

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

**PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN COMMISSION
FOR A PARKING VARIANCE**

THE UNDERSIGNED Petitioner, Snook Properties LLC, a Delaware limited liability company (hereinafter “the Petitioner”), respectfully petitions the City of Naperville to grant a parking variance allowing for a 99 space parking lot to serve an existing approximately 162,000 square foot building, and such other variances, departures or deviations as may be necessary to utilize the property legally described on **Exhibit A** (“Subject Property”) and as depicted on the plans and documents submitted herewith pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter the “Code”).

BACKGROUND INFORMATION

1. The Petitioner, Snook Properties LLC, is the contract purchaser of the Subject Property.
2. The owner of the Subject Property is BREIT Industrial Canyon IL1W11 LLC, a Delaware limited liability company.
3. The Subject Property consists of approximately 8.2 acres of land occupied by an approximately 162,000 square foot building commonly known as 1880 Country Farm Drive, Naperville, Illinois.
4. The Subject Property is located along the I-88 corridor west of Route 59 and is zoned for Industrial uses which is consistent with the industrial nature of the surrounding area.
5. The existing land uses surrounding the Subject Property are as follows:
 - a. North: I-88 and Carmax – Zoned I: Industrial District

- b. East: City-owned open space – Zoned I: Industrial District
 - c. South: Molex – Zoned I: Industrial District & Hilton hotel- Zoned B3
PUD: General Commercial PUD
 - d. West: Fluid Air & Schenck Process – Zoned I: Industrial District
6. The building was built in 1987 and was formerly occupied by GEA Farm Technologies which vacated the building in 2021.

SUMMARY OF OPERATIONS

The Petitioner operates an equipment rental company renting construction machinery and equipment to contractors and construction companies to support economic development in the Chicagoland area. A leader in the equipment rental industry, RP Rents is constantly seeking solutions to best serve its customers. The Subject Property provides an ideal location to serve its customers throughout Chicago and the surrounding suburbs.

At this Naperville location, the Petitioner anticipates employing roughly 60 people in various capacities including managers, drivers, mechanics and office personnel. Generally, the salaries are in the \$90,000 per year range, which reflects quality jobs above the Naperville area per capita income level, which is \$67,706. In addition to its core business of equipment rental, RP Rents also provides parts and service, and anticipates limited equipment sales at this location as well.

Further enhancing the Subject Property, the Petitioner intends to undertake both exterior and interior improvements. The exterior improvements include incorporation of a storage yard on the west side and south sides of the building, incorporating a privacy fence, additional landscape materials and installing access points on the south and west elevations of the building to provide for enhanced circulation. The vast majority of the equipment (roughly 80%) is stored

inside of the building. Incorporating the access doors on the south and west sides of the building will provide for efficient circulation and movement of equipment. Other exterior improvements include improvements to the façade of the building to enhance the overall appearance. Interior improvements are substantial and include reinforcing the building, as well as sustainability improvements such as energy efficient fixtures.

In order to move forward with the revitalization of the Subject Property, the Petitioner requires a parking variance allowing the petitioner to operate the Subject Property with 99 spaces instead of the Code requirement of 1 space per 1,000 square feet of warehouse space, and 3.3 spaces per 1,000 square feet of office space, which would amount to a total of 246 spaces. A couple points are important to note here. First, as evidenced by the parking study prepared by KLOA, dated March 26, 2024 (“Parking Study”), the Code requirement of 1 space per 1,000 square feet of warehouse space, and 3.3 spaces per 1,000 square feet of office space, is inconsistent with the actual parking demand for such a use and will result in unused parking areas and the inefficient use of the Subject Property. Also, the Subject Property is already operating under a parking variance which reduced the required parking to serve the prior use. Consistent with the repurposing and revitalization of the building for Petitioner’s proposed use, the Parking Study confirms that the proposed 99 spaces are more than adequate to serve the Petitioner’s use.

VARIANCE TO REDUCE THE CITY’S REQUIRED OFF-STREET PARKING REQUIREMENT

- a. *The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan; and*

The purpose of the Code and comprehensive plan is to ensure that each use is adequately parked to meet the parking demand. Accordingly, the Code provides that each property must

provide on-site parking to meet the anticipated parking demand, based on the use of the individual property. Under-parking property serves as a detriment to the economic vitality of a property and can also be a hindrance to surrounding property. Conversely, overparking leads to an inefficient use of property and unnecessary costs, both short and long term. Upon improving the Subject Property, there will be a total of 99 parking spaces to serve roughly 60 employees and very limited customers. The vast majority of the equipment rentals are dropped off to the customers' construction site locations so there is very little customer parking required. Pursuant to the Parking Study, which examined Illini Hi Reach at 13633 Main Street, Lemont, IL; Time Savers Aerial Lifts at 725 Kimberly Drive, Carol Stream, IL; and Illini Hi Reach at 1940 N. Lafayette Court, Griffith, IN, the proposed 99 parking spaces are more than adequate to serve the Subject Property. It is also important to note that the requested variance is specific to Petitioner's proposed use. In the event a new user wishes to operate on the Subject Property, that user would have to request its own variance and satisfy the city's variance criteria.

