

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

**PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN COMMISSION
FOR DEVELOPMENT APPROVAL**

THE UNDERSIGNED Petitioner, M/I Homes of Chicago, LLC, a Delaware limited liability company (hereinafter, “M/I” or the “Petitioner”), respectfully petitions the City of Naperville to approve: (i) a conditional use for a Planned Unit Development (“PUD”) in the Transitional Use (“TU”) district; (ii) a PUD Plat and Plan with associated deviations as described herein and depicted on the plans submitted herewith; (iii) a Preliminary/Final Plat of Subdivision; and (iv) such other deviations or departures as may be necessary to develop the property legally described on Exhibit A (“Subject Property”) as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (the “Code”).

BACKGROUND INFORMATION

1. M/I Homes of Chicago, LLC, whose address is 2135 City Gate Lane, Suite 620, Naperville, Illinois 60563, is the Petitioner.
2. The current owner of the Subject Property is Calvary Temple Church of Naperville (“Church” or “Owner”).
3. Petitioner is the contract purchaser of the Subject Property.
4. The Subject Property consists of an approximately 0.82 acre assemblage of four parcels totaling approximately 34,810 square feet located along West Benton Avenue, at the corner of West Benton Avenue and Main Street, in Naperville, Illinois.

5. The Church has historically owned the Subject Property; however, it is no longer essential to the Church's ministry or aligned with its current operational needs.
6. Sunday services on the Subject Property ended in the 1970s. The property was later used for youth gatherings, a food pantry, and ministry-related storage; however, all such activities have since ceased.
7. With no operations remaining on the site, the Church demolished the existing structure, and the property is now vacant.
8. Following acquisition of the Subject Property, Petitioner plans to build seven (7) single family attached units and two (2) duplexes (collectively referred to herein as the "Rowhomes").
9. The Subject Property is zoned Transitional Use (TU).
10. Naperville's "Land Use Master Plan" approved March 1, 2022 ("Land Use Plan") designates the Subject Property as being located within the boundary of the 'Downtown' District of Naperville.
11. The "Naperville Downtown2030" plan approved April 6, 2011 ("Downtown Plan") designates the future land use of the Subject Property as "North Downtown Special Planning Area" and "Multi-Family Residential."
12. Permitted uses within the North Downtown Special Planning Area and Multi-Family Residential include condominiums, townhomes, and rowhomes.
13. The existing land uses surrounding the Subject Property are as follows:
 - a. North – R2 – single-family residential
 - b. East – TU – multi-family residential
 - c. South – B4 PUD – Main Street Promenade and Benton Terrace condos

- d. West – TU – single-family residential
14. 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 herein.

REQUIRED DEVELOPMENT ENTITLEMENTS

1. The Petitioner seeks a conditional use for a PUD in the City’s TU zoning district.
2. The Petitioner seeks approval of a PUD Plat and Plan, and in association therewith seeks approval of the following deviations:
 - a. Deviation from Section 6-7I-5 to allow a reduced minimum lot size of 34,810 square feet, in lieu of the 52,000 square feet required under the Code (i.e., 4,000 square feet for each single-family attached unit and 6,000 square feet for each duplex). Notably, while the proposed lot size of 34,180 square feet, or 3,165 square feet per unit, is less than the Code requirement, it exceeds the Downtown Plan’s multi-family lot size standard of 2,904 square feet per unit (15 units per acre);
 - b. Deviation from Section 6-7I-7 to permit a rear yard (functionally side yard) setback of approximately 11’3” for the duplexes in Buildings 1 and 2, in lieu of 25 feet;
 - c. Deviation from Section 6-7I-7 to permit a front yard (functionally the side yard with respect to the duplexes) setback of 10 feet, in lieu of the 15 feet;
 - d. Deviation from Section 6-7I-8 to allow a building height of 46 feet, in lieu of the maximum 35 feet permitted in TU districts;

- e. Deviation from Section 6-2-10:5 to allow structural facilities to occupy up to 70% of the required rear yard; and
- f. Such other deviations or departures as may be necessary to develop the Subject Property pursuant to the plans submitted herewith.

SUMMARY OF DEVELOPMENT

M/I Homes, Inc., the parent company of Petitioner, is the 13th largest homebuilder in the United States, with operations in 18 markets across 10 states. Locally, Petitioner is the 3rd largest homebuilder in the Chicagoland market, having closed on the sale of over 700 new homes in 2024. Petitioner has a long history in Naperville with several completed rowhome and single-family communities, including Mayfair, English Rows, Bauer Place, Emerson Park, and Ashwood Creek, with additional developments underway such as Northwoods of Naperville. As contract purchaser of the Subject Property, Petitioner now desires to position the Subject Property for redevelopment with eleven (11) rowhomes to be commonly known as “Benton+Main.”

The Subject Property is located at the northeast corner of Benton Avenue and Main Street, one block from retail and dining attractions in Downtown Naperville. Historically, the Subject Property was utilized by Calvary Temple Church. However, no longer essential to the Church’s ministry and inconsistent with the general nature and uses in the area, Owner recently demolished the building on the Subject Property in anticipation of a sale of the Property. The Subject Property is now vacant, presenting a unique opportunity for infill development that thoughtfully aligns with the City’s goals for efficiently designed, context-sensitive growth and the strengthening of Downtown Naperville’s residential base.

With retail uses to the south and residential uses to the north, east and west, the Subject

Property is located in a transitional area between higher density and lower density uses. Accordingly, Naperville's official zoning designation for the Subject Property is Transitional Use (TU). The intent of the TU zoning district is to accommodate context-sensitive, medium-density residential development that serves as a transition between the Downtown core and surrounding lower-density neighborhoods. Single-family attached homes and duplexes—which collectively make up the proposed Rowhomes—are permitted uses within the TU zoning district.

The proposed development is also in alignment with the City's Land Use Plan and Downtown Plan, which provide guidance for future development within the City's municipal boundaries. Specifically, Naperville's Land Use Plan designates the Subject Property as being located within the "Downtown District", and the Downtown Plan places the Subject Property within the North Downtown Special Planning Area and Multi-Family Residential subareas. Permitted uses within these subareas include condominiums, townhomes, and rowhomes, making the project an appropriate use at the location consistent with the Downtown Plan's goals of maintaining an efficiently designed, walkable urban form, enhancing the streetscape with pedestrian-oriented architecture, and increasing the diversity of housing options in Downtown Naperville.

The rear-loaded Rowhomes will feature 3 to 5 bedrooms, 3.5 to 5 bathrooms, a 2-car garage, and will range from 2,612 to 3,963 square feet. The proposed project will use custom one-off product with elevated architectural design that is attractive to discerning buyers, including individuals seeking a low maintenance, high end home product within immediate proximity of Downtown Naperville. The proposed floorplans will incorporate the best features of Petitioner's popular rear-loaded rowhome product that blend upscale livability with an urban feel. Defining characteristics include well defined street walls, oversized windows, Mansard-

style rooflines, ironwork, use of winter mist brick, and eclectic details. The proposed Rowhomes will enhance the streetscape and pedestrian experience of the Downtown District by appearing three stories at grade, but four stories at a distance. Each of the homes will be maintenance free, with the homeowner's association being responsible for all exterior maintenance, landscaping, and snow removal.

