

# CITY OF NAPERVILLE DEVELOPMENT PETITION FORM

DEVELOPMENT NAME (should be consistent with plat): 1200 Diehl Road Residences

ADDRESS OF SUBJECT PROPERTY: 1200 E. Diehl Road, Naperville, IL

PARCEL IDENTIFICATION NUMBER (P.I.N.) 08-05-302-023

**I. PETITIONER:** Hines Acquisitions, LLC

PETITIONER'S ADDRESS: 444 W. Lake St., Suite 2400

CITY: Chicago STATE: IL ZIP CODE: 60606

PHONE: 312-419-4702 EMAIL ADDRESS: Gregory.mchenry@hines.com

**II. OWNER(S):** Adtalem Global Education, Inc.

OWNER'S ADDRESS: 500 W. Monroe, 28<sup>th</sup> Floor

CITY: Chicago STATE: IL ZIP CODE: 60661

PHONE: \_\_\_\_\_ EMAIL ADDRESS: amy.devallet@adtalem.com

**III. PRIMARY CONTACT** (review comments sent to this contact): Russell G. Whitaker (Rosanova & Whitaker, Ltd.)

RELATIONSHIP TO PETITIONER: Attorney for Petitioner

PHONE: 630-355-4600 EMAIL ADDRESS: russ@rw-attorneys.com

## **IV. OTHER STAFF**

NAME: Ryan Smykowski, P.E. (V3 Companies)

RELATIONSHIP TO PETITIONER: Civil Engineer

PHONE: 630-651-9868 EMAIL ADDRESS: rsmykowski@v3co.com

NAME: Patrick Cusack, AIA (Antunovich Associates)

RELATIONSHIP TO PETITIONER: Architect

PHONE: 312-573-6131 EMAIL ADDRESS: pcusack@antunovich.com

**V. PROPOSED DEVELOPMENT AND PROPERTY**

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

<p><b>PZC&amp;CC Processes</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Annexation (Exhibit 3)</li> <li><input checked="" type="checkbox"/> Rezoning (Exhibit 4)</li> <li><input checked="" type="checkbox"/> Conditional Use (Exhibit 1)</li> <li><input type="checkbox"/> Major Change to Conditional Use (Exhibit 1)</li> <li><input checked="" type="checkbox"/> Planned Unit Development (PUD) (Exhibit 2)</li> <li><input type="checkbox"/> Major Change to PUD (Exhibit 2)</li> <li><input checked="" type="checkbox"/> Preliminary PUD Plat (Exhibit 2)</li> <li><input type="checkbox"/> Preliminary/Final PUD Plat</li> <li><input checked="" type="checkbox"/> PUD Deviation (Exhibit 6)</li> <li><input type="checkbox"/> Zoning Variance (Exhibit 7)</li> <li><input type="checkbox"/> Sign Variance (Exhibit 7)</li> <li><input type="checkbox"/> Subdivision Variance to Section 7-4-4</li> </ul>
<p><b>CC Only Process</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Minor Change to Conditional Use (Exhibit 1)</li> <li><input type="checkbox"/> Minor Change to PUD (Exhibit 2)</li> <li><input type="checkbox"/> Deviation to Platted Setback (Exhibit 8)</li> <li><input type="checkbox"/> Amendment to an Existing Annexation Agreement</li> <li><input checked="" type="checkbox"/> Preliminary Subdivision Plat (creating new buildable lots)</li> <li><input type="checkbox"/> Final Subdivision Plat (creating new buildable lots)</li> <li><input type="checkbox"/> Preliminary/Final Subdivision Plat (creating new buildable lots)</li> <li><input type="checkbox"/> Final PUD Plat (Exhibit 2)</li> <li><input type="checkbox"/> Subdivision Deviation (Exhibit 8)</li> <li><input type="checkbox"/> Plat of Right-of-Way Vacation</li> </ul>
<p><b>Administrative Review</b> <b>Administrative Review</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Administrative Subdivision Plat (no new buildable lots are being created)</li> <li><input type="checkbox"/> Administrative Adjustment to Conditional Use</li> <li><input type="checkbox"/> Administrative Adjustment to PUD</li> <li><input type="checkbox"/> Plat of Easement Dedication/Vacation</li> <li><input type="checkbox"/> Landscape Variance (Exhibit 5)</li> </ul>
<p><b>Other</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Please specify:</li> </ul>

ACREAGE OF PROPERTY: 9.5 acres

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

Mixed-use development (residential and commercial) in accordance with the written petition submitted herewith.

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**VI. REQUIRED DISCLOSURE:**

DISCLOSE ANY ORDINANCES, COVENANTS, DEED RESTRICTIONS, OR AGREEMENTS RECORDED AGAINST THE PROPERTY WHICH CURRENTLY APPLY TO OR AFFECT THE PROPERTY.

- For ordinances, provide only the title(s) of the ordinance and their recording number.
- For mortgages, provide only the name of the current mortgagee and the recording number.
- For all other documents, provide an electronic copy with this Petition with the recording number.