- b. 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; and*

The City's code requirement of 1 space per 1,000 square feet of warehouse space, and 3.3 spaces per 1,000 square feet of office space, is inconsistent with the actual parking demand of Petitioner's business operations. Strict enforcement of the City's parking requirement would prohibit the Petitioner from moving forward with the acquisition and improvement of the Subject Property and would cause the Subject Property to continue to sit vacant contributing little to the surrounding area or the City's economy.

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

The Subject Property is located within an industrial zoned area with a use that is both

consistent with the industrial zoning as well as the surrounding area. The Petitioner is also intending to undertake substantial improvements to the Subject Property which will mark additional investment in the area. Approval of this variance would not have any effect on the surrounding area other than providing for a vacant and underperforming building to be repurposed with a thriving construction equipment rental business that wishes to relocate to Naperville and which will serve the community.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission take the necessary steps to grant a parking variance and such other variances, departures or deviations as may be necessary to occupy the Subject Property.

RESPECTFULLY SUBMITTED this 10th day of May 2024.

PETITIONER: Snook Properties, LLC

Vincent M. Rosanova
Rosanova & Whitaker, Ltd.
Attorneys for the Petitioner

LIST OF EXHIBITS

EXHIBIT A: LEGAL DESCRIPTION OF SUBJECT PROPERTY

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

That part of Lot 2 of the Alexander Ferguson Farm in the East 1/2 of Section 4 and the West 1/2 of Section 3, Township 38 North, Range 9, East of the Third Principal Meridian, according to the Plat thereof recorded December 16, 1943 as document 456920 in Du Page County, Illinois, described as follows:

Commencing at the intersection of the center line of Diehl Road and the Westerly line of Said Lot 2 of the Alexander Ferguson Farm and Running thence North 88 degrees 02 minutes 36 seconds East, along the center line of Diehl Road as monumented and occupied, 1419.00 feet; thence North 00 degrees 09 minutes 06 seconds West, parallel with the aforesaid Westerly line of Said Lot 2, a distance of 702.12 feet, to the point of beginning; thence South 89 degrees 50 minutes 54 seconds West, 548.88 feet; thence North 00 degrees 09 minutes 06 seconds West, parallel with said West Line of Lot 2, a distance of 551.62 feet; thence North 76 degrees 55 minutes 30 seconds East, 23.24 feet; thence North 82 degrees 04 minutes 28 Seconds East, 531.11 feet; thence South 00 degrees 09 minutes 06 seconds East, parallel with the aforesaid Westerly line of Lot 2, a distance of 100.08 feet; thence South 37 degrees 01 minute 18 seconds East, 216.67 feet; thence South 00 degrees 09 minutes 06 seconds East, parallel with said Westerly Line of Lot 2 a distance of 142.37 feet; thence South 89 degrees 50 minutes 54 seconds West, 115.0 feet; thence South 44 degrees 50 minutes 54 seconds West, 21.21 feet; thence South 00 degrees 09 minutes 06 seconds East, parallel with the aforesaid Westerly line of Lot 2, a distance of 199.88 feet, more or less, to the point of beginning, all in Du Page County, Illinois.

Parcel 2:

Perpetual non-exclusive easements for the benefit of parcel 1 as created by dedication, transfer,

AT THE TIME OF THIS SURVEY THERE IS NO RECORD OR OBSERVED EVIDENCE OF A CEMETERY OR BURIAL GROUND.

assignment and quitclaim of storm water retention pond made by Lasalle National Bank, as trustee under trust agreement dated November 18, 1985 and known as trust number 110535 to the City of Naperville recorded January 26, 1988 as document R88-008521 and correction recorded on June 15, 1988 as document R88-062420 over the following described Land, to-wit:

That part of Lot 2 of the Alexander Ferguson Farm in the East 1/2 of Section 4 and the West 1/2 of Section 3, Township 38 North, Range 9, East of the Third Principal Meridian, according to the Plat thereof recorded December 16, 1943 as document 456920 in Du Page County, Illinois, described as follows:

Commencing at the intersection of the center line of Diehl Road and the Westerly line of Said Lot 2 of the Alexander Ferguson Farm and Running thence North 88 degrees 02 minutes 36 seconds East, along the center line of Diehl road as monumented and occupied, 1419.00 feet; thence North 00 degrees 09 minutes 06 seconds West, parallel with the aforesaid Westerly line of Said Lot 2, a distance of 900.00 feet; thence North 44 degrees 50 minutes 54 seconds East, 21.21 feet; thence North 89 degrees 50 minutes 54 seconds East, 115.00 feet, to the point of beginning; thence North 00 degrees 09 minutes 06 seconds West, parallel with the said Westerly line of Lot 2, a distance of 142.37 feet; thence North 37 degrees 01 minute 18 seconds West, 216.67 feet; thence North 00 degrees 09 minutes 06 seconds West, parallel with the aforesaid Westerly line of Lot 2 a distance of 100.08 feet; thence North 82 degrees 04 minutes 28 seconds East, 211.95 feet; thence South 00 degrees 09 minutes 06 seconds East, 444.44 feet; thence South 89 degrees 50 minutes 54 seconds West, 80 feet, more or less, to the point of beginning, all in Du Page County, Illinois.