While the proposed development will incorporate a number of streetscape amenities and enhancements inspired by the City's Downtown Streetscape Design Standards adopted in 2019 ("Downtown Streetscape Design Standards"), it will not fully comply with those standards. The petitioner has made a concerted effort to incorporate elements such as planter beds, trees, lighting, seat walls, concrete pavers, and a decorative wood fence, as depicted on the development plans. However, full compliance is challenging given the size and configuration of the lot, the presence of adjacent residential uses, and the need to provide adequate vehicular access and building setbacks. The landscape plan has been designed to maintain compatibility with the surrounding neighborhood, particularly along the north and west property lines, where improvements will help buffer nearby homes and reflect the area's more residential character. Overall, the design strives to balance the intent of the Downtown Streetscape Design Standards with the unique constraints of the site, creating a transition between the active retail core of Downtown and the quieter residential blocks beyond in a manner that remains pedestrian-friendly and visually cohesive.

Architecturally, the Rowhomes present a distinctive design intended to complement and elevate the character of the area. Features include well-defined street walls, oversized windows, Mansard-style rooflines, winter mist brick masonry, decorative ironwork, and eclectic façade detailing, with 100% of the exterior composed of brick or masonry elements such as Hardi.

High-end materials create a unified, upscale aesthetic appropriate for Downtown’s character, while private balconies and rooftop terraces activate the upper levels and contribute to street vibrancy—echoing Downtown’s goal of integrating residential living into the public realm. Together, these elements advance the Downtown Streetscape Design Standards by blending architectural quality with a layered streetscape experience that transitions gracefully from commercial to residential environments.

Vehicular access to the development will be provided from West Benton Avenue, with no new curb cuts required. The proposed 11-unit rowhome development is expected to generate significantly less traffic than many other uses permitted in the TU zoning district, such as offices or institutional uses. Resident and guest parking will be accommodated on-site in excess of City requirements. More specifically, each unit will feature an attached rear-load two-car garage, supplemented by six off-street parking stalls for guest use. This provides 0.5 guest parking spaces per unit—double the 0.25 spaces per unit required by the Code—ensuring that resident and guest parking will be accommodated on-site in excess of City requirements.

The Petitioner’s planned development aligns with both the zoning and planning objectives for the area. The introduction of the Rowhomes in this location strengthens the residential base necessary to support local businesses and contributes to the continued vitality of the downtown area.

APPROVAL OF A CONDITIONAL USE FOR PLANNED UNIT DEVELOPMENT

The purpose of a PUD is to allow land to be redeveloped with innovation, imagination, and creative architectural design. PUDs are also established to encourage a higher level of design and amenity than is possible to achieve under strict application of the zoning ordinance, while fulfilling the objectives of the City’s Land Use Plan. In exchange for delivering this

elevated design and enhanced public benefit, a PUD also provides flexibility from certain Code standards, allowing projects to incorporate unique site planning and architectural features that might not be feasible under conventional zoning requirements. The proposed development meets the requirements for a conditional use as follows:

- a. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare;*

The establishment, maintenance, and operation of the proposed conditional use for the PUD will not be detrimental to, nor endanger, the public health, safety, or general welfare. On the contrary, the project represents a well-considered redevelopment that will yield tangible public benefits—social, economic, and aesthetic—in alignment with the City’s long-term planning goals for the Downtown District.

Historically, the Subject Property was utilized by Calvary Temple Church. While Sunday services ended in the 1970s, the property continued to serve ministry purposes through youth gatherings, a food pantry, and ministry-related storage; however, all such activities have since ceased. With no operations remaining on the site and the property no longer essential to the Church’s ministry—or consistent with the general nature and uses in the area—the Church demolished the existing structure in anticipation of a future sale. The Subject Property is now vacant and located in a transitional area between Downtown Naperville and adjacent lower-density, detached single-family homes. The proposed Rowhomes offer a context-sensitive housing solution appropriate for this location—providing a natural transition in scale and intensity, while activating underutilized land in a walkable urban setting.

Beyond improving the appearance and functionality of the block, the project will bring new residents to the Downtown area, increasing foot traffic and activity throughout the day. This

residential presence supports local businesses, enhances public space utilization, and strengthens Downtown Naperville's economic ecosystem. Additionally, the project will add high-value homes to the City's tax base, contributing to long-term fiscal health.

The homes will be constructed using a custom, architecturally distinctive design intended to complement and elevate the character of the area. Design features include well-defined street walls, oversized windows, Mansard-style rooflines, winter mist brick masonry, decorative ironwork, and eclectic façade detailing. The brick is a historic building material consistent with the character of Downtown Naperville, while the winter mist color provides a modern interpretation of this traditional element. This bespoke architectural approach will appeal to discerning buyers seeking high-end, low-maintenance living, and will significantly enhance the aesthetic quality of the block and surrounding streetscape.

The project does not involve any hazardous or incompatible uses. Instead, it introduces well-maintained, owner-occupied residences that will improve neighborhood stability, safety, and investment value. Increased ownership, regular occupancy, and architectural quality will positively influence the area's character and support the City's vision for a vibrant, diverse, and walkable downtown. The development's emphasis on pedestrian orientation further reinforces safe, active public spaces and a stronger sense of community.

All engineering, life-safety, and access components of the project—such as utilities, stormwater management, emergency vehicle access, and fire protection—will comply with applicable City codes and best practices. Any zoning deviations are limited in scope and intended solely to facilitate superior design and compatibility with the surrounding built environment.

The Petitioner, an experienced residential developer, has carefully evaluated the property's planning context, infrastructure, and neighborhood interface. The resulting plan reflects the highest and best use of the Subject Property and promotes a sustainable, equitable, and economically vibrant urban fabric—advancing the public health, safety, and general welfare of Naperville as a whole.

- b. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*

The proposed conditional use will not be injurious to the use and enjoyment of other property in the immediate area, nor will it substantially diminish or impair property values within the neighborhood. Rather, the project will transform the currently vacant and underutilized Subject Property into a thoughtfully designed residential community that strengthens the area's function and character.

The Subject Property is located within a transitional area, bridging Downtown Naperville's higher-intensity core and adjacent lower-density detached single-family homes. This transitional setting supports the introduction of context-sensitive residential infill that promotes walkability and vitality while maintaining compatibility with existing neighborhoods. Nearby developments, including established multi-unit residential properties such as the Benton Terrace Condominiums, illustrate the variety of housing types already present in the area and reinforce the suitability of the proposed use in this location.

The proposed 11-unit upscale rowhome development has been carefully designed to respect and enhance the surrounding neighborhood. Although the project includes certain deviations from base zoning requirements—including reductions to minimum lot area and

setbacks, an increase in maximum yard coverage, and an increase in maximum height—these adjustments are critical to achieving a walkable, urban-scale design consistent with Downtown planning principles. The increased height remains compatible with surrounding structures, particularly within the downtown fabric, and setback reductions and a rear yard coverage modification have been balanced with sensitive site planning and landscape enhancements to maintain visual relief and ensure appropriate building separation.