**FAILURE TO FULLY COMPLY WITH THIS REQUIRED DISCLOSURE WILL ENTITLE THE CITY TO REVOKE ONE OR MORE ENTITLEMENTS SOUGHT IN THIS PETITION.**

Information pending receipt of Title Commitment and ALTA Survey.  
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\_\_\_\_\_

**VII. 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 (paid prior to plat recordation)
- Cash Donation (paid per permit basis prior to issuance of each building permit)
- Land Dedication

**Required Park Donation will be met by:**

- Cash Donation (paid prior to plat recordation)
- Cash Donation (paid per permit basis prior to issuance of each building permit)
- Land Dedication

**VIII. PETITIONER'S SIGNATURE**

I, David Bach, Managing Director (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.



4/23/2024

GM

(Signature of Petitioner or authorized agent)

(Date)

SUBSCRIBED AND SWORN TO before me this 23<sup>RD</sup> day of April, 2024



(Notary Public and Seal)



**IX. OWNER'S AUTHORIZATION LETTER<sup>1</sup>**

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).

*Robert J. Pheilan*

(Signature of 1<sup>st</sup> Owner or authorized agent)

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

*April 24, 2024*

(Date)

(Date)

*Robert J. Pheilan  
SVP + CFO*

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 24<sup>th</sup> day of APRIL, 2024

*Maria A Monzon*

(Notary Public and Seal)



<sup>1</sup> Please include additional pages if there are more than two owners.

**CITY OF NAPERVILLE**  
**PETITIONER/APPLICANT - DISCLOSURE OF BENEFICIARIES**

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

1. Petitioner: Hines Acquisitions, LLC  
Address: 444 W. Lake St., Suite 2400  
Chicago, IL 60606
  
2. Nature of Benefit sought: Rezoning, Conditional Use, Planned Unit Development, Preliminary PUD Plat, Preliminary Subdivision Plat, PUD Deviation
  
3. Nature of Petitioner (select one):
  - a. Individual
  - b. Corporation
  - c. Land Trust/Trustee
  - d. Trust/Trustee
  - e. Partnership
  - f. Joint Venture
  - g. Limited Liability Corporation (LLC)
  - h. Sole Proprietorship
  
4. If Petitioner is an entity other than described in Section 3, briefly state the nature and characteristics of Petitioner:  

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5. If your answer to Section 3 was anything other than "Individual", please provide the following information in the space provided on page 9 (or on a separate sheet):
  - **Limited Liability Corporation (LLC):** The name and address of all members and managing members, as applicable. If the LLC was formed in a State other than Illinois, confirm that it is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
  - **Corporation:** The name and address of all corporate officers; the name and address of every person who owns five percent (5%) or more of any class of stock in the corporation; the State of incorporation; the address of the corporation's principal place of business. If the State of incorporation is other than Illinois, confirm that the corporation is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
  - **Trust or Land Trust:** The name, address and interest of all persons, firms, corporations or other entities who are the beneficiaries of such trust.
  - **Partnerships:** The type of partnership; the name and address of all general and limited partners, identifying those persons who are limited partners and those who are general partners; the address of the partnership's principal office; and, in the case of a limited partnership, the county where the certificate of limited partnership is filed and the filing number.
  - **Joint Ventures:** The name and address of every member of the joint venture and the nature of the legal vehicle used to create the joint venture.
  - **Sole Proprietorship:** The name and address of the sole proprietor and any assumed name.
  - **Other Entities:** The name and address of every person having a proprietary interest, an interest in profits and losses or the right to control any entity or venture not listed above.

Hines Interests Limited Partnership, 100%, 845 Texas Ave., Suite 3300, Houston, TX 77002

Limited Partners: Hines Real Estate Holdings Limited Partnership and Hines Global Real Estate Holdings Limited Partnership; 845 Texas Ave., Suite 3300, Houston, TX 77002

General Partner: Proj II – Business GP LLC; 845 Texas Ave., Suite 3300, Houston, TX 77002

LP Certificate #2219025 filed with CT – 1209 Orange St., Wilmington, DE 19801

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

David Bach, Managing Director  
444 W Lake St, Suite 2400, Chicago, IL 60606

VERIFICATION

I, David Bach (print name), being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the Petitioner, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

GM

Signature: 

Subscribed and Sworn to before me this 23<sup>rd</sup> day of April, 20 24.

  
Notary Public and seal



**CITY OF NAPERVILLE**  
**PROPERTY OWNER - DISCLOSURE OF BENEFICIARIES**

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1. Owner: Adtalem Global Education, Inc.

Address: 500 W. Monroe, 28<sup>th</sup> Floor

Chicago, IL 60661

2. Nature of Benefit sought: Rezoning, Conditional Use, Planned Unit Development, Preliminary PUD Plat, Preliminary Subdivision Plat, PUD Deviation

3. Nature of Owner (select one):

a. Individual

e. Partnership

b. Corporation

f. Joint Venture

c. Land Trust/Trustee

g. Limited Liability Corporation (LLC)

d. Trust/Trustee

h. Sole Proprietorship

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

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5. If your answer to Section 3 was anything other than "Individual", please provide the following information in the space provided on page 9 (or on a separate sheet):

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

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

\_\_\_\_\_  
\_\_\_\_\_

VERIFICATION

I, Robert J. Phelan (print name), being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the Owner, 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: *Robert J. Phelan*

Subscribed and Sworn to before me this 24<sup>th</sup> day of APRIL, 20 24.

*Maria A Monzon*  
Notary Public and seal

