSE NO. 184-000159 EMAIL: HAEGER@HAEGENGINEERING.COM</p>	<p>PLAT OF ANNEXATION AUBURN MANOR SUBDIVISION</p>	<p>1</p>	<p>10-25-2017</p>	<p>CITY OF NAPERVILLE COMMISSION DATED 10-09-2017</p>	<p>PREPARED FOR/PROPERTY OWNER: DISH CANADIAN HOMES, INC. 750 E. BUNTER COUNTY STATE ROAD, WOODHILL, IL 60091 TEL: (847) 342-9100 EMAIL: info@dishcanadianhomes.com</p> <p>PROJECT MANAGER: NIG DRAWS BY: MAL DATE: 09/07/2017 PROJECT NO. 17184 C.O.M. PROJECT NO. 17-10000101</p>
--	--	----------	-------------------	---	---

**Exhibit 4 to Petition for Development Approval**

**RESPONSES TO STANDARDS FOR  
GRANTING A MAP AMENDMENT (REZONING)**

**Auburn Manor Subdivision  
9S364 Naper Boulevard**

DRH Cambridge Homes, Inc. (“Petitioner”) provides the following responses to the standards of review for a map amendment (rezoning) to classify (i) the property commonly known as 9S364 Naper Boulevard and identified as “Parcel 1” in the legal description attached to Petitioner’s *Petition for Development Approval* and (ii) the property currently without an assigned address and identified as “Parcel 2” in the aforementioned legal description (collectively, “Subject Property”) in the R3A Medium Density Multiple-Family Residence District upon annexation of said Parcel 1 to the City in accordance with Section 6-5-3 of the *City of Naperville Zoning Ordinance*.

- 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.***

The requested map amendment promotes the public health, safety, comfort, convenience and general welfare through its compliance with the City’s current *Comprehensive Master Plan – 1998 East Sector Update* (“East Sector Plan”) objective to “promote a balanced development scheme” through “varying densities of residential dwelling units including...townhomes” because the map amendment is sought to accommodate Petitioner’s proposed development of an eight-unit townhome community to be integrated into the surrounding neighborhood of detached single-family and attached single-family dwelling units. Additionally, the site plan for the proposed community is carefully designed in accordance with the East Sector Plan’s objective to “minimize land use conflicts between existing and proposed developments” by, for example, providing an increased building setback of not less than 64 feet from the Subject Property’s west lot line adjacent to the existing detached single-family residential dwelling units located west of the Subject Property. This provides a setback of 58 additional feet above and beyond the six-foot setback required by the R3A district regulations.

The requested map amendment also complies with the East Sector Plan’s goal of ensuring that “all redevelopment/infill development shall be of a type and a density that is compatible with the surrounding area.” Consistent with the three- and four-unit townhomes that exist immediately north of the Subject Property along Elyse Lane and Bourbon Lane, Petitioner’s proposed eight-unit townhome community proposed for the Subject Property will consist of two four-unit buildings and provide a lower density than that allowed by the R3A district regulations. Similarly, the requested map amendment complies with the East Sector Plan’s goal to “promote diversity in housing types (detached

single-family, duplexes, townhomes, apartments)” and that plan’s associated policy to “promote a mixture of lot sizes and housing types.” The requested map amendment will allow for integration of attached single-family residential dwelling units adjacent to existing detached and attached single-family residential dwelling units. Moreover, the requested map amendment will enable compliance with the East Sector Plan’s policy that “[m]edium/high density residential development should be located to provide...a transition between low density residential [(e.g., detached single-family dwelling units)] and more intensive uses or transportation elements [(e.g., collector or arterial roadways)].” The requested map amendment will allow Petitioner’s proposed eight-unit townhome community to serve as a transition between the existing single-family dwelling units west of the Subject Property and Naper Boulevard east of the Subject Property.

It is also important to note that the City previously adopted Ordinance No. 06-159 whereby the City approved an annexation agreement for the Subject Property and expressly determined that application of the R3A zoning district to the Subject Property “will inure to the benefit and improvement of the City and its residents and will promote the City’s sound planning and development and will otherwise enhance and promote the general welfare of the City’s residents.” The requested map amendment is identical to that contemplated under Ordinance No. 06-159 and approved under Ordinance No. 06-162.<sup>1</sup>

For the foregoing reasons, the requested map amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the City’s applicable policies and official land use plan.

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

The trend of development in the area of the Subject Property is consistent with the requested map amendment. Attached single-family development in both the R3 and R3A zoning districts exists immediately north of the Subject Property. Both the requested map amendment and the proposed use of the Subject Property are consistent with the trend of development established by those existing zoning classifications and land uses.

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

Parcel 1 of the Subject Property is currently located in unincorporated DuPage County and currently zoned in the county’s R-3 Single-Family Residence District as a relic of the surrounding area’s use and development prior to the

---

<sup>1</sup> The approvals granted under Ordinance Nos. 06-159 and 06-162 have expired.

current development trend. That existing zoning classification requires a lot width of at least 100 feet. Due to the Subject Property's width of approximately 161 feet along its frontage to Ursuline Avenue, the Subject Property could be developed with only one detached single-family dwelling unit on a lot of greater than one acre, which would be out of character with the surrounding neighborhood and an unsuitable use of the Subject Property. By contrast, the requested map amendment to zone the Subject Property in the City's R3A zoning district upon the City's annexation of Parcel 1 of the Subject Property will be consistent with the character of the surrounding neighborhood and will allow more suitable use of the Subject Property for development of eight attached single-family townhome units as Petitioner proposes.

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

Parcel 1 of the Subject Property has not been utilized under the existing DuPage County R-3 zoning classification for a period of more than ten years. Regardless, that existing zoning classification is inappropriate for the Subject Property for the reasons stated above. Parcel 2 of the Subject Property has not been utilized since it was platted approximately 28 years ago.

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

The City's grant of approval of the requested map amendment will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. To the contrary, the requested map amendment to allow for Petitioner's development of the Subject Property as an eight-unit townhome community will be consistent with the essential character of the neighborhood—particularly that portion of the neighborhood located immediately north of the Subject Property along Elyse Lane and Bourbon Lane where attached single-family dwelling units currently exist on lots zoned in the same R3A zoning district as that requested for the Subject Property. As a result of the consistency between (a) the existing zoning and development of adjacent properties and (b) the requested map amendment and Petitioner's proposed development of the Subject Property, the requested map amendment will not be a substantial detriment to adjacent properties and will instead be compatible with adjacent properties and land uses.