To further minimize impacts on adjacent properties, the development incorporates landscape buffering and scaled setbacks that maintain privacy and reduce potential visual impacts. Careful attention has been paid to building orientation, window placement, and massing transitions, ensuring that the homes preserve light, views, and privacy for neighboring residences.

The homes themselves will feature high-quality architecture, private garages, and distinctive urban design elements that contribute to the visual cohesion and long-term value of the neighborhood. These characteristics are not only aligned with the City’s planning goals for the Downtown District included in the City’s Land Use Plan and Downtown Plan, but also tend to attract long-term owner-occupants, increase the local tax base, and reinforce the overall stability and quality of the area.

In summary, the project will enhance—not detract from—the use, enjoyment, and value of surrounding properties, and contribute positively to the vibrancy, quality, and livability of the Downtown Naperville community.

- c. 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 establishment of the proposed conditional use for the PUD will not impede the normal and orderly development or improvement of adjacent properties for uses permitted in the underlying TU zoning district. Rather, the project will reinforce the neighborhood's momentum toward compatible, high-quality infill and reinvestment.

The Subject Property is currently vacant and is located within the TU zoning district, which is specifically intended to encourage context-sensitive infill that acts as a bridge between lower-density residential neighborhoods and more intensive commercial, institutional, and mixed-use areas. The proposed development of 11 upscale rowhomes fulfills this objective by delivering an appropriately scaled, high-quality residential product in an urban transitional location.

Importantly, the future land use designation for the Subject Property—per both the Downtown Plan and the City's Land Use Plan—is North Downtown Special Planning Area and Multi-Family Residential. These adopted planning documents promote architecturally compatible, context-sensitive infill housing that increases residential presence in the downtown area, supporting local businesses, enhancing walkability, and contributing to a more vibrant and livable urban core. The proposed project directly advances these goals.

The Subject Property is bordered by residential uses on three sides—including the Benton Terrace Condominiums to the southwest—and is ideally suited for a residential redevelopment that complements the scale, massing, and character of nearby buildings. The proposed Rowhomes have been carefully designed to integrate harmoniously with the surrounding context, utilizing sensitive site planning, appropriately scaled setbacks (including certain deviations), and landscape buffering to ensure privacy and visual compatibility with adjacent properties.

While the project includes certain zoning deviations—such as reductions to lot area and setbacks, an increase in maximum lot coverage, and an increase in height—these modifications are necessary to implement a cohesive and walkable urban design and do not present physical or functional obstacles to future development of nearby parcels. Instead, the project sets a precedent for thoughtful and orderly development in keeping with Naperville’s adopted plans and zoning intent.

The redevelopment of this underutilized land will likely spur reinvestment in adjacent properties, contribute to a more cohesive neighborhood character, and enhance the value and appearance of the block. While public improvements associated with the project—such as landscaping and improved pedestrian access—will reinforce the area’s potential for continued growth and modernization, the proposed landscape plan will not fully meet all elements of the Downtown Streetscape Standards. Petitioner has incorporated a number of features intended to align with the spirit and goals of the standards—creating a sense of place and providing aesthetically enhanced access to restaurants, shops, and offices—but site constraints, including the limited size and configuration of the lot, adjacent residential uses, and the need to balance vehicular access with pedestrian amenities, make full compliance impractical. The project reflects a good-faith effort toward the Downtown Streetscape Standards through:

- Refined architectural detailing using quality materials for a cohesive visual character;
- Human-scale design that complements the street without overpowering it;
- Enhanced walkability via proximity to transit, retail, and parks; and
- Active facades activated by balconies and terraces rather than blank walls.

In summary, the proposed conditional use and PUD will facilitate, not hinder, the normal and orderly development of surrounding properties. It is fully consistent with the intent of the TU zoning district, the Downtown Plan, the Land Use Plan, and the Downtown Streetscape Standards and reflects the appropriate application of those guiding documents for this infill site.

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

The establishment of the proposed conditional use for the PUD is fully consistent with the City's adopted Land Use Plan and the Downtown Plan, both of which serve as the guiding documents for long-term development, reinvestment, and land use planning in Naperville. The future land use designation for the Subject Property, as identified in the Downtown Plan, is North Downtown Special Planning Area and Multi-Family Residential, which allow for continued residential use. The proposed Rowhomes represent a compatible and appropriate evolution of the parcel in keeping with both its zoning and long-term land use vision. This designation reflects the City's objective to promote context-sensitive residential infill that supports a diverse housing mix, enhances walkability, and contributes to the economic vitality of Downtown Naperville. The proposed Rowhome development directly aligns with these objectives by introducing a high-quality residential product that activates a currently vacant site and strengthens the transition between downtown and surrounding neighborhoods.

The project is also located within the TU zoning district, which is specifically intended to facilitate appropriate land use transitions between lower-intensity residential areas and higher-intensity commercial, institutional, or mixed-use developments. The proposed use exemplifies this intent by providing a well-scaled, architecturally cohesive residential community that acts as

a buffer between existing detached single-family homes and the more urban fabric of the downtown core.

While the development includes certain deviations from zoning standards—such as lot area, setbacks, yard coverage and height requirements—these adjustments are consistent with the flexibility and design responsiveness encouraged by the purpose of intent stated in Chapter 4 of the Code—“Planned Unit Developments” and the Downtown Plan, particularly within Special Planning Areas. In accordance with the Downtown Plan, designation of this area as a “Special Planning Area” allows for increased flexibility and deviations from Code requirements based on market conditions and downtown needs. The deviations are limited in scope and necessary to achieve a cohesive urban design that respects surrounding scale and promotes pedestrian-oriented development.

In summary, the proposed conditional use is not in conflict with the City’s adopted planning documents. It supports the future land use designations set forth in the Downtown Plan, advances the intent of the TU zoning district and the PUD requirements, and contributes to the ongoing development of a diverse, vibrant, and walkable downtown—all consistent with the goals and policies of the Land Use Plan.

APPROVAL OF A PLANNED UNIT DEVELOPMENT

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

The proposed PUD offers an innovative and creative approach to land development and residential living near downtown Naperville. The Subject Property, currently comprised of vacant and underutilized land, is situated in a highly desirable, walkable location just steps from the heart of Downtown. Residents will enjoy immediate access to a wide variety of retail, dining,

cultural, and civic amenities, all within walking distance. This accessibility reinforces the City's goals for a walkable downtown that balances residential living with economic vibrancy. Furthermore, by introducing high-quality rowhomes to this infill site, the project will enhance the surrounding built environment and advance the City's vision for well-designed, mixed-use growth.

