

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

PETITION TO THE CITY OF NAPERVILLE FOR LAND USE ENTITLEMENTS

THE UNDERSIGNED Petitioner, JMRV Naperville, LLC, an Illinois liability company (hereinafter the “Petitioner”), as the Owner of the property legally described on **Exhibit A** (the “Property”) respectfully petitions the City of Naperville to grant the following entitlements pursuant to the appropriate provisions of the City of Naperville Code of Ordinances (hereinafter, the “Code”) to: (i) annex the Property to the City of Naperville; (ii) zone the Property to the City’s OCI District upon annexation; (iii) approve a conditional use for single-family attached dwellings in the OCI District; (iv) approve a variance from Section 6-7F-7 to reduce the corner side yard setback from 20’ to 15’; (v) approve a preliminary plat of subdivision; and (vi) such other variances, departures, and deviations as may be necessary and appropriate to develop the Property and as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Code.

BACKGROUND INFORMATION

In support of this petition, the Petitioner represents to the City of Naperville as follows:

1. The owner of the Property is JMRV Naperville, LLC, an Illinois limited liability company (“Owner”).
2. Owner separately filed a petition for annexation to annex the Subject Property to the City of Naperville (“Annexation Petition”).
3. The Petitioner, JMRV Naperville, LLC, is the Petitioner and Owner of the Property.
4. The Property consists of approximately 10 acres located at 25013 W. 111th Street, Naperville, IL 60564.

5. The Property is currently zoned A-1 in unincorporated Will County.
6. The existing zoning districts and land uses surrounding the Property are as follows:
 - a. North: R1A City of Naperville (Single-Family Detached)
 - b. East: OCI – City of Naperville (Clifford Crone Middle School)
 - c. South: R1A City of Naperville (Single-Family Detached)
 - d. West: R1A City of Naperville (Single-Family Detached)
7. The Property is currently improved with a SiteOne landscaping supply store and is otherwise surrounded by properties incorporated under the jurisdiction of the City of Naperville and developed as residential areas, with the exception of Clifford Crone Middle School to the east.
8. The Property provides an excellent opportunity for a new residential community that will complement the nearby residential and institutional uses.

DEVELOPMENT SUMMARY

The Property is located in unincorporated DuPage County, but is otherwise surrounded by properties incorporated under the jurisdiction of the City of Naperville. The Property is approximately 10 acres and is presently improved with a SiteOne landscaping supply store. Adjacent properties are single-family residential uses to the north, south, and west. The adjacent property immediately east is Clifford W. Crone Middle School and zoned OCI. Accordingly, the Property presents an excellent canvas for residential community that will act as a transition from the institutional use to the east to the single-family residences to the west.

Petitioner is working closely with M/I Homes (“M/I”) to bring another quality community to Naperville. M/I has been building homes for over 40 years, with operations in 9 states and 16 different markets. In Illinois, M/I closed on the sale of nearly 700 homes in 2024, making it one of the top homebuilders in the Chicagoland market. M/I brings decades of construction and development experience to each project and has found success building communities that offer quality housing options designed to serve individuals at various stages of their lives. Jointly with

the Petitioner, M/I proposes to develop the Property with modern townhomes and rowhomes, targeting young professionals looking to establish a presence in Naperville and move-down buyers who have raised a family in Naperville and seek to maintain their lifestyle in Naperville, albeit in a new low-maintenance community.

To be known as Everly Trace, Petitioner proposes a new residential community which consists of sixty-eight (68) single-family townhomes located on approximately 10 acres (the “Development”). The proposed Development is consistent with the City’s Land Use Master Plan which designates the Property for “single-family/duplex residential”, noting the intent of this area is to respect the character of existing neighborhoods, while supporting the City’s changing demographics and market. At approximately 6.8 units/acre, Everly Trace represents a conscientious transition between the institutional use (middle school) and lower intensity single-family uses adjacent.

Everly Trace includes two unique townhome products and the proposed architecture draws inspiration from the modern trends to create a complementary design with the overall area. Twenty-six (26) two-story front-load townhomes line will be located along the west and south property lines and will range from 1,700 to 1,950 square feet. Each townhome will include two garage parking spaces and two driveway spaces, which exceeds the City’s parking requirements. The proposed architecture draws inspiration from the modern trends to create a complementary design with the overall area. The architecture will feature four (4) different floor plans consistent with market trends in the area and consumer demand. There will be distinctly different architectural styles of homes to avoid monotony throughout the community and deliver a complementary style and color palette within the Development. The architecture will further ensure lasting value through the use of quality materials that require low maintenance and

withstand the test of time.

