## CITY OF NAPERVILLE DEVELOPMENT PETITION FORM

DEVELOPMENT NAME (should be consistent of the consistence)	stent with plat): Heritage Place
ADDRESS OF SUBJECT PROPERT	Y: 140 and 126 N. Wright St., Naperville, IL 60540
PARCEL IDENTIFICATION NUMBER	R (P.I.N.)
I. PETITIONER: RAM West Capital L	LC
PETITIONER'S ADDRESS: 127 Au	rora Avenue
	STATE: <u>IL</u> ZIP CODE: <u>60540</u>
	EMAIL ADDRESS:
	t St.
	STATE: IL ZIP CODE: 60540
	EMAIL ADDRESS: mbriggs@lilfriends.com
	ents sent to this contact): _Russell Whitaker - Rosanova & Whitaker, Ltd.
	Attorney
	EMAIL ADDRESS: Russ@rw-attorneys.com
IV. OTHER STAFF	Homes Inc
NAME: Dan Kittilsen - D.J.K. Custom I	
RELATIONSHIP TO PETITIONER: _	Builder
PHONE: 630-369-1953	EMAIL ADDRESS: dank@djkhomes.com
NAME: Jon Green, Engineering Resource	ce Associates, Inc.
RELATIONSHIP TO PETITIONER: _	Civil Engineer
PHONE:	EMAIL ADDRESS: jgreen@eraconsultants.com
Mike Buhr, Craftstone Architects, Inc., Ar Luay Aboona, Kenig, Lindgren, O'Hara &	rchitect 815-609-1997, mike.buhr@craftstonearchitects.com & Aboona, Inc., Traffic Engineer, 847-518-9990, laboona@kloainc.com andscape Architecture, 630-961-1787, groehll@hitchcockdesigngroup

#### V. PROPOSED DEVELOPMENT

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

PZC&CC	Annexation (Exhibit 3)			
Process	Rezoning (Exhibit 4)			
	Conditional Use (Exhibit 1)			
	Major Change to Conditional Use (Exhibit 1)			
	Planned Unit Development (PUD) (Exhibit 2)			
	☐ Major Change to PUD (Exhibit 2)			
	Preliminary PUD Plat (Exhibit 2)			
	Preliminary/Final PUD Plat			
	<ul> <li>PUD Deviation (Exhibit 6)</li> </ul>			
	$\square$ Zoning Variance (Exhibit 7)			
	Sign Variance (Exhibit 7)			
	Subdivision Variance to Section 7-4-4			
CC Only	Minor Change to Conditional Use (Exhibit 1)			
Process	Minor Change to PUD (Exhibit 2)			
1100000	Deviation to Platted Setback (Exhibit 8)			
	Amendment to an Existing Annexation Agreement			
	<ul> <li>Preliminary Subdivision Plat (creating new buildable lots)</li> </ul>			
	☐ Final Subdivision Plat (creating new buildable lots)			
	<ul> <li>Preliminary/Final Subdivision Plat (creating new buildable lots)</li> </ul>			
	$\Box$ Final PUD Plat (Exhibit 2)			
	Subdivision Deviation (Exhibit 8)			
	□ Plat of Right-of-Way Vacation			
Administrative	Administrative Subdivision Plat (no new buildable lots are			
Review	being created)			
Administrative	Administrative Adjustment to Conditional Use			
Review	Administrative Adjustment to PUD			
	Plat of Easement Dedication/Vacation			
	Landscape Variance (Exhibit 5)			
Other	Please specify:			

ACREAGE OF PROPERTY: \_\_\_\_\_\_

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

Redevelopment of 3.8 acre Little Friends property as a 47-unit rowhome development to be known as

Heritage Place. The development is centered around renovation of the Kroehler Mansion, with architectural

design of proposed building inspired by architecture of the Mansion. The project will add diversity of housing stock

to the neighborhood and be an attractive walkable in-town destination for both young buyers and move-down

buyers.

#### 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 (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)
- I Land Dedication

#### VII. PETITIONER'S SIGNATURE

I, <u>Russell Whitaker as attorney for Petitioner's Printed Name and Title</u>), 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)

7-15-2020 (Date)

SUBSCRIBED AND SWORN TO before me this _	15 day of July , 20,20
Joellen M. Leavy (Notary Public and Seal)	JOELLEN M. LEAVY OFFICIAL SEAL Notary Public, State of Illinois My Commission Expires March 10, 2024

#### VIII. 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).

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

9 2020

(Date)

(Date)

MIVE

1<sup>st</sup> Owner's Printed Name and Title

2<sup>nd</sup> Owner Printed Name and Title

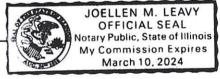
day of

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

SUBSCRIBED AND SWORN TO before me this

bellen V

(Notary Public and Seal)



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

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

#### PETITION FOR DEVELOPMENT APPROVAL HERITAGE PLACE

**THE UNDERSIGNED** Petitioner, RWC LLC, an Illinois limited liability company (hereinafter the "Petitioner"), as the contract purchaser of the property legally described on **Exhibit A** (hereinafter the "Property"), respectfully petitions the City of Naperville to (i) grant a conditional use for single-family attached dwellings; (ii) grant a variance to reduce the front yard setback to fifteen (15) feet; (iii) grant a variance to permit 3.5 story buildings not to exceed forty feet; (iv) grant a variance to reduce the lot area for single-family attached dwellings to 3,514 square feet; (v) to subdivide the Property as depicted on the preliminary plat of subdivision (the "Preliminary Plat") attached hereto as Exhibit B; and (vi) grant such other relief from the Naperville Municipal Code ("Code") as may be deemed necessary and appropriate to develop the Property consistent with the plans submitted herewith.

#### **BACKGROUND INFORMATION**

1. The owner of the Property is Little Friends, Inc., an Illinois not-for-profit corporation, having offices located at 140 North Wright Street, Naperville, Illinois 60540 ("Little Friends").

2. The Petitioner, RWC LLC, an Illinois limited liability company, with its principal place of business located at 127 Aurora Ave, Naperville, Illinois 60540, is the contract purchaser and developer of the Property.

3. The Property consists of an entire city block in the Naperville Historic District.

4. The Property was originally improved in 1908 by Peter Kroehler, then the Mayor

of the City of Naperville, with a three-story single-family home (the "Kroehler Mansion");

5. By January of 1910 Kroehler had resigned as Mayor amid a scandalous affair that was publicly covered by the Naperville Clarion.

6. By July of 1910 Kroehler was divorced, leaving the home to Josephine, his ex-wife, and children who resided there (along with Josephine's second husband) until 1945, which is the last date that the Property was utilized as a single-family residence.

7. In 1945 the Kroehler family donated the Property to North Central College.

8. In 1948 North Central College constructed additional buildings to the east and south of the Kroehler Mansion. These new buildings were utilized as a dining hall and a dormitory.

9. In 1956 North Central College constructed an additional building to the north of the Kroehler Mansion. The new building also served as a dormitory for North Central College.

10. The Property was utilized by North Central College for student housing until it was vacated in 1973, at which time North Central College rented individual dormitory rooms as residential units and leased a part of the Property to Little Friends.

11. Little Friends has exclusively occupied the property for the last forty-five (45) years.

12. Little Friends has most recently utilized the Property not for residential purposes, but as a base for a variety of programs serving children and adults with developmental disabilities and autism, including school programs for children ages 5-22.

13. As of January 2020, between operations associated with Krejci Academy, Mansion High School, Center for Autism and the Residential Services Program, Little Friends accommodates 151 staff members, 105 students, and approximately 25 visitors at the Property daily.

14. The Property has suffered from deferred maintenance and the existing buildings are functionally obsolete, failing to meet the current needs of the vulnerable population that Little Friends seeks to serve.

15. Upon acquisition of the Property, Petitioner seeks to redevelop the Property as a 47-unit rowhome community to be known as "Heritage Place," as depicted on the site plan attached hereto as Exhibit C.

16. Central to Heritage Place is the preservation of the Kroehler Mansion, which will be renovated and repurposed as a three-unit residential rowhome building, restoring the original residential use of the Kroehler Mansion for the first time in approximately 75 years.

#### A CONDITIONAL USE FOR A SINGLE-FAMILY ATTACHED DWELLING UNIT

1. Petitioner seeks a conditional use to develop the Property with single family attached dwelling units.

2. The proposed conditional use for single-family attached dwelling units meets the requirements for a condition use under the Naperville Municipal Code and is appropriate based upon the following factors:

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 proposed conditional use will not be detrimental to or endanger the public health, safety and general welfare because (i) the Heritage Place will facilitate preservation of the Kroehler Mansion for future generations; and (ii) Heritage Place will be less intensive than the historic use of the Property by either North Central College or Little Friends.

Preservation of the City's history appropriately falls within the category of "general welfare." While the Kroehler Mansion is both architecturally and historically significant,

buildings constructed by North Central College in 1948 and 1956 do not hold the same historical or architectural significance. Accordingly, Petitioner intends to demolish all but the original Kroehler Mansion structure and to renovate the Kroehler Mansion as a modern 3-unit rowhome building. While the renovation plan will not restore all of the original architectural detail of the Kroehler Mansion, the renovation plan will restore the form of the building and recreate some of the more important or externally recognizable features of the original structure. While architectural plans for the renovation of the Kroehler Mansion are still being developed, Petitioner has identified key elements of the renovation project that are detailed on Exhibit D ("Preservation Plan"). Petitioner's intent is to return the Kroehler Mansion, as near as reasonably and economically feasible, to the character of the image as depicted on Exhibit D. The renovation project will not meet the exacting standards of a museum like restoration that may be undertaken by Naper Settlement, as items such as leaded glass windows will not be recreated. Instead, Petitioner seeks to creatively adapt historical elements into a modern and energy efficient building that is attractive to a modern buyer. For example, Petitioner seeks to incorporate the remaining leaded glass windows (many area already gone) into plantation style shutters that can be installed in tandem with modern window installations. Petitioner believes that such an effort will restore the general character of the Kroehler Mansion that was lost nearly 75 years ago and thereby create a building worthy of serving as the centerpiece and primary architectural inspiration for the new rowhome buildings to be constructed around the perimeter of the Property. Through this effort, Heritage Place will protect and enhance the general welfare of the community.

