

## Kopinski, Sara

---

**From:** Leonard Monson <len@kuhnheap.com>  
**Sent:** Wednesday, April 14, 2021 6:06 PM  
**To:** Kopinski, Sara; Laff, Allison  
**Cc:** Anees Rahman  
**Subject:** Islamic 248th Ave.  
**Attachments:** Concept Sketch - Parking Lot Revisions (1).pdf

**CAUTION:** This e-mail originated outside of the City of Naperville (@naperville.il.us).

**DO NOT** click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.

Sara:

Pursuant to our conversation, please find attached the proposed plan revision we request you share with the PZC and the public (along with the phasing/parking/capacity exhibit already forwarded). As discussed, our neighbors raised two points of concern that we felt could be quickly addressed and greatly benefit our neighbors by making two small, but important changes to the initial plans.

The first change is procedural in nature. The Park District / City bike path crossing at 248<sup>th</sup> Avenue, located to the north of our property, raised great concern with the neighbors. While the crosswalk is not part of the subject property, and we anticipate adding little or no pedestrian traffic to the path, my clients did recognize an opportunity to assist with increasing safety at this crosswalk.

As you may recall, we have already agreed to provide traffic control personnel at our entrances during our peak Friday afternoon service (just as we currently do at the Ogden facility). In addition to the traffic control personnel, we will now also add a crossing guard at the cross walk during the peak Friday afternoon service. This would substantially increase the safety of this crosswalk area, pending the City and Park District addressing it at the time of the roadway improvement.

Secondly, our neighbors located on the south property line were very concerned about the location of parking near their property line. While our initial setback plans on the south lot line are fully compliant with City Code and Regulations, we saw an opportunity to increase the buffering on the south lot line, in excess of what is required, by relocating 53 spaces off of the south property line and expanding the buffer with our neighbors to the south, as shown on the attached Concept Sketch.

By making this change, we increased the green buffer with our neighbors to the south from 10 feet to approximately 28 feet. Also, whereas in the original plan, cars would be parked within 10 feet of the south property line, with this Concept Plan, cars would now be parked no closer than 54 feet to the property line. A significant increase in buffer area.

As you know, we originally offered to install a 3.5 foot berm, with the 6 foot fence on top, in this new green buffer area. However, as the City pointed out the 9.5 foot berm/fence height is not allowed under City Code.

Lastly, there is one, very important, procedural distinction I want to point out regarding this proposed Concept Sketch. My clients agree to the adding of the crossing guard and relocation of the parking / expansion of the buffer area as shown above. However, procedurally, I would think this would have to be proposed as a condition of approval by the PZC, as opposed to a formal resubmittal of plans, which could trigger a complete "re-start" of this Petition Process, which I am confident no one would appreciate nor benefit from.

Feel free to contact me with any questions, or, if I can be of further assistance.



**Len Monson**

Attorney at Law

Kuhn, Heap and Monson.

552 S. Washington St., Suite 100

Naperville, IL 60540

**Phone:** 630-420-8228 ext. 6

**Web:** [www.kuhnheap.com](http://www.kuhnheap.com)

Estate Planning • Real Estate • Corporations and LLCs  
Probate and Trust Administration • Criminal Defense

**BEWARE OF CYBER-FRAUD:** OUR OFFICE WILL NEVER EMAIL YOU WIRE INSTRUCTIONS, NOR CHANGE WIRE INSTRUCTIONS YOU ALREADY RECEIVED. Before wiring any funds, call the intended recipient at a number you know is valid (not the phone number contained in the communication) to confirm the instructions.

**EMAIL FRAUD:** Law firms are a target for email fraud. Before clicking on a link or responding to an email from us, be sure the sender is a valid “@kuhnheap.com” email address. If you have any concerns, please call us before opening or responding to a questionable email.

**NONBINDING NATURE OF TRANSMISSION:** Nothing in this email message or any attachment hereto constitutes a binding offer, acceptance, agreement or legal commitment on behalf of any client represented by Kuhn, Heap & Monson.

**CONFIDENTIALITY NOTICE:** The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender, delete the material from any computer and destroy all copies.