Forty-two (42) three-story rear-load row homes will be located along the east property line abutting the Crone Middle School athletic fields and will range from 1,550 to 1,700 square feet. The row homes will have two garage parking spaces, two driveway spaces, which will meet the City's off-street parking requirements. These units are strategically located to appropriately transition to the adjacent institutional use east of the Property. All townhomes and row homes will have private entries and private outdoor spaces. With the exception of the corner side yard of Lot 7, the proposed buildings meet and in most-cases exceed applicable setbacks of the underlying zoning district. The lot area associated with each dwelling unit is 6,406 square feet, which is more than the 4,000 square foot minimum threshold established under the zoning ordinance.

Landscape treatments will be utilized to enhance the visual appeal of the community, including a mix of parkway trees, shade trees and shrubs. The landscape design enhancements will include significant landscape buffer yards along the western and southern property lines will be incorporated in addition to attractive foundation plantings around each building. An open space detention area will be situated along the north property line, providing a generous setback over 100' from 111th street. Internal sidewalks will connect throughout the community to provide connectivity and access to Creekside Park owned by the Naperville Park District immediately to the south. A north-south access drive will be established to connect the Property to 111th street, which allows for a seamless extension of Cedar Drive, consistent with the City's transportation objectives. In addition, Everly Trace will connect to Little Leaf Road to provide additional connectivity. Understanding Route 59 is east of the Property, it is unlikely Everly Trace residents will navigate through Ashwood Creek.

APPROVAL OF A MAP AMENDMENT (REZONING)

THE PROPERTY TO OCI

1. The Property is currently zoned A-1 in Will County.
2. Upon annexation, the proposed OCI zoning designation will facilitate a unique townhome development providing a logical transition from the single-family uses to the west and the institutional use to the east.
3. The proposed zoning meets the City standards for granting a map amendment (rezoning) pursuant to Section 6-3-7:1 as follows:
 - 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; and*

The Subject Property is the last remaining unincorporated parcel in its vicinity and is otherwise surrounded by incorporated properties under the jurisdiction of Naperville. The Subject Property is presently used as a landscape supply business. As properties in the vicinity became incorporated and developed, the surrounding area largely shifted from agricultural uses and landscaping supply sales to residential and institutional use, rendering the Subject Property an outlier among the neighboring properties. Over time, this location is no longer suitable for a landscaping supply business. In fact, the City approved a new comprehensive land use master plan identifying the Subject Property for residential use. Accordingly, the land use master plan acknowledges this site is no longer viable or appropriate for the sales of landscape machinery and equipment. Granting the rezoning will eliminate the commercial & industrial use and provide a residential use compatible with the area. The purpose of single-family and duplex residential designated properties is to respect the character of existing neighborhoods, while supporting the City's changing demographics and market. The proposed development does just that. At

approximately 7 units/acre, Everly Trace represents a conscientious transition between the institutional use (middle school) and lower intensity single-family uses adjacent in line with the considerations set forth in the comprehensive plan. To this end, Everly Trace is thoughtfully planned such that the 3-story rear-loaded series will be adjacent to the institutional use and the two-story traditional townhome series will be adjacent to the single-family residences. There is a significant framework of single-family detached homes in the vicinity. The addition of townhomes along 111th street will diversify the housing stock. The development will meet a significant community need by creating a housing opportunity that is suitable for many types of homebuyers including some of the fastest growing housing segments of our population, young professionals and empty nesters. In addition, the comprehensive plan notes increased density is more appropriate in areas where adjacent to non-residential uses, which is precisely the condition presented under this proposal. It is important to note 111th Street is classified as an arterial road. Petitioner seeks to continue the pattern of incorporating townhomes along busier roadways with higher traffic volumes in line with the trend of development such as Ashwood Place north of the Subject Property and townhome communities along 119th street and 103rd street which mirror similar conditions.

Rezoning the Subject Property to OCI will facilitate a townhome development in line with the intent of the Subject Property's designation under the City's land use master plan. Further, the development will act as a transitional use between the single-family residences to the west and the institutional use to the east in line with the purpose and intent of the OCI district as set forth in the Code. The rezoning will ensure the Subject Property is developed as its highest and best use.