Heritage Place will be beneficial to the public health. Little Friends, the current owner of the Property, is a critical public health service provider for some of the City's most vulnerable population. The capacity of Little Friends to meet the needs of this vulnerable population is significantly constrained by the layout and the condition of the Property. Through the sale and redevelopment of the Property Little Friends will generate necessary revenue to create a modern facility through which they can better meet the unique needs of children and adults with developmental disabilities and autism. To this end, the redevelopment of the Property will support the public health of the community.

Heritage Place will be beneficial to public safety. As outlined above, the Property has historically been utilized for a variety of residential and institutional purposes. For the last seventy-five years, the use of the Property, whether it be residential or institutional, has been more intensive than the proposed 47-unit Heritage Place. Most recently, Little Friends has used the Property for office and educational purposes, with hours ranging from 6am to 7pm and 281 employees, students and visitors on the Property five days a week. Based on the City of Naperville population projection tables, Heritage Place will generate between ninety (90) and one hundred and six (106) residents depending on the bedroom mix. While the physical improvements will be substantially different than the existing configuration, the output of the physical improvements, being the number of people using the Property and the number of vehicles traveling on nearby streets, will be significantly less than historic use. With significantly fewer people using the Property on a daily basis and the elimination of traffic conflicts associated with drop-off/pick-up of students, the Heritage Place redevelopment will improve public safety.

# 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 conditional use will not be injurious to the use and enjoyment of property in the immediate area nor will it impair property values because the Property will be redeveloped with a less intensive use, which reduce negative impacts to neighbors.

As outline above, Little Friends' use of the Property occurs daily from 6am to 7pm with approximately 281 visitors on any given day. During peak morning and afternoon hours associated with pick-up and drop-off activities for Little Friends, traffic stacks into surrounding streets and certainly impacts the quiet enjoyment of nearby residential properties as depicted on Exhibit E (images from Traffic Study). Little Friends does not have sufficient on-site parking with only 123 parking spaces for 131 employees and roughly 25 visitors each day. This means that parking for Little Friends spills into the surrounding neighborhood with cars parked in front of homes throughout the day. In fact, during a January of 2020 study, up to 29 employees of Little Friends were seen parking on-street each morning. The redevelopment of Heritage Place will not have the same external impact on the neighborhood. The Heritage Place redevelopment will result in a reduction in the total number of people utilizing the Property, will result in a reduction of traffic, and will eliminate on-street parking issues.

The proposed redevelopment of Heritage Place will improve the neighborhood by providing diversity in housing product with new low-maintenance housing that is attractive to both younger and older generations of homebuyers. While the home will not include an elevator as a standard feature, the home was designed around an integral shaft that would allow an elevator to be installed at original construction or any later date and allow residents to age in-place. Heritage Place is grounded in history, both through the renovation of the Kroehler Mansion and through the incorporation of historic design elements in the architecture of the new rowhome buildings. Heritage Place provides great access for busy residents and sheltered parking for inclement Chicago weather. Within walking distance of downtown Naperville and key transportation hubs, the Property is ideally suited for the more urban lifestyle that has made downtown destinations so attractive over the last decade. The interior of the units are designed with open spaces and a luxury kitchen to meet modern buyer preferences. Heritage Place incorporates a park land dedication area that includes a "great lawn" fronting the Kroehler Mansion and an adjacent area idealized for natural playscapes that fit the character of the development. Private common areas internal to the development would include areas dedicated to stormwater best management practices (south of the Kroehler Mansion) and a rose garden (north of the Kroehler Mansion). All of the individual dwelling units will include balconies and a rooftop deck, all oriented interior to the site, to accommodate outdoor entertaining and minimize any disturbance of existing neighbors.

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 conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district. All surrounding property is developed with residential uses, with redevelopment opportunities significantly constrained due to the restrictions associated with the City's Historic District. While the proposed rowhomes of Heritage Place will incorporate a different residential form, the residential use is compatible with the existing neighborhood and is less intensive than the existing institutional use of the Property. In addition, the conditional use will facilitate Petitioner's plan for renovation of the Kroehler Mansion which is an important historical building within the neighborhood that would otherwise be demolished pursuant to the Certificate of Appropriateness issued by the City of Naperville on November 19, 2019 as COA #19-2840.

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

Establishment of the conditional use is not in conflict with the adopted comprehensive master plan. Petitioner will maintain the existing R-2 zoning of the Property which is prevalent throughout the neighborhood. While the Property was originally developed as a single-family

residence, it was used as a single-family residence for less than forty (40) years. For the last seventy-five (75) years the Property has been utilized for some combination of multi-family housing or institutional uses. The proposed Heritage Place redevelopment, even with 47 single-family attached dwelling units, will be less intensive than the historical use of the Property.

#### A VARIANCE FROM THE FRONT YARD SETBACK REQUIREMENT

- 3. Petitioner seeks a variance to reduce the required front yard setback requirement of Section 6-6C-7, which requires a twenty five foot (25') front yard setback.
- 4. The proposed variance meets the requirements for a variance under the Naperville Municipal Code and is appropriate based upon the following factors:
  - a. The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan; and

The proposed variance is in harmony with the general purpose and intent of the underlying zoning district and the comprehensive plan. Setback requirements are intended to create uniformity within a zoning district and preserve light and air between adjacent properties. Here, Petitioner proposes a fifteen foot (15') front yard setback. Within the applicable front yard, Petitioner also proposes to locate front porches which are permitted encroachments within a front yard under Section 6-2-3:3.2 of the Code. Because Heritage Place encompasses an entire city block adjacent properties are located across the street. As such, the reduced setbacks will not impair the light or air to any adjacent property. Moreover, because the Property is located in the City's historic district, many of the surrounding homes pre-date modern zoning requirements and do not themselves comply with the R-2 setback requirements. Many of the homes on the surrounding blocks are fifteen feet or closer to the property line. The proposed fifteen foot front yard setback will not be out of character with the surrounding neighborhood.

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 strict enforcement of the setback requirements would impose exceptional hardship on the redevelopment of the Property due to efforts toward historic preservation which have been expressed as priorities of the City of Naperville and the surrounding neighborhood. Petitioner's redevelopment efforts are situated around the preservation of the Kroehler Mansion, which is uniquely located almost in the center of the Property. The proposed rowhomes were located in order to preserve spacing to the Kroehler Mansion and to accommodate both parking and rear drive-aisles that have been expressed as a priority of the surrounding neighborhood. To accommodate these priorities the building footprints were shifted toward the right-of-way with reduced front yard setbacks. The proposed fifteen foot (15') setback is not out of character within the neighborhood and will provide sufficient spacing for walkways and landscaping in front of each unit.

*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 proposed variance will not alter the essential character of the neighborhood nor will it be a substantial detriment to adjacent property. Most of the surrounding properties are located in the historic district and predate the advent of modern zoning requirements. By way of example, the northern most structure on the Property, which dates to original construction in the early 1900's, has a 7' setback to School Street. There is not a uniform setback throughout the neighborhood and most of the houses do not respect the modern 25' setback requirement. As such, the proposed setbacks will not alter the essential character of the neighborhood nor will they be a detriment to adjacent property.

#### <u>A VARIANCE FROM THE LOT AREA REQUIREMENT</u> <u>IN THE R-2 ZONING DISTRICT</u>

5. Petitioner seeks a variance to reduce the required lot area per Section 6-6C-5, which requires 4,000 square feet of lot area per dwelling unit.

6. The proposed variance meets the requirements for a variance under the Naperville Municipal Code and is appropriate based upon the following factors:

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

The proposed variance is in harmony with the general purpose and intent of the underlying zoning district and the comprehensive plan. The lot area requirement is a measurement of density. Density limitations ensure that public facilities, be it utilities, schools, parks, or roadway infrastructure, are not overwhelmed by the number of people generated from a development. In many communities "density" has been frowned upon as an urban evil to be avoided in the suburbs. Certainly, densities appropriate for urban Chicago locations would not be appropriate for Naperville. At the same time, Naperville is dynamic city where more density is appropriate proximate to downtown, the train station, or other commercial hubs than it is in more remote and strictly single-family settings. Context is critically important in evaluating what type of density is appropriate.

