

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

**PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN COMMISSION FOR
A REZONING FROM OCI TO B-5**

THE UNDERSIGNED Petitioner, Lakewest Custom Homes, Ltd., an Illinois corporation (hereinafter “the Petitioner”) respectfully petitions the City of Naperville to; i) approve a rezoning of the Subject Property from OCI - Office Commercial and Institutional District (“OCI”) to B-5 Secondary Downtown District pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter the “Code”).

BACKGROUND INFORMATION

1. The Petitioner, Lakewest Custom Homes, Ltd., an Illinois corporation, with an office at 1309 N. Loomis, Naperville, Illinois 60563, is the Petitioner and contract purchaser of the Subject Property.
2. The Owner of the Property is 222 Mill LLC., an Illinois limited liability company.
3. The Subject Property consists of (1) lot totaling approximately .22 acres located east of Mill Street between Jackson Avenue and Jefferson Avenue in Naperville, Illinois with a commonly known address of 222 S Mill Street.
4. The existing land uses surrounding the Subject Property are as follows:
 - a. North: “R-3” & “R-2” Zoning: Naper Homestead Park and residential
 - b. East: “OCI”: Riverwalk Community Center
 - c. South: “OCI”: Parking and Riverwalk Community Center
 - d. West: “R-2”, “OCI” and “B-5”: Residential, Park District maintenance

facility and Riverwalk Place Condominiums

5. The Subject Property is occupied by a two-story professional building which was primarily utilized by a law firm, other professional uses, and adjacent parking lot located on the east side of the building.

SUMMARY OF DEVELOPMENT

The Subject Property is located east of Mill Street between Jackson Avenue and Jefferson Avenue. Naper Homestead Park is adjacent to the north along with single-family residential to the northeast. The Alfred Rubin Riverwalk Community Center's parking lot is adjacent to the south. To the east is the Alfred Rubin Riverwalk Community Center building and its continued parking lot. To the west of the Subject Property is the Park District maintenance facility building, a single-family residence, and the recently approved and B-5 zoned Riverwalk Place Condominiums. Therefore, considering the surrounding mix of commercial and residential uses, the Subject Property is transitional in nature.

The Subject Property is currently occupied by a two-story office building and surface parking lot. The Subject Property is located on the downtown fringe within a short walking distance to Naperville's acclaimed downtown which offers entertainment, employment, dining, a wonderful social culture, and shopping. The location presents an excellent canvas for an exciting new residential development to compliment the character of the surrounding area.

The Petitioner anticipates that the development will consist of a six (6) unit condominium building with ground level parking for residents and guests which will provide a new housing opportunity for those that desire an upscale living environment and associated amenities in close proximity to a bustling downtown, employment opportunities and a variety of retail and convenience uses. Entry into the building is anticipated to be through a south-facing main lobby,

which will provide access to all floors. Each condominium is anticipated to be approximately 3,000 square feet of single-level living, providing a distinctive and highly desirable alternative to traditional townhouse options currently available in Naperville. Vehicular access will be from Mill Street where access currently exists today, preserving vehicular circulation in the area and improving the look of the Subject Property. Additionally, the anticipated internal garage will keep vehicles out of sight from the neighboring properties, while also providing unit owners' vehicles with access to shelter from the winter elements and security. The building is anticipated to comply with all city setback, height, parking, masonry, density and bulk requirements.

To fit within the context of the surrounding neighborhood, the proposed building is envisioned to complement the surrounding area. Historically inspired, exterior materials are anticipated to be primarily brown brick and a buff-colored cast stone, giving the building a timeless and elegant appeal.

Along with architecture, a well-designed landscape plan has been prepared to meet all City Code landscaping requirements to ensure compatibility with the surrounding area and enhance the appearance of the overall community.

The proposed development will create an optimum use of the Subject Property by providing additional opportunities to reside in Naperville while also enhancing the City's real estate tax base, infusing the local economy with additional income and improving the City's work force. Being residential in nature, the proposed condominiums will provide a complimentary use to the existing nature of the neighborhood and avoid a potential inconsistent use permitted in the existing OCI zoning district.

CITY OF NAPERVILLE 2030 PLAN

In April of 2011, the City of Naperville completed its comprehensive plan update relative

to this specific area of the downtown (“2030 Plan”). The proposed rezoning is consistent with the 2030 Plan and its Overall Future Land Use Map, which designates the future land use for the Subject Property as “Secondary Downtown,” the purpose of which is for office, service, and/or residential uses, in a manner less intense than the downtown core. Specifically, residential uses, including condominiums, townhomes, or row houses are permitted with no maximum density limitation. The Secondary Downtown designation of the 2030 Plan directly correlates with the B-5 Secondary Downtown District zoning code designation Petitioner seeks to rezone to, indicating the City’s clear anticipation that the Subject Property would be rezoned to the B-5 designation. The 2030 Plan also notes that consistency with the Future Land Use Map will be gained over time as private property owners request new development or redevelopment projects. Petitioner’s proposed development falls in line with the 2030 Plan description, as Petitioner is a private landowner wishing to rezone the Subject Property to the B-5 district and redevelop the Subject Property with condominiums consistent with 2030 Plan and corresponding B-5 zoning code designation. As the Subject Property is in close proximity to residential uses, park district uses, community service uses and commercial uses, there were many development opportunities to consider. As a result, the site plan included with the application material includes a complimentary use of an upscale building and innovation in site design. To fit within the character of the area, the Petitioner will comply with all height requirements applicable to the B-5 zoning district as well as all applicable setback requirements.