The Petitioner proposes a rowhome development designed to attract residents seeking a high-end, low-maintenance, ownership-based housing option in a lively and amenity-rich setting. The Rowhomes will feature street-facing front doors for seven of the eleven units, and private terraces and architectural detailing for all units, which serve to enhance the pedestrian experience, creating a streetscape that integrates seamlessly with the character of the neighborhood. Furthermore, the proposed landscape is intended to build upon the cohesive streetscape approach installed with Downtown development and to further the goal of Downtown Streetscape Standards by creating a sense of place while providing aesthetically enhanced access to restaurants, shops, and offices.

While the proposal includes limited deviations from City zoning standards—such as lot area, setback, lot coverage and height adjustments—these refinements are essential to achieving a site-efficient, design-forward solution that reflects both the urban context and the community's evolving housing needs. These deviations allow for increased design flexibility without compromising neighborhood compatibility.

Architecturally, the homes will be constructed with high-quality materials including winter mist brick, fiber cement siding, and decorative metalwork, combining timeless residential character with modern touches. Each unit will include private garage access, outdoor space, and

generous interior layouts, providing the livability and functionality demanded by today’s urban homebuyers.

In addition, the development will include thoughtful landscaping and pedestrian connections that link directly to the existing sidewalk network, further enhancing walkability and connectivity. The overall site plan supports the City’s broader “Live, Work & Play” vision by integrating new housing in a way that supports local businesses, enhances the public realm, and provides a meaningful residential alternative within the downtown core.

(b) The planned unit development meets the requirements and standards of the planned unit development regulations.

The proposed PUD meets the requirements and standards of the PUD 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: Except for the deviation requests set forth herein, Petitioner satisfies the area, lot width, yard, and height/bulk requirements of the PUD regulations.
- (iii) Common Open Space: As a rowhome PUD located within Downtown (TU zoning context), the proposed project is not subject to a minimum outdoor common area percentage requirement under the applicable provisions of the Zoning Code. However, consistent with Section 6-4-3.5 of the Code, the development incorporates site and streetscape features that satisfy the intent of the ordinance by achieving multiple qualifying purposes.

- (iv) Landscaping, Screening, and Tree Preservation: The landscaping and screening plan for the proposed Rowhome development has been designed to complement the urban character of Downtown Naperville while meeting City requirements. Landscaping is focused on enhancing the streetscape through parkway trees, foundation plantings, and decorative landscaping along West Benton Avenue and Main Street. Given the compact nature of the site, screening for utilities and rear areas will be provided as needed using a combination of low plantings or fencing, maintaining a clean and cohesive appearance. Each unit will also include small landscaped entry areas to soften the building edge and contribute to a pedestrian-friendly environment.

The site does not currently contain vegetation, but to the extent the need arises, any tree removal will comply with the City's Tree Preservation Ordinance. Overall, the landscape approach supports an attractive, walkable streetscape consistent with the surrounding downtown setting.

- (v) Lighting: All site lighting for the proposed 11-unit rowhome development will be designed to meet City lighting standards for safety, functionality, and compatibility with the surrounding neighborhood. Lighting will be pedestrian-scaled and architecturally integrated to complement the urban setting.

Exterior fixtures will provide adequate illumination for walkways, entrances, and drive aisles, while minimizing glare, light spillover, and impacts to adjacent properties. Where applicable, shielded, downward-facing fixtures will be used to preserve the residential character of the area and ensure compliance with City photometric requirements.

- (vi) Relationship to Adjoining Land: The proposed use is complementary to the surrounding uses and will support the existing users in the area and enhance the overall vibrancy of the neighborhood.
 - (vii) Density Bonuses: Not applicable.
 - (viii) Park and School Sites: Any required Park and School donations will be paid pursuant to applicable ordinances.
 - (ix) Public Improvements: All public improvements will be provided for as part of the development.
- (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.*

The physical design of the proposed PUD for the Rowhomes reflects an efficient and context-sensitive use of an infill site located near downtown Naperville. The project makes productive use of currently vacant land by introducing an efficiently designed, walkable residential layout that aligns with the City's goals for sustainable urban development.

The site plan has been carefully designed to optimize land use, balancing building footprints, open space, and circulation in a manner that supports both livability and urban form. The layout minimizes impervious surface where possible and provides private garages with rear-loaded access and shared drive aisles to promote orderly vehicular movement while prioritizing a pedestrian-friendly frontage along public rights-of-way.

The development is well-served by existing transportation infrastructure, including proximity to the Naperville Metra Station. The walkable location significantly reduces the demand for vehicle trips, supporting the City's broader mobility and sustainability goals. The

plan provides adequate on-site parking to meet the needs of future residents while benefiting from the connectivity and accessibility of Downtown Naperville's multi-modal transportation network. Furthermore, public utilities—including water, sanitary sewer and other services—are readily available and will be extended or upgraded as needed in coordination with the City and applicable agencies.

The proposed development has been carefully designed to operate efficiently year-round. Trash and recycling will be stored within the garages until rolled out for collection on designated garbage days, with pickup locations along the carriage walk as illustrated in the submitted plans. Dedicated, code-compliant refuse and recycling enclosures are incorporated into the site plan and screened from public view, ensuring a clean, orderly appearance. Snow storage areas are strategically located to avoid blocking drive aisles, parking stalls, or public pedestrian pathways, maintaining safe circulation throughout the winter months as depicted on the submitted plans. To the extent that snow events cannot be fully accommodated on-site, the Declaration will include provisions requiring snow to be hauled off-site, further ensuring that site circulation and public pedestrian access remain unobstructed. These measures demonstrate the project's commitment to efficient, well-managed operation.

While the site does not contain significant natural features requiring preservation, the proposed development includes a thoughtful landscape plan that integrates native and ornamental plantings, street trees, and green buffers that enhance both environmental quality and the aesthetic appeal of the project. These enhancements contribute to the urban tree canopy, provide shade and visual relief, and help establish a strong sense of place.

In total, the design represents a highly efficient, well-integrated infill solution that promotes compact growth, leverages existing infrastructure, and enhances the physical and visual character of the site and surrounding area.

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

As permitted under the City’s zoning regulations, Downtown PUDs in the TU district are not subject to minimum outdoor common area requirements. However, such developments are expected to incorporate public way beautification and streetscape improvements that exceed the minimum standards established by the City’s Code.

Due to the compact, urban nature of the site at the corner of West Benton Avenue and Main Street, the proposed PUD for the Rowhomes includes limited on-site open space or recreational facilities—a condition that is both typical and appropriate for Downtown Naperville’s walkable, amenity-rich environment. In lieu of large recreational areas, the proposal integrates enhanced streetscape elements and public-facing design features, including high-quality landscaping, decorative hardscaping, and architectural elements such as individual front stoops, balconies, and rooftop terraces. The rooftop terraces, in particular, represent a highly efficient use of space consistent with an urban context, transforming an otherwise underutilized building surface into valuable private outdoor living areas. These terraces provide year-round opportunities for dining, entertaining, and relaxation, while offering views of the Downtown skyline and surrounding streetscape. Together, these outdoor spaces contribute to resident well-being, encourage social interaction, and support the City’s goal of creating vibrant, livable urban neighborhoods.