While the Property was historically used as dormitories or other multi-family type applications, the current use of the property is institutional. While the zoning ordinance doesn't provide a means of measuring density of an institutional use, density is nothing more than a means of measuring the "intensity" of a use. We know that Little Friends' historic use of the Property is more intensive than proposed 47-unit attached single-family development proposed as Heritage Place. The Little Friends campus currently houses operations for Krejci Academy, Mansion High

School, Center for Autism and the Residential Services Program. Between these operations, there are 151 staff members, 105 students and another 25 visitors that utilize the Property daily. The impact of Little Friends is particularly acute during pick-up/drop-off times when busses and cars line adjacent streets intermittently blocking traffic and staging in front of adjacent residences. Based on the City of Naperville population projection tables, Heritage Place will generate between ninety (90) and one hundred and six (106) residents depending on the bedroom mix. At most, this represents a mere 37% of the population that is currently utilizing the Property! There is sufficient utility service to accommodate the population. There is sufficient capacity in the school system. The proposed development will significantly improve and expand the public open space that is available to residents of the neighborhood. The impact on roadways will be significantly less than the historic use of the Property. Accordingly, the proposed variance is in harmony with the general purpose and intent of the lot area requirement because there will be no negative impacts associated with the density of the proposed Heritage Place development.

# 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

Strict enforcement of the Lot Area requirement would result in practical difficulties for the proposed development due to the special and unusual conditions which are not generally found on other properties in the same zoning district. There are two unique and particularly impactful conditions at play with respect to the proposed redevelopment of the Property.

First, the Heritage Place redevelopment covers an entire city block. This situation is unique given the developed character of the surrounding area. Similar projects, such as Charleston Place, Court Place Townhomes or Chicago Commons were smaller in scale and focused on only a few lots within an established block. In redeveloping an entire city block there is less impact on

immediately adjacent residents. Any impacted residents, at a minimum, are separated by public right-of-way which provides a logical transition point and creates a buffer between uses.

Second, the proposed development of Heritage Place is focused around a clear "public interest" in renovation of the Kroehler Mansion. While the City of Naperville authorized demolition of the Kroehler Mansion, the public has expressed a strong desire that the Kroehler Mansion be preserved in a prominent manner. Petitioner was the only developer who submitted a purchaser offer for the Property that included an undertaking to preserve the Kroehler Mansion. Now, with this application, Petitioner has gone one step further than originally contemplated and now proposes a formal Preservation Plan for renovation and conversion of the Kroehler Mansion to a 3-unit residential building. This undertaking will be a "loss leader," but is a critical undertaking required to bring the cohesive vision of Heritage Place to reality. While the City's ordinances do not provide a formal "density bonus" for public interest type projects, this undertaking certainly qualifies as a practical difficulty or exceptional hardship which is atypical of other redevelopment projects and justifies the lot area variance.

## 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 proposed variance will not alter the essential character of the neighborhood nor will it be a substantial detriment to adjacent property. As outlined above, the proposed redevelopment of the Property for single-family attached dwelling units will be less intensive than the historic institutional use of the Property. By virtue of reducing the intensity of the use, it must then follow that the variance needed to substantiate the proposed redevelopment will not substantially detriment adjacent property.

The R-2 district requires a minimum lot area of 4,000 square feet per single-family attached

dwelling unit. The Property comprises 165,158 square feet. Accordingly, absent the variance the Property could be developed with 41 dwelling units. Petitioner proposes 47 dwelling units, which equates to a lot area of 3,514 square feet per dwelling unit. The lot area variance does not necessarily relate to number of buildings or building mass. The exact same buildings could be subdivided differently (some units being made larger) and Petitioner would meet the lot area requirement. Therefore, the only practical effect of the lot area variance is how the buildings are divided and the corresponding number of people that are produced. According to the City's population projections, the net difference between 41 and 47 units is approximately 12 residents. Across the entire City block that the Property encompasses, the difference of 12 residents will not alter the character of the neighborhood nor will it be a substantial detriment to adjacent property.

#### <u>A VARIANCE FROM THE HEIGHT LIMITATIONS</u> <u>IN THE R-2 ZONING DISTRICT</u>

7. Petitioner seeks a variance to permit 3.5 story buildings not to exceed forty feet.

8. The proposed variance meets the requirements for a variance under the Naperville Municipal Code and is appropriate based upon the following factors:

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

The proposed variance is in harmony with the general purpose and intent of the underlying zoning district and the comprehensive plan. Code Section 6-6C-8 of the R-2 zoning district permits buildings to be a maximum of forty (40) feet and three (3) stories. Here, the proposed building meets the forty (40) foot height requirement. However, the proposed building is technically classified as a 3.5 story building. The issue relates not to the design or the overall height of the building, but relates to the rooftop deck and media room that are built into the roof space of the building. Under the Code definition of "story, half" the rooftop deck and media room are counted

as a half story because they are accessible by stairway and have floor sheathing. However, the roof top deck and media room do not increase the height of the building or otherwise change the appearance of the building from the front façade. If these spaces were eliminated there would be no practical impact on the view of the building from the adjacent right-of-way. Accordingly, because the rooftop deck and media room do not increase the height, bulk or massing of the building, the proposed variance is in harmony with the general purpose and intent of the zoning requirement.

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

Strict enforcement of the height requirement would result in practical difficulties for the proposed development and would not allow the Property to be developed consistent with its highest and best use. Heritage Place will compete with other rowhome developments that are either under development or have been recently completed in and around downtown Naperville. These recent rowhome developments have included habitable attic spaces and rooftop decks. While these features are relatively new to the market, first appearing in Naperville as part of Pulte's Columbia Park Townes, they have quickly become a major selling point and the standard for comparable high-end attached single-family projects. Here, all of the rooftop decks are oriented to face internally to the project. Accordingly, unlike some of the other recent rowhome projects, none of the proposed rooftop decks are overlooking an adjacent residential property. Strict enforcement of the requirement would place Heritage Place at a competitive disadvantage to these other projects.

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 proposed variance will not alter the essential character of the neighborhood nor will it be a substantial detriment to adjacent property. First and foremost, the variance to permit 3.5 story buildings does not affect the architectural elevation of the buildings, the height of the buildings, or the bulk of the proposed buildings. As outlined above, the elimination of the rooftop deck and the media room would not change the buildings interface with public right-of-way or adjacent properties. Accordingly, the variance is hyper-technical and will be imperceptible to the public. Moreover, there is no negative impact on any adjacent property because of the configuration of the development and the orientation of the rooftop decks. All of the rooftop decks are internally facing such there is no situation where a resident of Heritage Place is looking down on an adjacent single-family home. The granting of the variance will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

#### APPROVAL OF A PRELIMINARY PLAT OF SUBDIVISION

- Petitioner seeks to subdivide the Property as depicted on the Preliminary Plat of Subdivision attached hereto as Exhibit B.
- The proposed subdivision meets the standards for a subdivision under the City's Subdivision Regulations.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission take the necessary and appropriate action to (i) grant a conditional use for single-family attached dwellings; (ii) grant a variance to reduce the front yard setback to fifteen (15) feet; (iii) grant a variance to permit 3.5 story buildings not to exceed forty feet; (iv) grant a variance to reduce the lot area for single-family attached dwellings to 3,514 square feet; (v) to subdivide the Property as depicted on the preliminary plat of subdivision (the "Preliminary Plat") attached hereto as Exhibit B; and (vi) grant such other relief from the Naperville Municipal Code ("Code") as may be deemed necessary and appropriate to develop the Property consistent with the plans submitted herewith. RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of August, 2020

PETITIONER:

RWC LLC, An Illinois limited liability company.

Hack the

Rosanova & Whitaker, Ltd. Attorney for the Petitioner

### EXHIBIT LIST

- EXHIBIT A LEGAL DESCRIPTION
- EXHIBIT B PRELIMINARY PLAT OF SUBDIVISION
- EXHIBIT C SITE PLAN
- EXHIBIT D PRESERVATION PLAN
- EXHIBIT E TRAFFIC STUDY IMAGES

#### EXHIBIT "A" LEGAL DESCRIPTION

BLOCK 2 IN KROEHLER'S ADDITION TO NAPERVILLE, IN SECTION 18, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 14, 1906 AS DOCUMENT 87553, IN DUPAGE COUNTY, ILLINOIS.

ALSO DESCRIBED AS:

PARCEL 1:

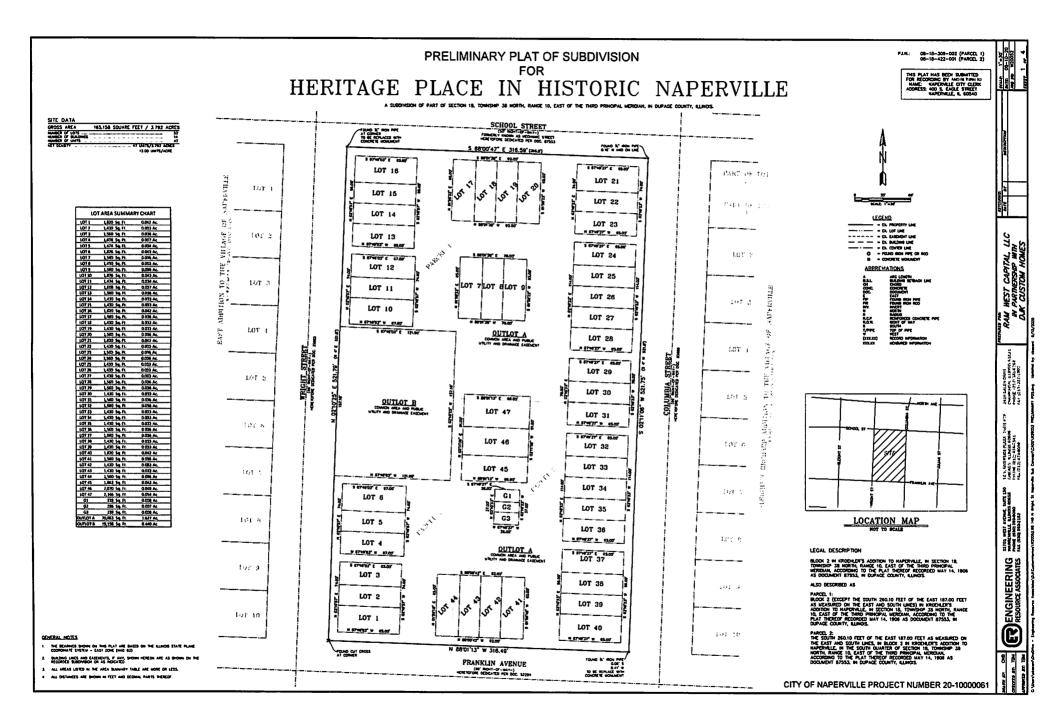
BLOCK 2 (EXCEPT THE SOUTH 260.10 FEET OF THE EAST 187.00 FEET AS MEASURED ON THE EAST AND SOUTH LINES) IN KROEHLER'S ADDITION TO NAPERVILLE, IN SECTION 18, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 14, 1906 AS DOCUMENT 87553, IN DUPAGE COUNTY, ILLINOIS.