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

The existing land uses surrounding the Subject Property are as follows:

- a. North: City of Naperville (R1A) - Single Family
- b. East: City of Naperville (OCI) – Clifford W. Crone Middle School
- c. South: City of Naperville (R1A) – Single Family
- d. West: City of Naperville (R1A) – Single Family

In its current state, the Subject Property is an outlier in a predominantly residential and institutionalized area. In fact, immediately adjacent properties to the north, south, and west are single-family residential. Immediately adjacent property to the east is Crone Middle School. Taking it a step further, the property immediately northwest of the Subject Property is zoned R3A and has been developed with townhomes. Petitioner's proposal complements the character of the surrounding properties in that it is a continuation of thoughtful land planning that is provided on the north side of 111th street, just east of Cedar Drive and also immediately adjacent to the middle school. In line with the Petitioner's proposal, that townhome community provides a logical transition from the institutional use to the single family uses immediately adjacent.

In addition, Petitioner has thoughtfully planned to develop two separate townhome products – a 2-story townhome series and a 3-story rowhome series. The 2-story series will be located along the west and south property lines, consistent with the 2-story residences immediately adjacent. The 3-story series will be located along the east property line adjacent to the middle school, which will ultimately provide a logical transition from the institutional school use to the single-family residences. The configuration of the proposed development provides a harmonious transition between land uses and provides a more compatible land use in comparison to surrounding development within the immediate area.

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

The Property is currently unincorporated and has never utilized a zoning designation within

the City of Naperville. The Subject Property's current Will County zoning designation is A-1 (Agricultural), which is simply not suitable as the adjacent properties have been fully developed for residential and institutional purposes in the City of Naperville. Upon annexation to the City, the Petitioner shall request a zoning designation. After thoughtful consideration and review of the surrounding conditions, Petitioner requests the Subject Property be zoned OCI in line with adjacent zoning of the middle school immediately east of the subject property. Generally, the purpose of OCI zoning is to act as a transitional zoning district from business to residential areas. This is precisely what the Petitioner intends to accomplish by way of the rezoning request to facilitate the proposed development. Petitioner seeks to replace the current landscape equipment sales business with a much more compatible land use immediately adjacent to residences. The proposed zoning will help facilitate a more complementary land use in comparison to existing conditions.

To achieve the City's stated objectives for this specific area, Petitioner is requesting an OCI zoning designation, which allows planned unit developments and single-family attached dwellings as a conditional use. The proposal will allow for an appropriately designed townhome development to facilitate necessary land use transitions contemplated in the City's land use master plan. The proposed use and development is much more suitable under OCI zoning than the current A-1 Will County zoning.

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

The Property is zoned A-1 in Will County. The Property was historically utilized for agricultural purposes and the sales of landscaping equipment in Will County. Due to the surrounding development, these uses are no longer beneficial, financially viable, or consistent with the trend of development. Upon annexation to Naperville, the City Code directs that a Petitioner

must apply for rezoning. Petitioner believes that the proposed zoning is most appropriate in light of surrounding circumstances.

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

OCI zoning will not alter the essential character of the neighborhood. The rezoning will facilitate the appropriate transition from single family residences to the west to the institutional middle school use to the east. Looking at Ashwood Creek to the west, a stub roadway connection was incorporated at Little Leaf Road in clear contemplation of additional residential development to the east.

Failure to grant the rezoning request will result in the Subject Property remaining unincorporated and potentially a continuation of the sales of heavy landscape machinery and supplies, which is a detriment to the adjacent properties and surrounding areas. If granted, the map amendment will allow for Petitioner's development of a townhome and rowhome community consisting of two distinct housing lines designed for appropriate transitions between land uses and addressing the housing needs of a variety of different homebuyers. Ultimately, the map amendment will facilitate a logical extension of existing residential development in the City and will not cause a substantial detriment to adjacent properties.