The project supports a broader strategy of shared open space and access to public amenities. Residents will be within walking distance of the Riverwalk, Naper Settlement,

Nichols Library, and Centennial Beach, as well as public plazas, community gathering spaces, and a vibrant mix of cultural and commercial destinations throughout Downtown. Additionally, the development's proximity to public infrastructure supports ease of access without the need for additional private facilities.

In summary, while the project does not include traditional open lawns or on-site recreational amenities, it complies with the Code's alternative expectations for TU district developments by contributing to the beautification of public ways and the enhancement of the streetscape. The design advances the City's vision for efficiently designed, livable Downtown environment that is pedestrian-oriented, architecturally sensitive, and supported by a rich array of existing public amenities. Moreover, the design builds upon the cohesive streetscape approach installed with Downtown development and furthers the goal of Downtown Streetscape Standards by creating a sense of place while providing aesthetically enhanced access to restaurants, shops, and offices.

(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 proposed PUD includes five deviations from the City's subdivision and zoning regulations:

- (i) Deviation from Section 6-7I-5 to allow a reduced minimum lot size of approximately 34,810 square feet, in lieu of the 52,000 square feet required under the Code (i.e., 4,000 square feet for each single-family attached unit and 6,000 square feet for each duplex). While the proposed lot size of approximately 34,810 square feet, or roughly 3,165 square feet per unit, is less than the Code

requirement, it meets the Downtown Plan’s multi-family lot size standard of 2,904 square feet per unit (15 units per acre);

(ii) Deviation from Section 6-7I-7 to permit a rear yard (functionally the side yard) setback of approximately 11’3” for the duplexes in Buildings 1 and 2, in lieu of 25 feet;

(iii) Deviation from Section 6-7I-7 to permit a front yard (functionally the side yard with respect to the duplexes) setback of 10 feet, in lieu of the 15 feet;

(iv) Deviation from Section 6-7I-8 to allow a building height of 46 feet, in lieu of the maximum 35 feet permitted in TU districts; and

(v) Deviation from Section 6-2-10:5 to allow structural facilities to occupy up to 70% of the required rear yard.

Each of these requested modifications is necessary to achieve a context-sensitive, efficient, and high-quality infill development that remains fully consistent with the intent and purpose of the City’s zoning regulations.

The reduced lot size reflects the project’s urban location at West Benton Avenue and Main Street, where smaller, more compact sites are appropriate for downtown development. This reduced size does not compromise function, livability, or design quality. The proposed development fully accommodates essential infrastructure, including access, utility service, parking, and circulation. While the lot area falls below the square feet typically required in the TU district, it exceeds the density threshold of the Land Use Plan for Multi-Family Residential (1 acre per 15 units, or approximately 2,904 square feet per unit), thus aligning with long-range planning goals.

The reduced rear yard setback for the duplex units in Buildings 1 and 2 is contextually appropriate given the building orientation (the rear yard is functionally the side yard) and the site's surroundings—single-family residential to the north and west, multi-family residential to the east, and the Main Street Promenade and Benton Terrace condominiums to the south. This deviation supports the zoning regulation's intent by creating an infrastructure-efficient development while maintaining adequate space for landscaping and a thoughtful transition to adjacent uses of varying scale and density.

The rear yard coverage deviation—the allowance for structural facilities to occupy more than 25% of the required rear yard—is similarly rooted in site-specific design constraints and the compact nature of infill development. These adjustments are necessary to efficiently accommodate private parking, a drive aisle and a concrete path on site without disrupting the project's urban form or overall design integrity. The site plan has been carefully configured to preserve functionality, ensure safe vehicle maneuvering, and maintain visual and spatial quality within the block. All applicable access, safety, and screening requirements will be met.

In summary, the requested deviations allow for a thoughtfully scaled, high-quality infill project that advances the City's zoning and subdivision objectives by promoting a pedestrian-oriented, architecturally consistent, and infrastructure-efficient development. These adjustments are modest, carefully considered, and essential to realizing a project that reflects both the community's planning vision and the realities of urban redevelopment on constrained parcels.

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

The proposed PUD, consisting of 11 rowhomes at the corner of West Benton Avenue and Main Street, is highly compatible with the surrounding properties and nearby land uses. The

Subject Property is located within Downtown Naperville—a mixed-use, walkable district characterized by a blend of residential, commercial, civic, and cultural uses—and the project has been specifically designed to respect and reinforce that context.

To the north, south, east, and west, the property is bordered by a mix of detached homes, multifamily buildings, and institutional uses, all of which contribute to the area’s residential character. The proposed Rowhomes provide a natural transition in scale and form between lower-density residential uses and the denser Downtown core. The height, massing, and architectural style of the buildings are carefully considered to ensure visual and spatial compatibility with neighboring properties.

To the south, the project benefits from immediate proximity to Downtown retail, dining, entertainment, and public amenities. The proposed development is pedestrian-oriented and reinforces the Downtown urban fabric, allowing residents to live within walking distance of jobs, shops, services, and transportation—all without detracting from the character of adjacent residential neighborhoods.

The rowhome format—featuring distinct front entries, attractive façades, and high-quality materials—complements the architectural rhythm of adjacent streets while introducing a missing middle housing type that fits comfortably within the established pattern of development. Minimal deviations in lot size, setbacks, yard coverage and height further support context-sensitive integration, and no adverse impacts are anticipated to neighboring properties in terms of privacy, access, or light and air.

In summary, the proposed PUD is well-aligned with the existing and planned uses in the area, contributes to the vitality and housing diversity of Downtown Naperville, and respects the character, function, and value of adjacent properties.

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

The proposed PUD fulfills the objectives of the City’s Land Use Plan and applicable planning policies. The project supports the City’s goals for increasing housing diversity and density in a manner that is context-sensitive and compatible with surrounding uses. The rowhome configuration promotes efficient land use, supports walkability, and contributes to the creation of additional housing options within urban neighborhoods—objectives clearly outlined in the Land Use Plan.

Petitioner respectfully submits that the rowhome-focused development is consistent with the City’s long-term planning vision and merits favorable consideration as it proceeds through the review and approval process. The proposed PUD aligns with the objectives set forth in the City’s Land Use Plan and planning policies. The development promotes a thoughtful land use, supports efficient infrastructure development, and encourages sustainable growth in a manner consistent with the City’s long-term vision. Specifically, the project advances goals related to infill development, housing diversity, walkability and economic development, as set forth in the Land Use Plan.

DEVIATION FROM AREA REQUIREMENT SET FORTH IN SECTION 6-7F-5:1 OF THE CODE TO REDUCE THE REQUIRED SQUARE FOOTAGE PER UNIT

Petitioner respectfully submits this statement in support of a requested deviation from Section 6-7I-5 of the Code, pursuant to the criteria set forth in Section 6-4-2:12.1, as part of a proposed PUD for the Subject Property, located within the TU zoning district.