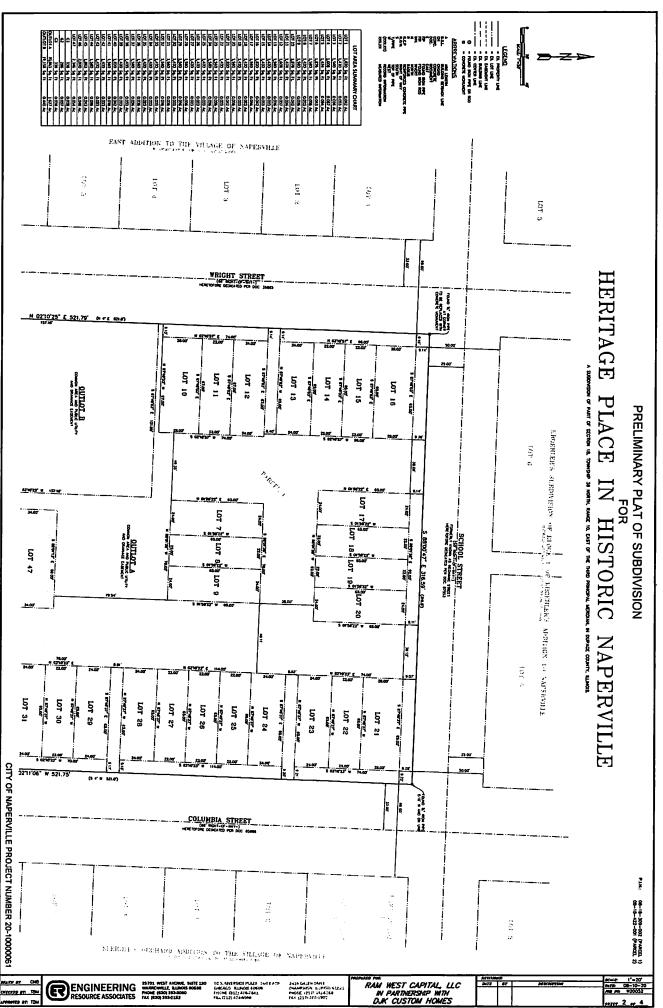
PARCEL 2:

THE SOUTH 260.10 FEET OF THE EAST 187.00 AS MEASURED ON THE EAST AND SOUTH LINES, IN BLOCK 2 IN KROEHLER'S ADDITION TO NAPERVILLE, IN THE SOUTH QUARTER OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 14, 1906 AS DOCUMENT 87553, IN DUPAGE COUNTY, ILLINOIS.

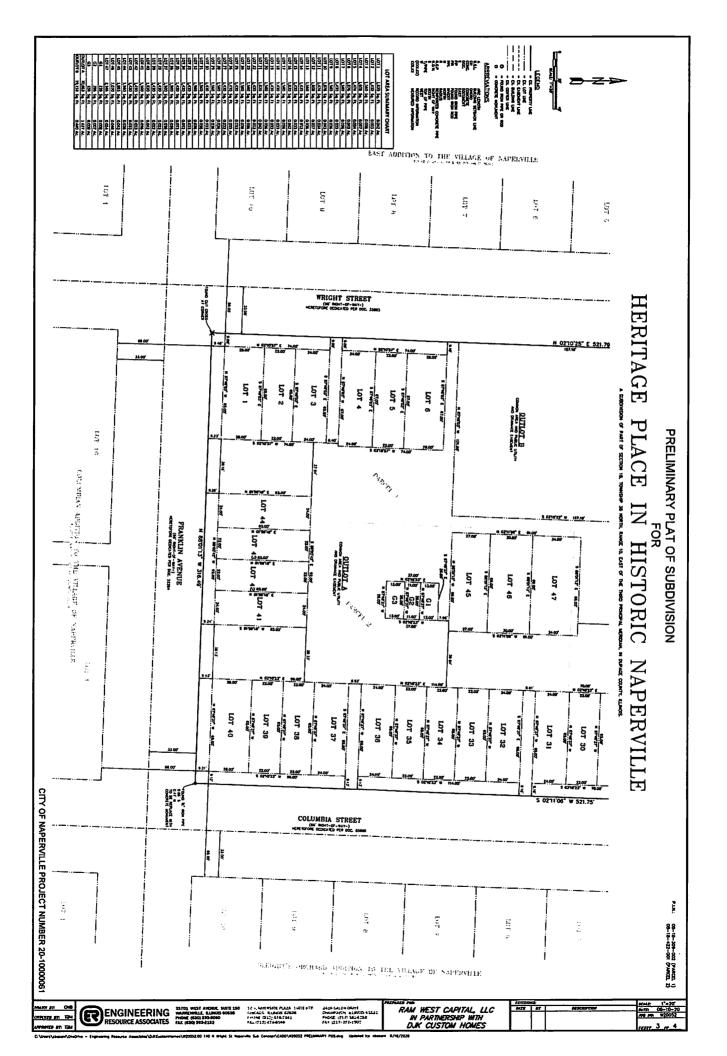
- PARCEL 1: 140 N. WRIGHT ST., NAPERVILLE, IL 60540 08-18-309-002
- PARCEL 2: 126 N. WRIGHT ST., NAPERVILLE, IL 60540 08-18-422-001

EXHIBIT "B" PRELIMINARY PLAT OF SUBDIVISION



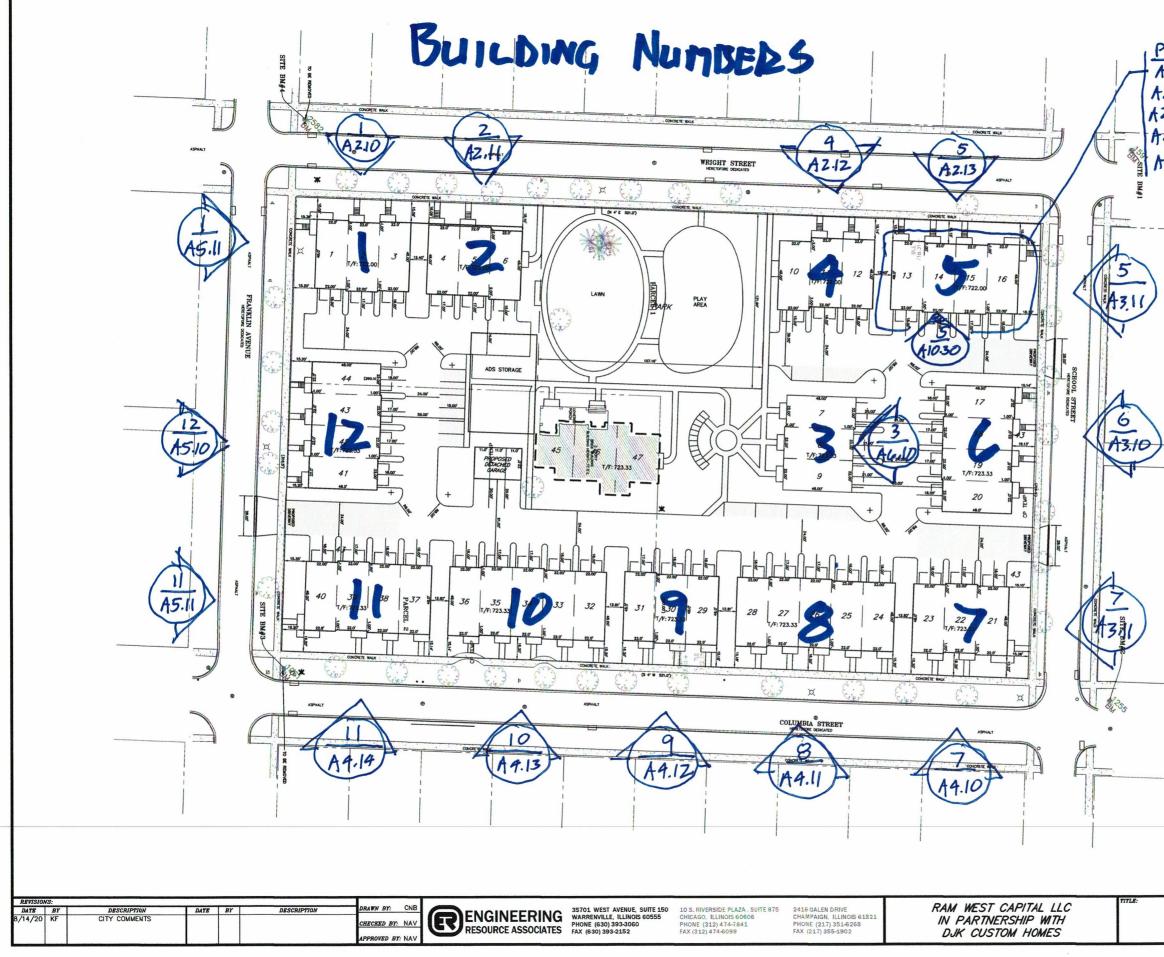


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### EXHIBIT "C" SITE PLAN



NZD PLANS A20.10 BSMt A20.20 1st A20.30 2ND NOTES: 1. ALL INTERNAL SIDEWALKS ARE 4' WIDE. A20.40 300 2. ALL FRONT PORCH PATIOS ARE 11' X 5' 3. ALL D-WAY ISLANDS ARE 4' WIDE 120.50 Raof 4. SEE PRELIMINARY ENGINEERING PLAN FOR

ALL UNDERGROUND UTILITY INFORMATION 5. THERE WILL BE NO SEPARATE STAND ALONE REFUSE AREAS. EACH UNIT WILL HOUSE THE INDIVIDUAL REFUSE AND RECYCLE BINS IN THE GARAGES.