REQUIRED DEVELOPMENT ENTITLEMENTS – B-5 ZONING DISTRICT

1. To approve a rezoning of the Subject Property from OCI - Office Commercial and Institutional District (“OCI”) to B-5 Secondary Downtown District (B-5);

REZONING FROM OCI to B-5

The requested Rezoning from OCI to B-5 meets the requirements for a rezoning under the Naperville Municipal Code, and is appropriate based upon the following factors:

- a. *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 amendment will promote the public health, safety, comfort, convenience, and general welfare in many ways. First, the amendment will provide for the development of additional housing opportunities to those who currently reside in Naperville or wish to reside in Naperville. It will also provide an opportunity for those seeking an upscale ownership opportunity within walking distance of necessities such as pharmacies, grocery stores, retail and dining and entertainment uses to be able to enjoy such a lifestyle. In addition, the amendment will provide for the development of Subject Property to be utilized for its highest and best use which will in turn support the adjacent commercial development and enhance the City's workforce and retail and property tax bases. The proposed amendment is also in conformance with the City's official plans in that the Subject Property is depicted as residential in the 2030 Plan.

- b. *The trend of development in the area of the Subject Property is consistent with the requested amendment.*

The immediate area adjacent to the Subject Property includes a residential use at the southwest corner of Mill Street and Jefferson Avenue, a Park District public works facility, the Riverwalk Community Center and surface parking to the east and south and the Joseph Naper Homestead Park to the north. Accordingly, the nature of the area is transitional and a complimentary residential use is an appropriate land use. Additionally, just to the south on the west side of Mill Street is the recently approved and B-5 zoned Riverwalk Place condominium building which is consistent with the proposed use of the Subject Property. The proposed

residential use will complement the surrounding area and mark a significant new investment in Naperville. Additional residents in this specific location would certainly provide a positive boost to the adjacent area.

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

The requested zoning classification is directly in-line with the City's vision for this property as evidenced by the 2030 Plan and the proximity of the Subject Property to the City's downtown. A quality residential condominium building would have a positive impact on the surrounding area. The requested B-5 zoning will permit a desirable upscale residential development, with low traffic generation that will create an efficient use of the Subject Property as well as the resources located in close proximity.

- d. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed under the existing zoning classification.*

The Subject Property and its current zoning designation are not consistent with the City's vision for the Subject Property as evidenced by the 2030 Plan and the surrounding area as they exist today. The highest and best use is as a residential community, which is in conformance with the 2030 Plan.

- e. The Subject Property has not been utilized under the existing zoning classification for a substantial period of time.*

The Subject Property is occupied by a two-story professional office building which is inconsistent with the City's vision for the future use of the Subject Property, and which over time, has become dated and inconsistent with the more modern office uses. The proposed residential building will feature an internal parking lot as opposed to the existing external parking lot, which will allow for better utilization of the Subject Property, along with a significant aesthetic improvement.

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

The amendment will have a positive effect on the essential character of the neighborhood and will not be a detriment to the adjacent properties. The proposed development plans will bring the 2030 Plan closer to fruition, which will not only provide additional housing opportunities, but will also have a positive effect on the sustainability of the nearby downtown and provide for additional utilization of Park District facilities such as the Riverwalk and Centennial Beach. The net result will be increased viability to the Subject Property and surrounding areas in its entirety and an enhanced retail and property tax base for the City. In addition, the Petitioner has designed the site in a manner which takes into account the surrounding area including enclosing the dumpsters and parking, providing additional landscape screening along the parkways and continuing access from Mill Street.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission approve a rezoning of the Subject Property from OCI - Office Commercial and Institutional District (“OCI”) to B-5 Secondary Downtown District (B-5) pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter the “Code”).

RESPECTFULLY SUBMITTED this 17th day of September, 2025.

PETITIONER:

LAKEWEST CUSTOM HOMES, LTD
An Illinois corporation



Rosanova & Whitaker, Ltd.
Attorneys for the Petitioner

LIST OF EXHIBITS

EXHIBIT A: LEGAL DESCRIPTION OF SUBJECT PROPERTY

EXHIBIT B: PICTURES OF SUBJECT PROPERTY

EXHIBIT C

EXHIBIT A
LEGAL DESCRIPTION

LOT 1 IN NAGLE'S RESUBDIVISION ACCORDING TO THE FINAL PLAT OF RESUBDIVISION RECORDED SEPTEMBER 20, 1999 AS DOCUMENT R1999-201176, IN DUPAGE COUNTY, ILLINOIS, BEING PART OF LOTS 2, 3 AND 6 IN BLOCK 3 IN THE PLAT OF THE TOWN OF NAPERVILLE, BEING A SUBDIVISION IN THE SOUTH HALF 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 121, IN DUPAGE COUNTY, ILLINOIS.

PIN: 07-13-427-015

Common Address: 222 S. Mill Street, Naperville, Illinois 60540

**EXHIBIT B
PICTURES OF SUBJECT PROPERTY**

