

CITY OF NAPERVILLE

PETITION FOR DEVELOPMENT APPROVAL

DEVELOPMENT NAME (should be consistent with plat): Church Property
ADDRESS OF SUBJECT PROPERTY: 29 W. 771 79th Street, Naperville, IL
PARCEL IDENTIFICATION NUMBER (P.I.N.) _____

1. **PETITIONER:** Christina Martinez

PETITIONER'S ADDRESS: 585 South Route 59
CITY: Naperville STATE: IL ZIP CODE: 60504
PHONE: 630-417-9162 EMAIL ADDRESS: hmartinez@bbcgnow.com

II. OWNER(S): World Missions Society Church of God

OWNER'S ADDRESS: 29 W. 771 79th Street
CITY: Naperville STATE: IL ZIP CODE: 60564
PHONE: _____ EMAIL ADDRESS: _____

III. PRIMARY CONTACT (review comments sent to this contact): Kevin M. Carrara

RELATIONSHIP TO PETITIONER: Petitioner's Attorney
PHONE: 630-668-8500 EMAIL ADDRESS: kcarrara@rathjewoodward.com

IV. OTHER STAFF

NAME: Dennis P. Lindell

RELATIONSHIP TO PETITIONER: Owner's Attorney
PHONE: 630-778-3818 EMAIL ADDRESS: dennis@lindell-law.com

NAME: James Caneff

RELATIONSHIP TO PETITIONER: Engineer
PHONE: 630-355-3232 EMAIL ADDRESS: jcaneff@roake.com

V. PROPOSED DEVELOPMENT

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

- | | |
|--|---|
| ☐ Amending or Granting a Conditional Use (Exhibit 1)* | ☐ Landscape Variance (Exhibit 5) |
| ☐ Amending or Granting a Planned Unit Development (Exhibit 2) | ☐ Planned Unit Development Deviation (Exhibit 6) |
| ☒ Annexation (Exhibit 3) | ☐ Sign Variance (Exhibit 7) |
| ☒ Plat of Easement/Vacation/Dedication | ☒ Zoning Variance (Exhibit 8) |
| ☒ Rezoning (Exhibit 4) | ☐ Platted Setback Deviation (Exhibit 9) |
| ☒ Subdivision Plat | ☐ Subdivision Deviation/Waiver (Exhibit 9) |
| ☐ Temporary Use | ☐ Other (Please Specify: _____) |

**When requesting approval of a Small Wind and/or a Solar Renewable Energy System complete Exhibit 10 instead of Exhibit 1.*

ACREAGE OF PROPERTY: _____

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

Upon annexation the Church will be grandfathered as a legal nonconforming use.

The zoning will be split between B-2 for the lot abutting Route 59 and R2 for the lot abutting Aero Drive to allow for a transitional buffer for the unincorporated single family homes east of Aero 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

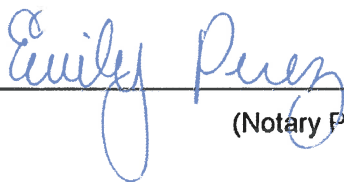
PETITIONER'S SIGNATURE

I, Christina Martinez (Petitioner's Printed Name and Title), being duly sworn, declare that I am duly authorized to make this Petition, and the above information, to the best of my knowledge, is true and accurate.


(Signature of Petitioner or authorized agent)

2/28/18
(Date)

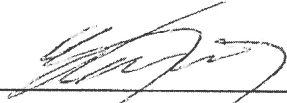
SUBSCRIBED AND SWORN TO before me this 28 day of February, 2018


(Notary Public and Seal)



OWNER'S AUTHORIZATION LETTER*

I/we hereby certify that I/we am/are the owner(s) of the above described Subject Property. I/we am/are respectfully requesting processing and approval of the request(s) referenced in this Petition. I/we hereby authorize the Petitioner listed on this Petition to act on my/our behalf during the processing and presentation of this request(s).



(Signature of 1st Owner or authorized agent)

(Signature of 2nd Owner or authorized agent)

2/27/18

(Date)

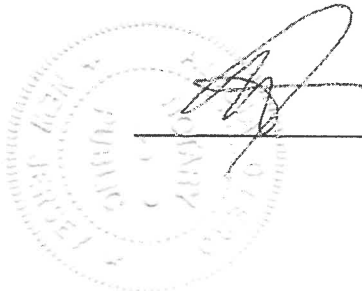
(Date)