ZONING DATA TABLE			
REQUIRED	PROPOSED		
R2	R2		
25'	15'		
6'	6'		
15'	15'		
	25'		
50'	50'		
4,000 S.F.	3,515 S.F.		
STORIES (40')	3 STORIES (40')		
	REQUIRED R2 25' 6' 15' 25' 50'		

PROJECT AREA: 165,223.34 S.F. (3.793 ACRES)

STORMWATER DATA TABLE		
PROPOSED CONDITIONS:		
BUILDINGS:	47,190	S.F.
PAVED AREAS:	34,897	S.F.
DRIVEWAY: (PERMEABLE PAVERS, NOT INCLUDED)	8,207	S.F.
PORCHES:	2,905	S.F.
WALKS:	4,381	S.F.
WALKS: (PERMEABLE PAVERS, NOT INCLUDED)	930	S.F.
GAZEBO:	625	S.F.
TOTAL PROPOSED IMPERVIOUS AREA:	89,998	S.F.

EXISTING CONDITIONS: 26,366 S.F. BUILDING: 4.341 S.F. CONCRETE: 45,274 S.F. PARKING LOT: PORCH 847 S.F. 601 S.F. PATIO: TOTAL EXISTING IMPERVIOUS AREA: 77,429 S.F.

TO REMAIN: PORCH: 708 S.F. 2,808 S.F. MANSION: IMPERVIOUS AREA CONSTRUCTED AFTER 1992: 4,561 S.F.

CREDIT FOR EXISTING CONDITIONS TO BE REMOVED: 69,352 S.F.

NET NEW IMPERVIOUS AREA: 89,998 S.F.-69,352 S.F.=20,646 S.F.

SINCE 20,646 S.F.< 25,000 S.F., NO STORMWATER DETENTION IS REQUIRED.

VCBMP REQUIREMENTS:

NEW IMPERVIOUS CONSTRUCTED AFTER APRIL 23, 2013 = 89,998 S.F. VOL. REQ. = 89,998 S.F. x 1.25in = 9,375 C.F. 12 in./FT.

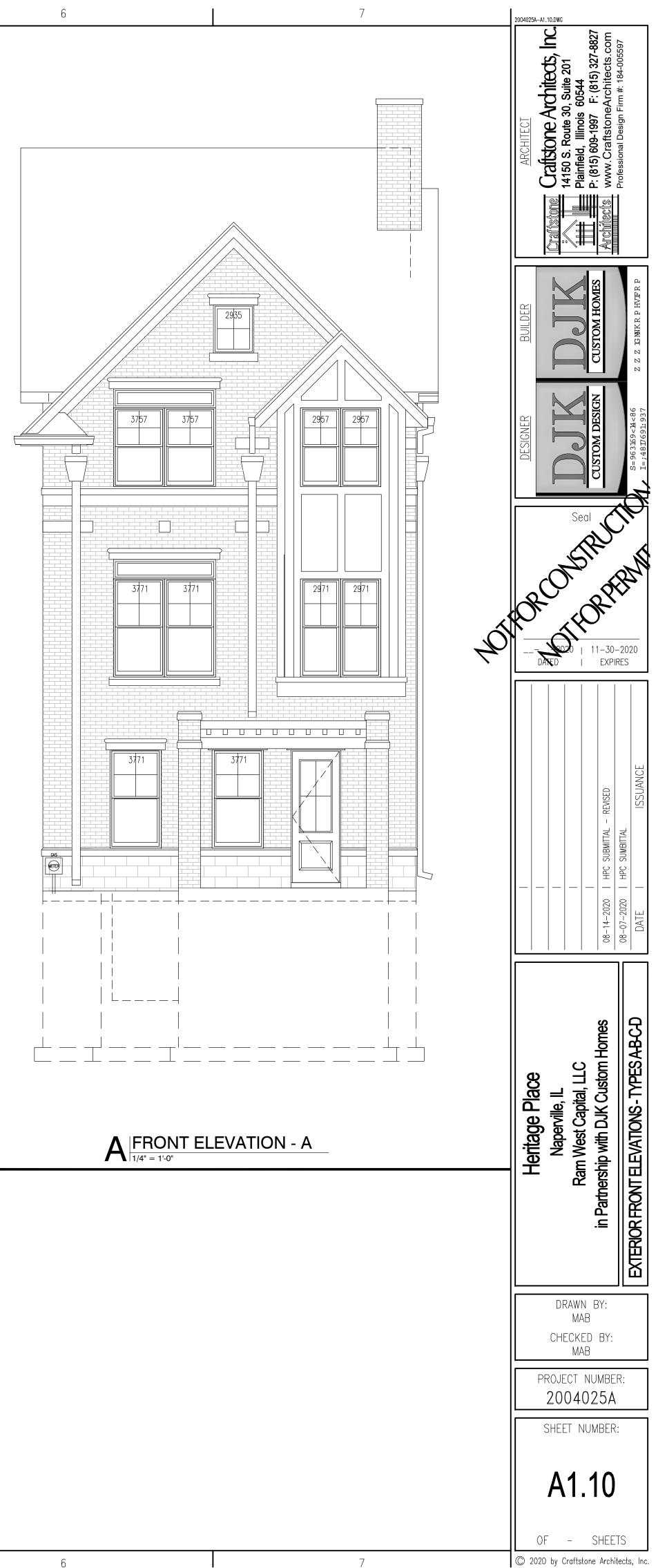
ADDITIONAL 2,160 CF OF STORAGE REQUIRED TO COMPENSATE EXISTING DETENTION ON SITE; WOODS AND ASSOCIATES 1984

(ASSUMING 36% VOID RATIO FOR STONE)

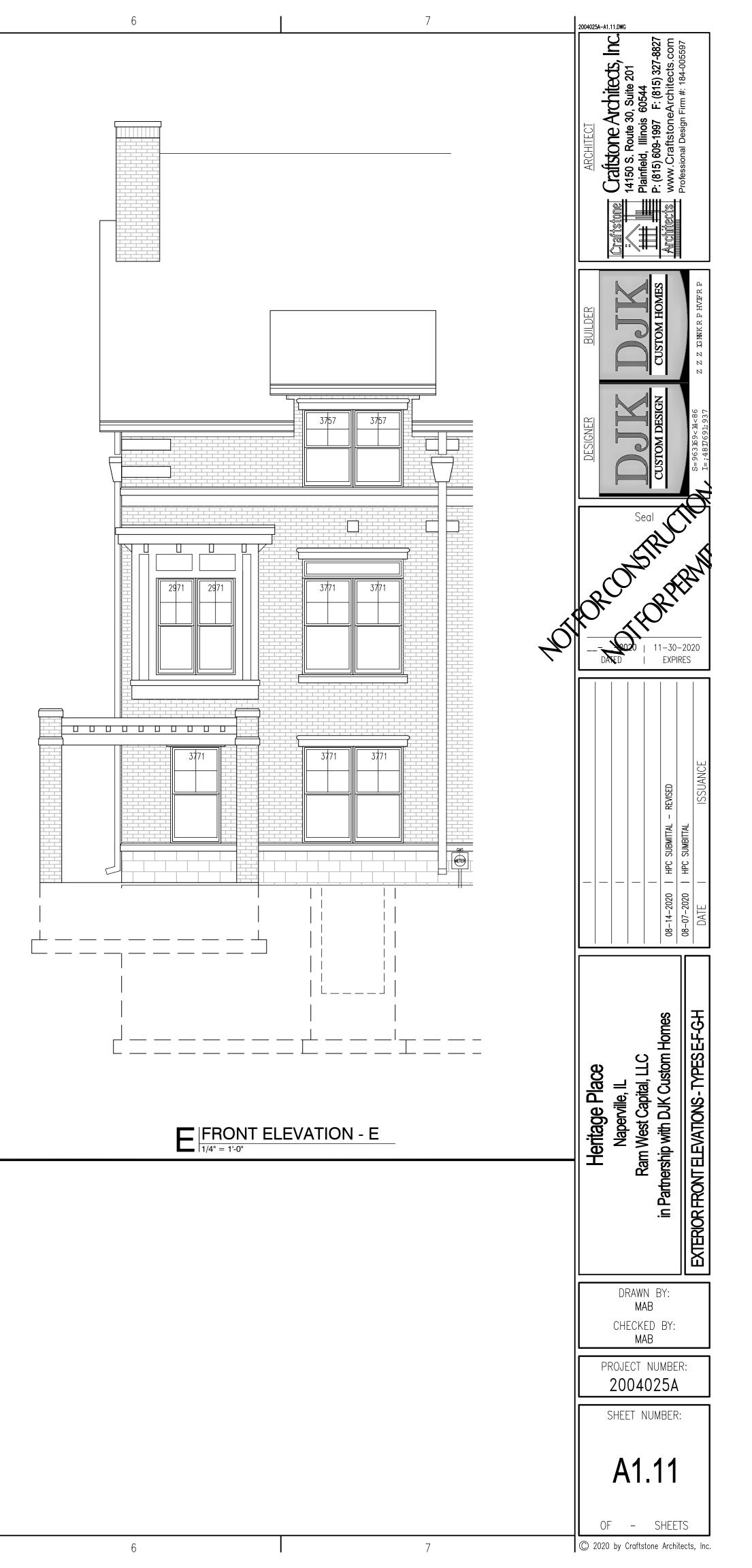
BMP VOLUME PROVIDED: (ADS STORAGE) CHAMBERS PROVIDED: 63 END CAPS PROVIDED: 14 STONE: 12" ABOVE, 9" BELOW, 6" SPACING, 6" PERIMETER APPROXIMATE VOLUME= 11,655 C.F. APPROXIMATE DIMENSIONS= 69' LONG, 46' WIDE, 5.5' HEIGHT