CONDITIONAL USE TO ALLOW SINGLE-FAMILY ATTACHED HOMES

IN THE OCI ZONING DISTRICT

1. The proposed development meets the standards for a granting a conditional use pursuant to Section 6-3-8:2 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; and*

The conditional use will enable the development of the Subject Property to facilitate the

logical growth and extension of the City in a creative and innovative fashion, in support of the general welfare of the City. Petitioner's proposal is the product of modern innovative planning, resulting in a unique environment sought out by young professionals and empty nesters. Townhomes are widely desirable given the demographic shift the real estate market has seen with Millennials fleeing large cities for the suburbs¹. This trend has been gaining traction over the past several years where large U.S. Cities have been losing tens of thousands of millennial residents to nearby suburbs since 2018². We saw this trend continue to grow in recent years due to the COVID-19 pandemic prompting millennials to move out of large-populated cities and purchase their first home in the suburbs at an affordable price point now that working-from-home is common practice and the need to be in close proximity to a city office is reduced. Townhomes are widely desirable for a first-time homebuyer in that they have little to no maintenance and are priced more reasonably than a traditional large-lot single-family detached home. Moreover, townhomes are largely sought among empty nesters looking to downsize with little maintenance obligations. Therefore, approving the conditional use will provide a much-needed housing product in a time where townhomes are in high demand.

Petitioner's proposed development at this particular location aims to provide desirable housing in the interest of the Naperville public and will contribute to the general welfare of the community. Notably, there has been an influx of suburban, single family attached homebuyers, and a lack of housing stock to satisfy the recent demand. Petitioner believes that the proposed development will be very successful at this location provided the adjacent land uses. The development will provide a natural transition from the single-family homes to the west and the

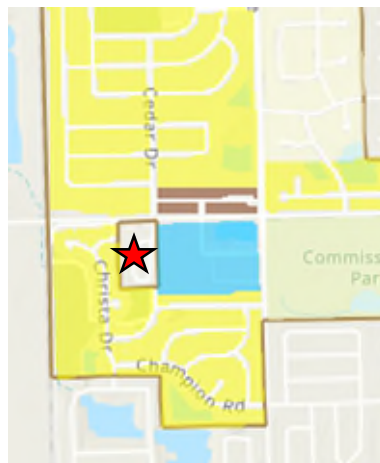
¹ <https://fortune.com/2020/07/17/people-leaving-cities-coronavirus-data-population-millennials-marriage-families-housing-real-estate-suburbs/>

² <https://www.wsj.com/articles/millennials-continue-to-leave-big-cities-11569470460>

institutional middle school to the east, all of which is in line with the purpose of the OCI district. Accordingly, Petitioner's proposed development will contribute to the general welfare of the neighborhood and community by providing a diverse housing stock and additional residents to continue to support the City's tax base and the business community.

- 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; and*

The proposed demolition of the landscaping supply business on the Subject Property is a net benefit to other properties in the area. As seen below, the Subject Property is the last remaining unincorporated parcel in the immediate vicinity. Moreover, the Subject Property is surrounded by residential and institutional uses.



The continued operation of a landscaping supply business is not appropriate in this location. The redevelopment of the Subject Property as a townhome community allows Petitioner to repurpose the Subject Property in a way much more compatible with the surrounding areas. The proposal removes conditions that are no longer viable while addressing the growing need for diverse housing in Naperville. This need for additional/diverse housing is not unique to Naperville. Although there was a construction boom during and after the Pandemic, the number of

US families increased by 1.8 million, while only 1.4 million homes were built.³ These numbers yield overall higher price points and historically high interest rates, ultimately pricing home buyers out of the housing market. Petitioner's proposal removes the current conditions which provide no net benefit to the community and helps Naperville do its part in bringing the housing supply closer to demand to address the national housing shortage. In addition, the proposal removes the existing landscape supply business and will incorporate a residential land use adjacent to existing residential land uses. As such, the townhome community will reduce the intensity of land use that exists today and thus will not be injurious to the use and enjoyment of the other properties in the vicinity.

- 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 proposed development will not impede normal and orderly development or improvement of adjacent property. The immediately adjacent properties are all fully developed. Specifically, the properties to the north, south, and west are developed for single-family residential. The properties northeast of the subject property are developed as townhomes and the property immediately east is developed as a middle school. The land use pattern in the area is clear – immediately east is an institutional use and those properties immediately adjacent thereto should provide for a transition to the surrounding single-family neighborhoods. That property immediately northeast accomplishes this logical land planning with a townhome community. Petitioner seeks to mimic the same condition to provide another seamless transition from the institutional use to the single-family residential in the vicinity. The proposed community is much

³ <https://zillow.mediaroom.com/2024-06-18-The-U-S-is-now-short-4-5-million-homes-as-the-housing-deficit-grows>

more compatible with its surrounding properties in comparison to its current land use under an agricultural unincorporated zoning designation.