The proposed PUD will consist of 11 rowhomes on approximately 34,810 square feet of land. While Section 6-7I-5:1 of the Code requires a minimum lot size of 52,000 square feet—

based on a standard of 6,000 square feet per duplex and 4,000 square feet per single-family attached dwelling—the proposed lot size fully satisfies the Downtown Plan’s multi-family lot size requirement. The Downtown Plan establishes a minimum lot size of one acre for every 15 units in areas designated for Multi-Family Residential use, which equates to 2,904 square feet per unit. The proposed lot size of 34,810 square feet, or approximately 3,165 square feet per unit, exceeds that requirement.

By meeting and surpassing the Downtown Plan standard, the proposal advances the City’s long-term vision for higher-density, well-designed housing in targeted growth areas. The requested deviation would allow a minimum lot size of 34,810 square feet, resulting in a residential density of one unit per approximately 3,165 square feet—an appropriate scale for the Subject Property. Located within a TU zone in the North Downtown Special Planning Area, the site is ideally suited for compact, urban-style rowhomes. Allowing this modest deviation enables the efficient use of vacant land while reinforcing the goals of the TU district—promoting a sensitive and functional transition between distinct land use intensities.

The Subject Property is designated “North Downtown Special Planning Area” and “Multi-Family Residential” in the City’s Land Use Plan. The “Special Planning Area” designation provides greater flexibility in development standards to accommodate market conditions and Downtown needs. The proposed development reflects thoughtful urban design, achieves meaningful integration within Naperville’s evolving urban fabric, and is consistent with the design principles and urban objectives outlined in the Downtown Plan guidelines.

In accordance with the criteria listed in Section 6-4-2:12.1, Petitioner provides the following responses:

(a) Whether the requested deviation would undermine the intent and purpose of the

underlying zoning district;

The requested deviation from the minimum lot area requirement—proposing approximately 34,810 square feet (or roughly 3,165 square feet per unit) in lieu of the Code’s 52,000 square feet minimum—fully supports the development of a thoughtfully designed rowhome project that advances the City’s vision for a vibrant, livable downtown. While Section 6-7I-5:1 of the Code requires a minimum lot size of 52,000 square feet—based on standards for duplexes and single-family attached dwellings—the proposed lot size satisfies and exceeds the Downtown Plan’s multi-family residential lot size requirement. The Downtown Plan establishes a minimum lot size of one acre for every 15 units (approximately 2,904 square feet per unit) in areas designated for Multi-Family Residential use. At approximately 3,165 square feet per unit, the proposal surpasses this threshold, thereby meeting the City’s long-term objectives for higher-density, well-designed housing in targeted growth areas.

This deviation, allowing a residential density of one unit per approximately 3,165 square feet, reflects an appropriate scale for the Subject Property. Located within a TU zone in the North Downtown Special Planning Area—designated “Multi-Family Residential” with flexibility to accommodate market realities—the site is ideally suited for compact, urban-style rowhomes. Although the proposed lot size falls below the Code’s strict numerical minimum, it is fully consistent with the intent and purpose of the TU District, which serves as a transitional buffer between low-density neighborhoods and the more intensive Downtown business district. The TU District encourages low-intensity residential development that is compatible in scale and character with adjacent areas while supporting an incremental transition toward higher-density urban uses.

Granting this modest deviation allows for efficient use of vacant land in a way that

reinforces the TU District's goals, promotes a sensitive and functional transition between differing land uses, and advances the City's evolving urban fabric. The proposed development exemplifies thoughtful urban design, achieves meaningful integration with surrounding neighborhoods, and aligns with the design principles and urban objectives outlined in the Downtown Plan guidelines.

(b) Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and

The proposed development, including the requested deviation to allow a reduced lot size of approximately 34,810 square feet required by Code (or 3,165 square feet per unit), will not be a detriment to the provision of municipal services or infrastructure. While this lot size is slightly less than the Code requirement, it exceeds the Downtown Plan's multi-family lot size standard of 2,904 square feet per unit (based on 15 units per acre).

The Subject Property is already fully served by existing public utilities and transportation infrastructure, and the proposed use will:

- Require no off-site infrastructure improvements or expansions;
- Operate within the existing capacity of municipal water, sanitary sewer, and stormwater systems;
- Generate low residential traffic volumes, consistent with the scale and intensity of other infill housing developments.

Moreover, the attached rowhome format offers efficient use of land and municipal resources. By leveraging existing infrastructure and minimizing the need for additional service extensions, the development supports the City's goals of compact, cost-effective urban growth.

In summary, the reduced lot size does not result in any increased burden on city services

or utilities and is consistent with smart infill development practices that prioritize efficient land use and infrastructure sustainability.

(c) Whether the requested deviation would contribute to 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.

The requested deviation to allow a lot size of approximately 34,810 square feet (or roughly 3,165 square feet per unit), in lieu of the Code's minimum, enables a PUD that delivers a superior level of architectural and urban design while supporting the vitality and character of Downtown Naperville. This deviation not only meets but surpasses the Downtown Plan's multi-family lot size requirement of approximately 2,904 square feet per unit, thereby advancing the City's long-term vision for well-designed, higher-density housing in key growth areas.

The proposed rowhomes will feature a custom, one-off architectural product incorporating high-quality materials and detailed craftsmanship that elevate the design well beyond typical multifamily construction. Distinguishing features include:

- Well-defined street walls that reinforce a cohesive urban streetscape;
- Oversized windows and vertical articulation, adding visual rhythm and transparency;
- Mansard-style rooflines and varied massing, providing visual interest and referencing historic architectural forms;
- Durable brick finishes that contribute to architectural permanence and neighborhood compatibility; and
- Ornamental ironwork and fine detailing that express a refined quality exceeding standard multifamily design.

Designed to read as three stories at the pedestrian scale while presenting as four stories from a broader vantage, the buildings maintain walkability and pedestrian engagement appropriate to their transitional downtown location. The compact lot size supports City planning goals by enabling efficient land use and introducing a “missing-middle” housing type that diversifies Naperville’s housing stock.

By facilitating this modest lot size reduction, the PUD promotes a thoughtfully designed, context-sensitive development that enhances architectural quality, livability, and community vitality. It also advances the City’s broader objectives for infill development, flexibility in planning standards, and inclusive housing options, thereby contributing a meaningful amenity enhancement and supporting the ongoing evolution of Naperville’s urban fabric.

DEVIATION FROM SECTION 6-7I-7 TO REDUCE THE REAR YARD

SETBACKBACK FOR THE DUPLEXES

Petitioner respectfully submits this statement in support of a requested deviation from Section 6-7I-7 of the Code, pursuant to the criteria set forth in Section 6-4-2:12.1, as part of a proposed PUD for the Subject Property, located within the TU zoning district.

The proposed PUD consists of 11 rowhomes—including two (2) duplex units and seven (7) single-family attached units—on approximately 34,810 square feet of land (or 3,165 square feet per unit). The development has been carefully designed to comply with the rear yard setback requirement of 25 feet for the majority of the buildings, consistent with the TU district’s regulations. Specifically:

- The single-family attached units in Building 3 comply with the required 25-foot back yard setback.
- A deviation is requested for the rear yard setback of the duplex units in Buildings 1 and 2,

to permit an approximately 11'3" rear yard setback in lieu of the required 25 feet. Notably the rear yards of Buildings 1 and 2 functionally serve as side yards.