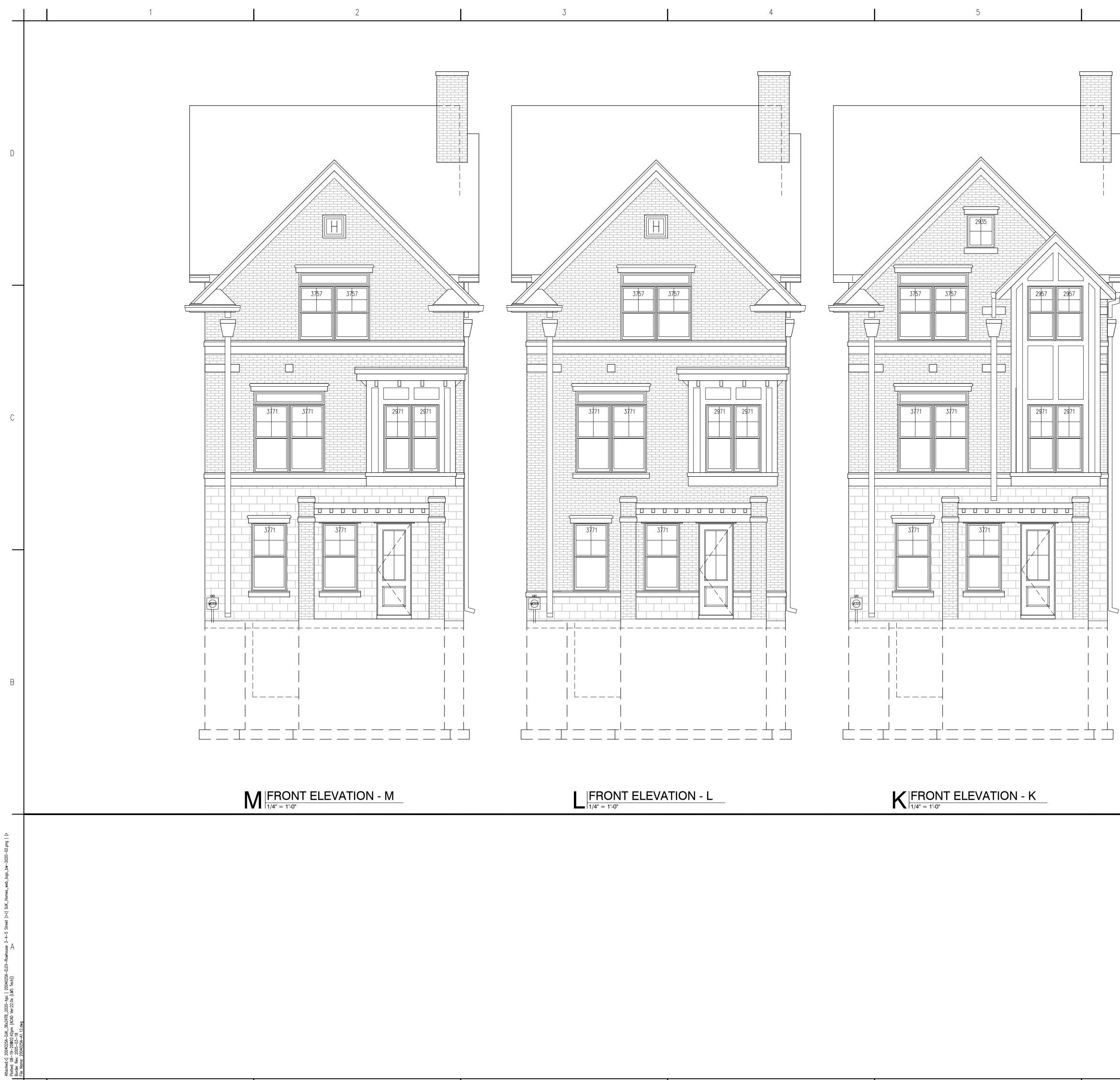
	PROFESSIONAL DESIGN FIR	M NUMBER:	184.001186
E:	GEOMETRY PLAN HERITAGE PLACE NAPERVILLE, ILLINOIS	SCALE: DATE: JOB NO.	1"=30' 07/29/2020













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Attached:<  2004025A-DJK_36x24TB_2020-hpc   2004025A-ELEV-Rowhouse 3-4-5 Street  ><  DJK_Homes_web_logo_bw-2020-02.png    > Potted: 08-19-20@02:43pm (ACAD Ver:22.0s (LMS Tech)) Border Rev: 2005-03-18 File Name: 2005-04.13.dwa						
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 $\odot$  2020 by Craftstone Architects, Inc.

















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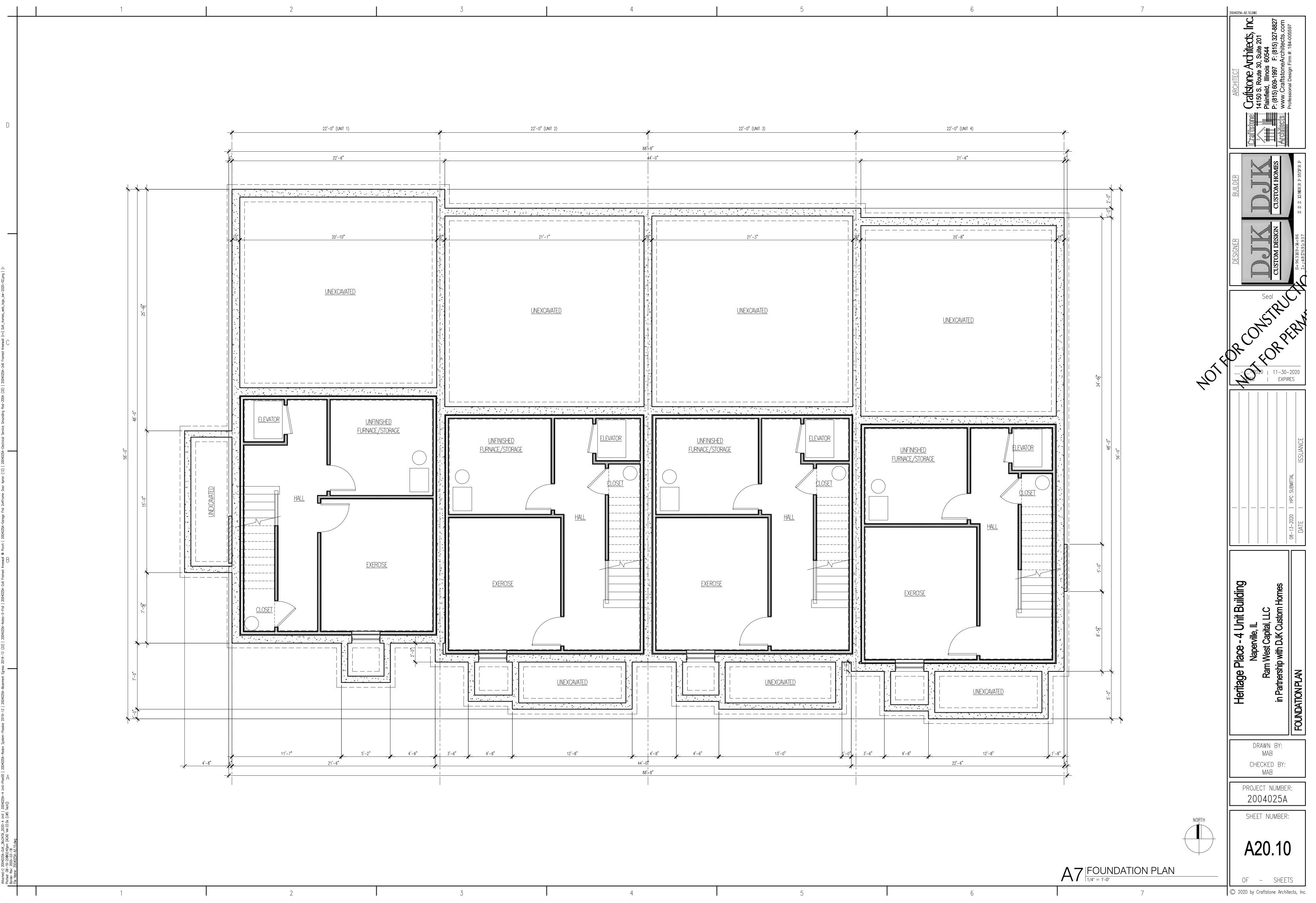