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

The Subject Property is designated for single-family and duplex residential under the City's future land use plan. The intent of this area is to respect the character of existing neighborhoods, while supporting the City's changing demographics and market. The City's land use master plan's guiding principle #1 is "ensuring housing is diverse, responsive to community needs, and accessible to everybody." To achieve this goal, the City notes the importance of preservation of neighborhood character and supporting redevelopment that is compatible with the surrounding area. At approximately 7 units/acre, Everly Trace represents a conscientious transition between the institutional use (middle school) and lower intensity single-family uses adjacent in line with the considerations set forth in the comprehensive plan. To this end, Everly Trace is thoughtfully planned such that the 3-story rear-loaded series will be adjacent to the institutional use and the two-story traditional townhome series will be adjacent to the single-family residences. There is a significant framework of single-family detached homes in the vicinity. The addition of townhomes along 111th street will diversify the housing stock. The development will meet a significant community need by creating a housing opportunity that is suitable for many types of homebuyers including some of the fastest growing housing segments of our population, young professionals and empty nesters. In addition, the comprehensive plan notes increased density is more appropriate in areas where adjacent to non-residential uses, which is precisely the condition presented under this proposal. Not only will the proposed townhome community enhance the diversity of the City's housing stock and address the needs of buyers in all stages of life, but the proposal will also provide the appropriate transitions between uses, all in line with the adopted land use master plan.

**VARIANCE FROM SECTION 6-7F-7 TO REDUCE THE REQUIRED CORNER SIDE
YARD SETBACK FROM 20' TO 15'**

The standards for granting a variance under Section 6-3-6:2 are met as follows:

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 a minimum corner side yard setback requirement is to provide adequate distances to maintain appropriate sight lines for vehicle movements. In a typical block configuration, the corner side yard requires more distance than an interior side yard. Under the proposal, Little Leaf road terminates and Cedar Drive is designed as a through street. With this condition, the corner side yards along Cedar do not function the same way they would in a typical residential block and intersection. As such, there are no visibility issues that would warrant a 20' corner side yard on lot 7. With regard to lots 13 and 15, the buildings do not front public right-of-way on two elevations and exceed the required minimum side yard requirements. Accordingly, the variance request is not applicable to buildings 13 and 15.

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

Cedar Drive is designed as a through street. Under the proposal, there are no typical residential blocks and intersections where sightlines need to be preserved in order to maintain a safer driving experience within the community, which is unique to the proposed development. In essence, side yards are not usable open space and the additional 5 feet in this particular location will not provide safer or more desirable conditions.

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

The requested variance is unique to Everly Trace and will not be a detriment to adjacent property. A 20' corner side yard on Lot 7 will not serve the purpose for which it is intended.

Instead, the increased side yard will yield less building separation between Lots 7 and 8. This does not produce a superior land plan. In addition, the corner side yard of these buildings do not pose a visibility issue due to the functionality of Cedar Drive being a through street. With this, the increased corner side yard setback does not provide safer driving conditions. Accordingly, this condition is unique to the proposed development and will have no impact on the essential character of the neighborhood.

APPROVAL OF A PRELIMINARY PLAT OF SUBDIVISION

1. Petitioner seeks approval of the Preliminary 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, and based on any testimony that may be proffered at the public hearing, the undersigned Petitioner requests the Village take the necessary steps to: (i) annex the Property to the City of Naperville; (ii) zone the Property to the City's OCI District upon annexation; (iii) approve a conditional use for single-family attached dwellings in the OCI District; (iv) approve a variance from Section 6-7F-7 to reduce the corner side yard setback from 20' to 15';(v) approve a preliminary plat of subdivision; and (vi) such other variances, departures, and deviations as may be necessary and appropriate to develop the Property and as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Code.

RESPECTFULLY SUBMITTED this 20th day of August, 2025

PETITIONER:

JMRV NAPERVILLE, LLC

A handwritten signature in black ink, appearing to read "Cathi E. Cook". The signature is fluid and cursive, with the first name "Cathi" and last name "Cook" being more legible than the middle initial "E.".

Attorney for Petitioner

EXHIBIT A
LEGAL DESCRIPTION

The North 871.21 feet (measured along the East line) of the East 500.00 feet (measured along the North line) of the West half of the Northeast quarter of Section 20, Township 37 North, Range 9 East of the Third Principal Meridian, in Will County, Illinois.

PIN: 07-01-20-200-006-0000

Commonly Known As: 25013 and 25035 West 111th Street, Naperville, Illinois 60564