This limited reduction is tailored to the configuration of the Subject Property, which occupies a corner location adjacent to downtown and is identified as part of the North Downtown Special Planning Area and Multi-Family Residential under the Downtown Plan and the Land Use Plan. These plans promote context-sensitive infill and transitional development, particularly in areas that bridge residential and commercial zones.

(a) Whether the requested deviation would undermine the intent and purpose of the underlying zoning district.

The requested rear yard deviation advances the intent of the TU zoning district, which encourages appropriately scaled development between low-density neighborhoods and higher-intensity downtown areas. The proposed approximately 11'3" rear yard setback for the duplexes unit (functionally the side yard) enables a more consistent and engaging streetscape along the adjacent public right-of-way, while maintaining compliance for the remaining units.

This strategic placement:

- Supports the creation of an active pedestrian environment;
- Aligns with historic patterns at the downtown edge; and
- Facilitates a streetscape that enhances connectivity, legibility, and visual interest.

The deviation is narrowly focused and does not diminish privacy, landscaping, or neighborhood compatibility. Rather, it allows the proposed buildings to transition gracefully between adjacent structures and reflect the architectural rhythm envisioned by the TU district and Downtown Plan.

(b) Whether the requested deviation would be a detriment to the provision of municipal

services and infrastructure.

The proposed rear yard reduction will not adversely impact municipal services or infrastructure. The development:

- Utilizes existing utility connections and public street access;
- Requires no off-site improvements; and
- Complies fully with life-safety, emergency access, and stormwater regulations.

The minor rear yard adjustment supports an efficiently designed sustainable development form that aligns with infrastructure efficiency goals and enhances overall neighborhood cohesion.

(c) Whether the requested deviation would contribute to 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.

The requested rear yard deviation contributes meaningfully to the urban and architectural quality of the development by (i) reinforcing the visual continuity of the block face without compromising openness or access and (ii) providing architectural variation while maintaining a cohesive appearance.

Each unit within the development will feature:

- Custom-designed architecture with high-quality brick materials;
- Oversized windows, ornamental detailing, and traditional rooflines; and
- A three-story visual profile with layered articulation that promotes scale and interest at the street level.

This limited deviation helps deliver a PUD that meets and exceeds Naperville's design

expectations, while respecting both the transitional character of the TU district and the walkable, vibrant environment envisioned for the downtown fringe.

DEVIATION FROM SECTION 6-7I-7 TO PERMIT A FRONT YARD SETBACK OF 10 FEET, IN LIEU OF THE 15 FEET

Petitioner respectfully submits this statement in support of a requested deviation from Section 6-7I-7 of the Code, pursuant to the criteria set forth in Section 6-4-2:12.1, as part of a proposed PUD for the Subject Property, located within the TU zoning district.

The proposed PUD has been carefully designed to comply with the TU district's standards for lot area, height, and setbacks where feasible; however, a deviation is requested to reduce the required 15-foot front yard setback to 10 feet for all buildings within the development. For the duplex units in Buildings 1 and 2, the designated front yard functions as a side yard given the Subject Property's corner configuration at Benton Avenue and Main Street.

This modest reduction is tailored to the configuration of the Subject Property, which occupies a prominent downtown edge location and is identified as part of the North Downtown Special Planning Area and Multi-Family Residential under the Downtown Plan and the Land Use Plan. These plans promote context-sensitive infill and transitional development, particularly in areas that bridge residential and commercial zones.

(a) Whether the requested deviation would undermine the intent and purpose of the underlying zoning district.

The requested front yard deviation advances the intent of the TU zoning district, which encourages appropriately scaled development between low-density neighborhoods and higher-intensity downtown areas. The proposed 10-foot setback enables a more consistent and engaging streetscape along Benton Avenue and Main Street, strengthens the building-to-street relationship,

and enhances the pedestrian-oriented character envisioned by the Downtown Plan.

This strategic placement:

- Supports the creation of an active pedestrian environment;
- Aligns with historic patterns at the downtown edge; and
- Establishes a strong corner presence that frames the intersection and improves streetscape legibility.

The deviation is narrowly focused and does not diminish privacy, landscaping, or neighborhood compatibility. Rather, it allows the proposed buildings to transition gracefully between adjacent structures, reinforce the urban design rhythm, and enhance Downtown's walkable character.

(b) Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure.

The proposed front yard reduction will not adversely impact municipal services or infrastructure. The development:

- Utilizes existing utility connections and public street access;
- Requires no off-site improvements; and
- Complies fully with life-safety, emergency access, and stormwater regulations.

The modest setback adjustment supports an efficient, sustainable site design that maintains adequate space for parkway trees, landscaping, and pedestrian circulation, consistent with City engineering and public works standards.

(c) Whether the requested deviation would contribute to 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.

The requested front yard deviation contributes meaningfully to the urban and architectural quality of the development by (i) reinforcing the visual continuity of the block face without compromising openness or access and (ii) enhancing the streetscape presence of the buildings to activate the public realm.

Each unit within the development will feature:

- Custom-designed architecture with high-quality brick materials;
- Oversized windows, ornamental detailing, and traditional rooflines; and
- A three-story visual profile with layered articulation that promotes scale and interest at the street level.

This limited deviation helps deliver a PUD that meets and exceeds Naperville’s design expectations, strengthens the Downtown edge, and advances the City’s goals for walkable, vibrant, and context-sensitive infill development.

DEVIATION FROM SECTION 6-7I-8 TO INCREASE THE MAXIMUM HEIGHT

LIMITATION

Petitioner respectfully submits this statement in support of a requested deviation from Section 6-7I-8 of the Code, which limits building height in the TU zoning district to 35 feet. The requested deviation would allow for a building height of 46 feet for the proposed rowhome units within the PUD for the Subject Property, located in the North Downtown Special Planning Area and a Multi-Family Residential.

This height deviation is consistent with both the Land Use Plan and the Downtown Plan, which designate the area for multi-family residential development with maximum building heights ranging from 40 to 57 feet, and up to 60 feet between Benton and Franklin avenues. The proposed height is fully within these ranges and reflects the specific guidance for this location.

In accordance with the criteria listed in Section 6-4-2:12.1, Petitioner offers the following:

(a) Whether the requested deviation would undermine the intent and purpose of the underlying zoning district.

The requested height deviation does not undermine but instead advances the intent and purpose of the TU zoning district, which is designed to provide flexibility for context-sensitive development between lower-density neighborhoods and higher-intensity downtown or institutional areas.

The proposed 46-foot height falls squarely within the height parameters set forth in both the Land Use Plan and the Downtown Plan for the North Downtown Special Planning Area. These long-range planning documents contemplate and encourage multi-family residential forms, including rowhomes and duplexes, at heights between 40 to 60 feet, depending on location. Specifically, the Downtown Plan recommends a maximum height of 60 feet for parcels situated between Benton and Franklin, which includes the Subject Property.