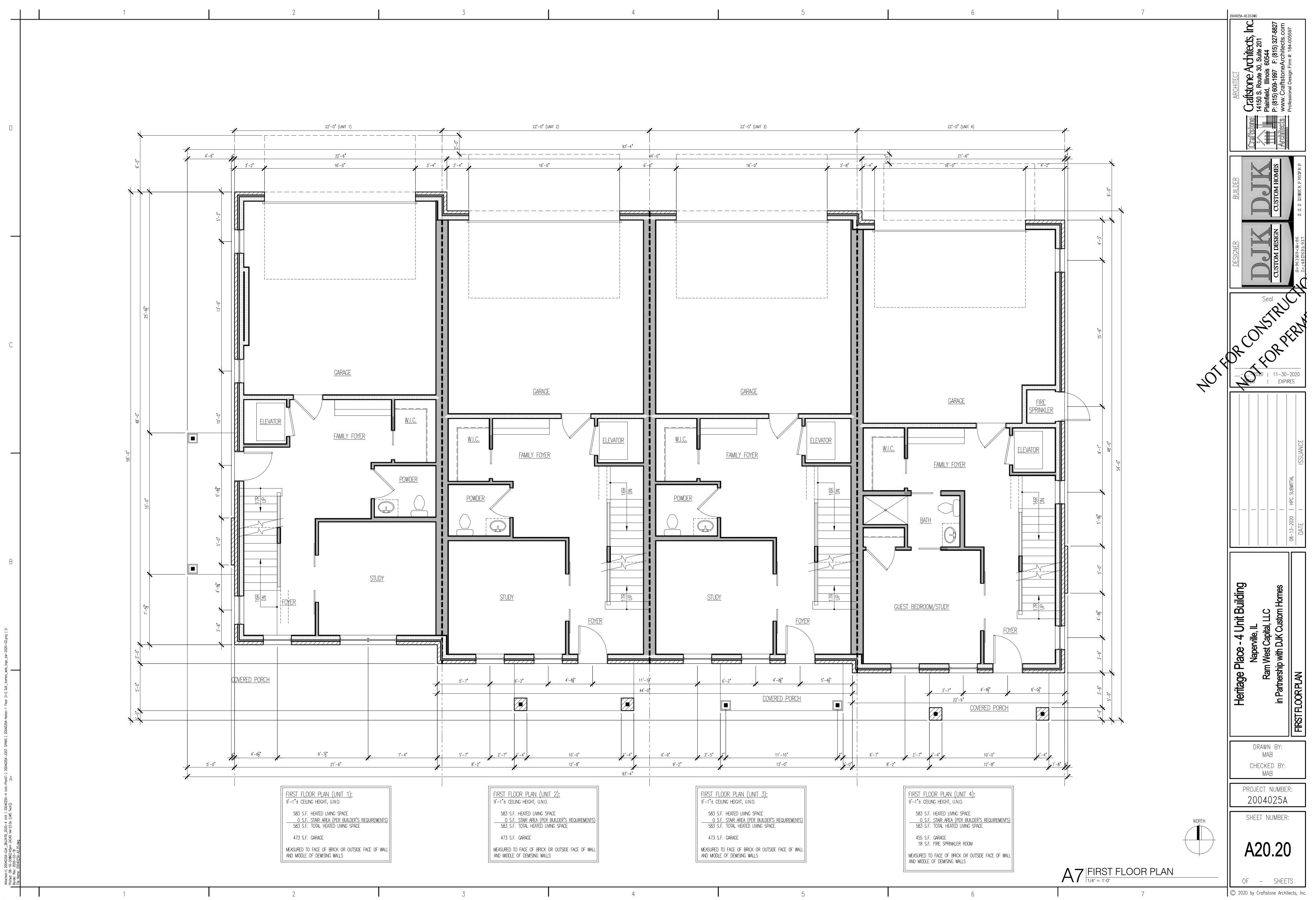


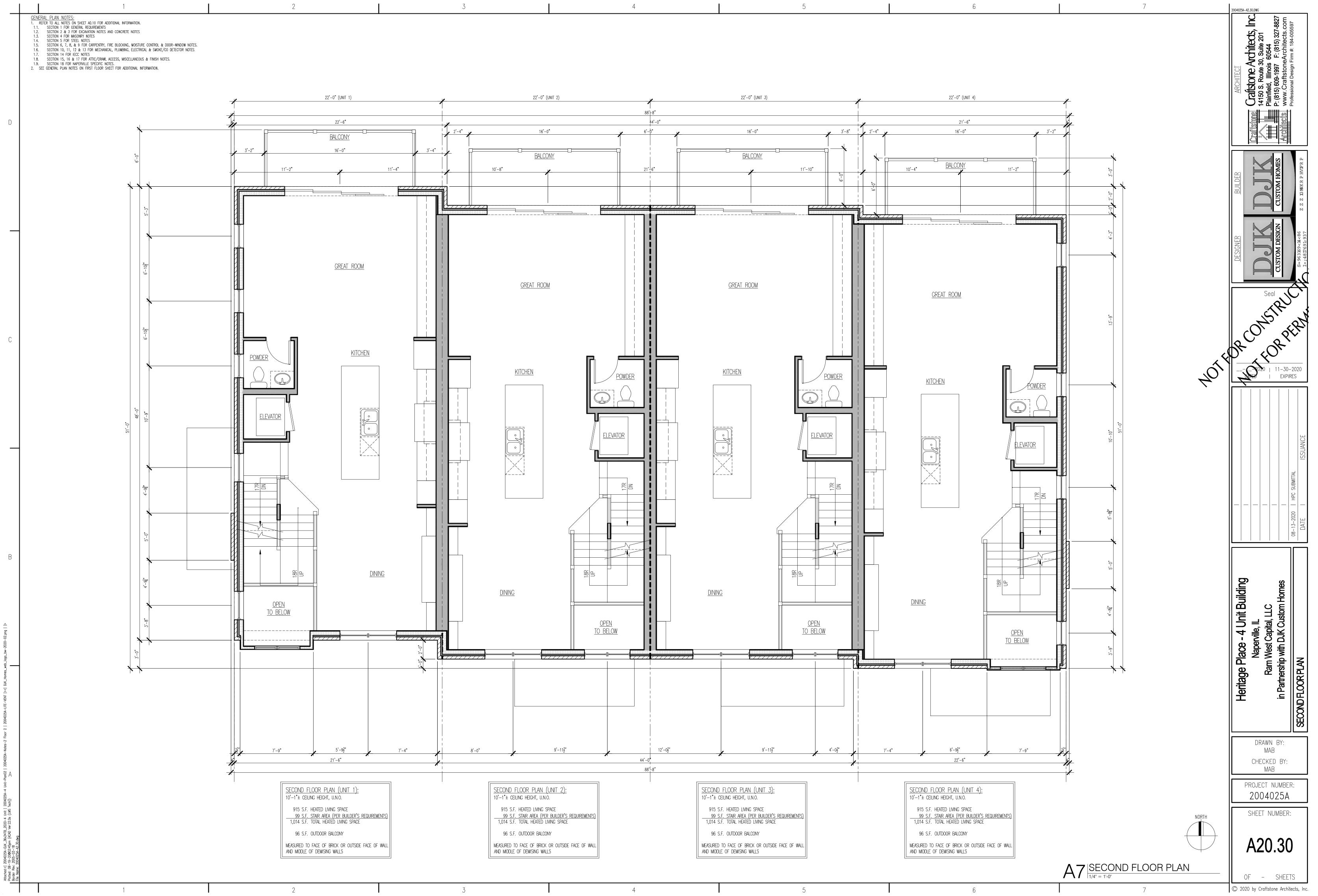




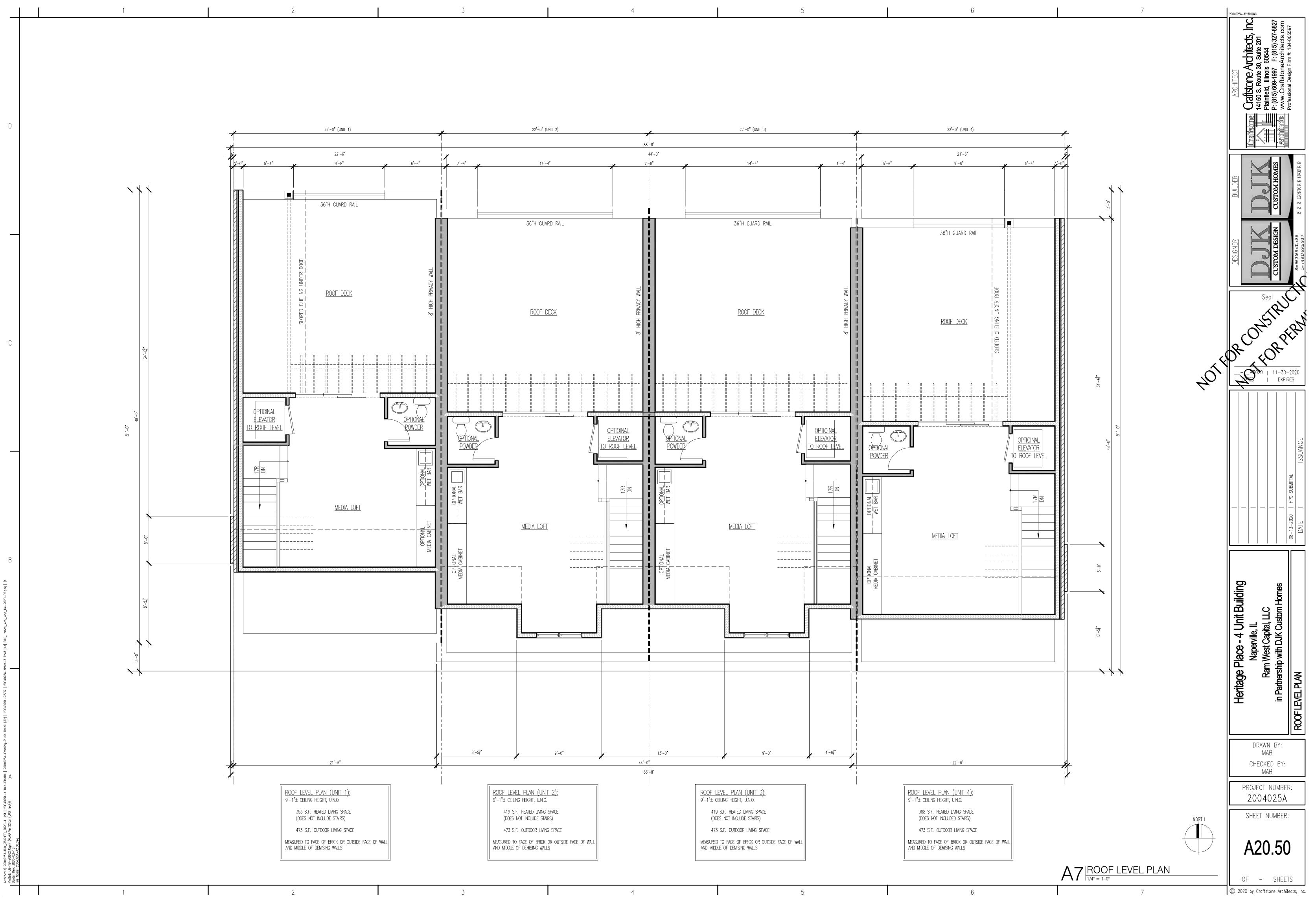












#### EXHIBIT "D" PRESERVATION PLAN



# Kroehler Mansion Preservation Scope





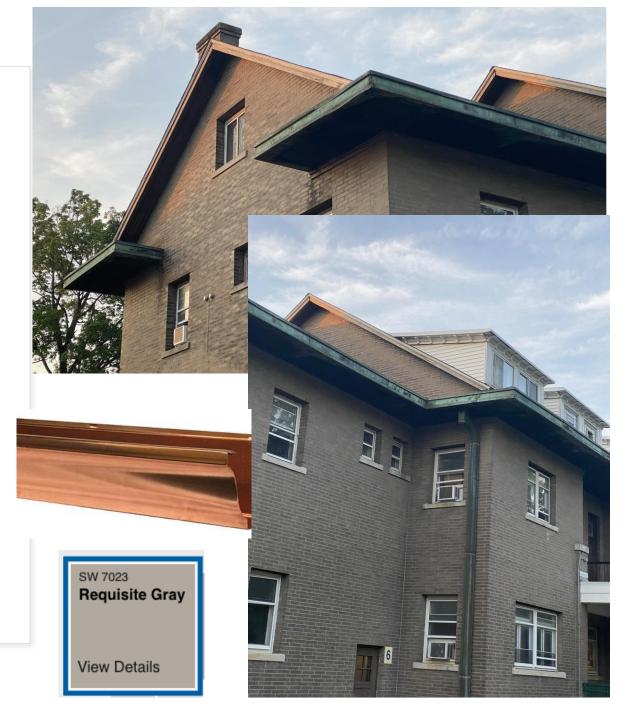
# North Side Entry

- Detach existing structure from the north side and place an entryway on the North side to replicate the original entryway as seen in the photo.
- Hip Roof structure with shingled roof to match
- Square painted wood columns (Painted Extra White SW 7006)
- Wood painted stair system with railings to match the railings on front of mansion at porch
- Add entry door and windows as located in original photo
- Entry door to match the main front entry door



# Eave and Gutter System

- Remove eave decorative covering and replace as follows
- Reframe areas where soffits are dipping
- New Copper Fascia and eave trim
- New soffit under to be painted to color tone to building trim color SW 7023 Requisite Gray
- Restore gutters by polishing the original copper



# Front Porch Main Floor

- Remove existing unilock retaining wall blocks from under the porch surface
- Frame in area where unilock blocks will be removed
- Build wood lattice system to match profile of the wood railings under porch surface to ground. Paint Extra White SW 7006
- Remove existing stairs and metal railing system and replace with a wood painted stair system in same location and railing system in same design detail as the railing system existing today (green rails). New rail color would be Extra White SW 7006



# Front Porch Upper section

• Extend the brick columns that exist up above the roof of the porch to approx. 40" above roof surface and place limestone caps as in original photo. On far left column against brick wall you can see original column height and cap.

• Place limestone decorative pots on top of limestone caps to replace existing lions (not original)

• Add wood painted railing system in same design detail as the railing system existing today (green rails) but they will be painted white SW 7006 Extra White

• All existing railings on top of porch will be removed



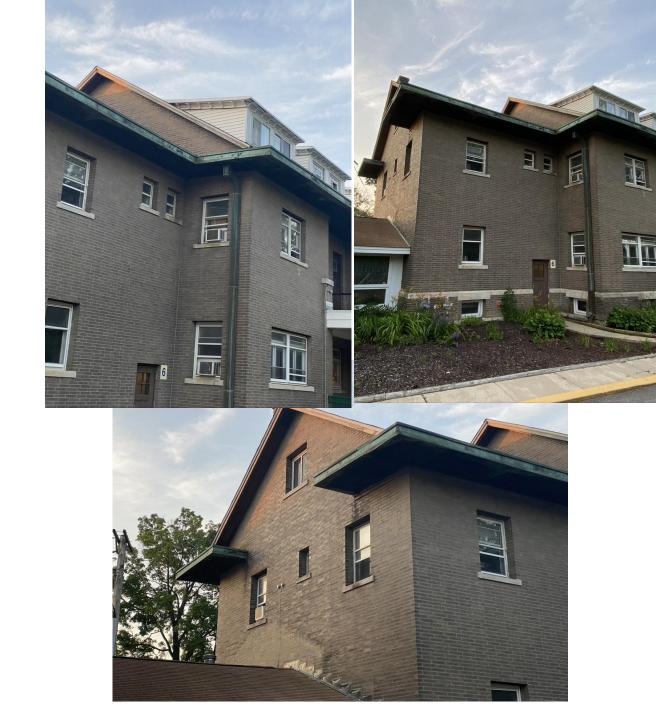
#### Dormers

- Remove existing siding and replace with new cedar siding using 4" exposer and lap profile