Hyok Jae Lee, Secretary

1st Owner's Printed Name and Title

2nd Owner Printed Name and Title

SUBSCRIBED AND SWORN TO before me this 27th day of February, 2018



ALICIA OTERO
NOTARY PUBLIC OF NEW JERSEY
ID # 2443767

My Commission Expires 3/17/2019
(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: Christina Martinez
Address: 585 South Route 59
Naperville, IL 60504
2. Nature of Benefit sought: Annexation and Rezoning
3. Nature of Petitioner (select one):
 - a. Natural Person
 - b. Corporation
 - c. Land Trust/Trustee
 - d. Trust/Trustee
 - e. Partnership
 - 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. _____
 - b. _____
 - c. _____
 - d. _____
6. Name, address and capacity of person making this disclosure on behalf of the Petitioner:

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, Christina Martinez, 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: *Christina Martinez*

Subscribed and Sworn to before me this 28 day of February, 2018.

Emily Perez
Notary Public and seal



EXHIBIT 4: Section 6-3-7:1:

Standards for Granting a Map Amendment (Rezoning of Lot 1 to B2 and Lot 2 to R2)

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 annexation and rezoning of the Church Property will allow for discontinuance of the well and septic systems on the property and connection to the City's water and sewer system. The current use of the Church Property will be grandfathered until a time, if ever, redevelopment will occur. The anticipated future redevelopment of the Church Property will allow for the continued orderly development of diverse commercial mixed use along Route 59 for Lot 1 and provide a R2 transitional residential buffer for Lot 2 abutting Aero Drive which is in compliance with the spirit of the City's Southwest Community Area Plan.

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

Approval of the rezoning to allow for potential future redevelopment of the Church Property will follow similarly situated mixed use commercial developments abutting the Route 59 corridor both north and south of the Church Property and will continue to allow for the transitioning away from non-commercial mixed uses abutting Route 59 and allow for a single family and/or low density residential transitional buffer along Aero Drive.

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

While the current use is church in unincorporated DuPage County the current trend of development along Route 59 is mixed use commercial developments which are more appropriate taking into consideration the characteristics of Route 59 traffic counts and surrounding uses and allow for a single family and/or low density residential transitional buffer along Aero Drive.

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

The Church Property is currently located within an unincorporated area not serviced by any water or sewer providers so the potential future redevelopment of the property to its highest and best use would be extremely limited by the lack of infrastructure.

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

As discussed above, the character of properties directly abutting Route 59 has drastically changed over the years from a two lane rural single family

environment to an intense 6 lane commercial shopping center district. The commercial uses allowed along Route 59 and the single family and/or low density residential transitional buffer along Aero Drive will continue to serve as a transitional buffer to any remaining single family residence to the east of Route 59.

EXHIBIT 8: Section 6-3-6:2:
Standards for Granting a Zoning Variance
Variance from 6-9-2:4.3.2

(Off-Street Parking Facilities: Yard Requirements for Off Street Parking Facilities Lot 1 and Lot 2)

1. The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan:

The variance to permit parking facilities within five feet of the rear property line of both Lot 1 and Lot 2 is in harmony with the spirit and intent of the Southwest Community Area Plan to allow for B2 commercial zoning for properties directly abutting Route 59 and a and allow for a R2 single family and/or low density residential transitional buffer along Aero Drive.

2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district:

Absent the variance the Church Property could not be potentially redeveloped in harmony with the current and anticipated future B2 mixed use commercial properties abutting Route 59 and R2 single family and/or low density residential transitional buffer along Aero Drive.

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

The character of properties directly abutting Route 59 has drastically changed over the years from a two lane rural single family environment to an intense 6 lane commercial shopping center district. The B2 commercial uses allowed along Route 59 and the R2 single family and/or low density residential transitional buffer along Aero Drive will continue to serve as a transitional buffer to any remaining single family residence to the east of Route 59.

EXHIBIT 8: Section 6-3-6:2:

Standards for Granting a Zoning Variance

Variance from 6-9—3:5

(Schedule of Off Street Parking Requirement—Parking Class 5)

1. The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan:

The variance to reduce the number of required parking spaces on Lot 1 is in harmony with the general purpose of the Ordinance because any required parking is available on Lot 2 as protected by a reciprocal ingress and egress easement which will cover both Lot 1 and Lot 2.

2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district:

Absent the variance the Church Property could not operate as the available parking for the vast majority of the Church parishioners is located on Lot 2. And as discussed above, the shared parking will be protected by a reciprocal ingress and egress easement which will cover both Lot 1 and Lot 2.

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

The granting of the variation will not alter the essential character of the neighborhood as the Church Property will continue to operate as it has in the past with its parishioners parking on Lot 2 as granted by the reciprocal ingress and egress easement which will cover both Lot 1 and Lot 2.