Thus, the proposed height of 46 feet is clearly aligned with adopted planning policy and intended urban form, and helps to achieve the type of transitional density and compact development envisioned for this area.

(b) Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure.

The height deviation will have no detrimental effect on the provision of municipal services or infrastructure. The development:

- will be fully served by existing public utilities, including water, sewer, and stormwater infrastructure;

- complies with all applicable fire protection and life safety requirements, including vertical access and fire apparatus clearance; and
- is located within an area already planned and engineered for higher-density, multi-story structures, including the nearby Benton Terrace Condominiums.

The proposed rowhome design incorporates efficient internal layouts and does not require any off-site public improvements. The increased height results from enhanced architectural detailing and private rooftop terrace elements, rather than an excessive number of stories or bulk. As such, the project supports the efficient use of infrastructure and municipal resources in line with Naperville’s infill development goals.

(c) Whether the requested deviation would contribute to 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.

The height deviation is integral to a superior architectural and urban design concept that delivers contextual scale, pedestrian orientation, and long-term value to the Downtown area. The proposed 46-foot height enables:

- Three-story rowhomes with rooftop terraces, providing outdoor space without increasing building footprint;
- Articulated façades, including large windows, decorative rooflines, and quality materials that enhance visual interest;
- A traditional vertical rhythm that complements surrounding buildings and reinforces the urban form; and
- A custom, one-off architectural product that delivers high design quality rarely seen in

attached housing developments.

Furthermore, this infill typology is well-suited to Downtown Naperville's walkable character and contributes to the broader goal of housing diversity and community vitality.

In conclusion, the requested height deviation to 46 feet is fully consistent with the intent of the TU district, and directly aligns with the Downtown Plan and the Land Use Plan, which anticipate and support this scale of development in the North Downtown area. The additional height enables a well-designed, efficient, and architecturally superior project without negatively impacting municipal services or surrounding properties.

Accordingly, the deviation supports the City's vision for transitional infill development, and advances key goals related to walkability, urban design, housing diversity, and Downtown vibrancy.

DEVIATION FROM REAR YARD COVERAGE REQUIREMENTS SET FORTH IN

SECTIONS 6-2-10:5

Petitioner respectfully submits this statement in support of a deviation from the rear yard coverage requirements set forth in Section 6-2-10:5 of the Code. The following deviation from the Code is necessary to implement a high-quality, rear-loaded development consistent with the City's Land Use Plan, the Downtown Plan and urban design objectives:

- Section 6-2-10:5 – to allow structural facilities to occupy up to 70% of the required rear yard.

In accordance with the criteria listed in Section 6-4-2:12.1 of the Code, the Petitioner offers the following:

(a) Whether the requested deviations would undermine the intent and purpose of the

underlying zoning district.

The subject property is zoned TU, which is intended to provide a gradual, compatible transition between established residential neighborhoods and higher-intensity uses within Downtown. The TU District allows for flexible development patterns that respond to surrounding context while preserving neighborhood character and scale.

The proposed PUD directly supports these objectives. The development features rear-loaded rowhomes, consistent streetscape design, and reduced curb cuts—all of which contribute to the district’s transitional form and walkable environment. The requested deviation is necessary to facilitate this site layout and building configuration.

Importantly, the PUD aligns with the Land Use Plan and the Downtown Plan, both of which identify the subject site as appropriate for compact urban housing. Under the Downtown Plan, the site includes two designations:

- Multi-Family Residential, and
- North Downtown Special Planning Area.

These complementary designations reflect the City’s vision for higher-density, infill residential development at the edge of Downtown—precisely the type of project the PUD seeks to implement.

(b) Whether the requested deviations would be a detriment to the provision of municipal services and infrastructure.

The proposed deviation will not adversely affect public infrastructure or municipal service delivery. The development:

- Will be fully served by existing water, sanitary sewer, and stormwater systems;
- Maintains compliance with all fire access and emergency vehicle clearance requirements;
- Has been reviewed for vehicular circulation adequacy, including turning templates and drive aisle widths;
- Preserves utility easements and requires no off-site public improvements; and
- Is consistent with the capacity of surrounding infrastructure designed for higher-intensity uses.

As a PUD, the site is designed holistically to ensure all circulation and utility needs are met efficiently, without burdening existing municipal systems.

(c) Whether the requested deviations contribute to a superior level of design, amenity enhancement, or environmental benefit.

The deviation is essential to achieving the level of design quality and spatial efficiency that the PUD process is intended to support. Specifically, it enables:

- A rear-loaded configuration that eliminates front-facing garages and enhances the pedestrian experience;
- More efficient land use, preserving open space for landscaping and outdoor amenity areas;
- Enhanced visual continuity and architectural articulation along the public street;
- High-quality exterior materials, well-integrated rooftop terraces, and streetscape improvements; and

- A development pattern that aligns with the urban design goals of the Downtown Plan.

The result is a thoughtfully planned, well-integrated housing project that supports walkability, neighborhood identity, and Naperville’s broader infill and sustainability objectives.

In conclusion, the requested deviation is modest, technically justified, and necessary to implement a well-designed, pedestrian-oriented, and architecturally consistent residential PUD. It is fully consistent with the intent of the TU District, aligns with the Land Use Plan and Downtown Plan, and meets the criteria established in Section 6-4-2:12.1 of the Code.

APPROVAL OF PRELIMINARY/FINAL PLAT OF SUBDIVISION

1. Petitioner seeks approval of the Preliminary/Final Plat of Subdivision, a copy of which has been submitted herewith.
2. The proposed subdivision meets the standards for a subdivision consistent with the standards set forth in the Code.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission take the necessary steps to approve (i) a conditional use for a Planned Unit Development (“PUD”) in the Transitional Use (“TU”) district; (ii) a PUD Plat and Plan with associated deviations as described herein and depicted on the plans submitted herewith; (iii) a Preliminary/Final Plat of Subdivision; and (iv) such other deviations or departures as may be necessary to develop the Subject Property as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Naperville Municipal Code, as amended.

RESPECTFULLY SUBMITTED this 18th day of September, 2025.

PETITIONER:

A handwritten signature in blue ink, appearing to be 'Kew' followed by a flourish.

Rosanova & Whitaker, Ltd.
Attorneys for the Petitioner

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL 1:

LOTS 3, 6 AND 7 IN BLOCK 10 IN PLAT OF THE TOWN OF NAPERVILLE, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1842 AS DOCUMENT 131, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THE SOUTH 1/2 OF LOTS 10 AND 11 IN BLOCK 10 IN PLAT OF THE TOWN OF NAPERVILLE, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1842 AS DOCUMENT 131, IN DUPAGE COUNTY, ILLINOIS.

Commonly Known As: 109 W Benton Ave, Naperville, IL 60540
 129 W Benton Ave, Naperville, IL 60540
 133 W Benton Ave, Naperville, IL 60540
 5 N Main St, Naperville, IL 60540

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