- Siding will be painted in a deeper color called Requisite Gray SW 7023 as depicted in the original photo
- Trim around the windows with 4" smooth cedar trim painted Extra White SW 7006
- Windows on dormers to be replaced with white framed windows in double casement style as depicted in the original photo
- Dentil molding at perimeter of soffits to be stripped and repainted
- Trim Color: Requisite Gray SW 7023
- Soffit color: Extra White SW 7006



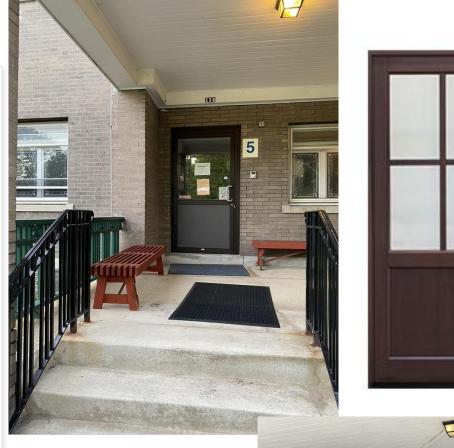
### Brick exterior

- Power wash entire exterior of the brick and limestone and spot tuckpoint mortar as needed then seal the brick and limestone with a non color changing sealer
- Color tone brick in areas where may need patching and old areas that currently do not match by use of Nawkaw Architectural color design match technology staining



# **Exterior Entry Doors**

- Remove existing Storm door system
- Replace existing Main entry door to be similar to the door provided in the photo
- Add new entry door at secondary porch entrance to match the main entry door
- Entry door color: Mahogany





# Exterior Entry Doors

- Remove existing entry door to the North East side of mansion and replace with a smaller version of the main entry door very similar in design to the original
- Entry door color: Mahogany



# Windows

- Remove existing windows and replace with Pella Lifestyle Series windows with window profiles to be similar to the original window units
- Save existing leaded glass window panels and reuse the leaded glass panels on the front elevation mounted on interior of new window units as interior shutters which will allow the view of these decorative leaded glass units from the exterior
- Exterior window color to be white as it appears was original color



# Roof

- Remove existing shingles
- Replace shingles with new shingles that would be Architectural grade Certainteed
- Original shingles appear to be red / orange clay tiles
- Shingle color: Certainteed Weathered Wood



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EXHIBIT "E" TRAFFIC STUDY



Figure 2 - View of Morning Drop-Off Stacking from Krejci Academy/Mansion HS Entrance back onto





Figure 4 - View of Krejci Academy/Mansion HS Morning Drop-Off Stacking on Southbound Wright St at