



**NAPERVILLE PLAN COMMISSION  
COUNCIL CHAMBERS – MUNICIPAL CENTER  
FINAL AGENDA  
04/08/2010 - 7:00 PM**

**CALL TO ORDER:**

**A. Roll Call**

**B. Approve Minutes**

1. Approve the Minutes of the March 17, 2010 Plan Commission Meeting.

**C. Old Business**

**D. Public Hearings**

1. PC Case # 10-1-006 Knox Presbyterian Church  
Petitioner: Knox Presbyterian Church, 1105 Catalpa Lane, Naperville, IL 60540  
Location: 1105 Catalpa Lane, Naperville, IL 60540

Request: The petitioner requests approval of a Planned Unit Development (PUD) and a major change to the existing conditional use for a religious institution in order to create a church campus, which includes the property located at 220 W. Gartner Road.

Official Notice: Published in the Naperville Sun on March 18, 2010

2. PC Case # 10-1-011 Medical or Dental Clinic/Offices Text Amendment  
Petitioner: City of Naperville 400 S. Eagle Street Naperville, Illinois 60540

Request: Approve a text amendment to Title 6 (Zoning Regulations) of the Municipal Code pertaining to medical or dental clinics/offices.

Official Notice: Published in the Naperville Sun March 18,19 and 21, 2010

**AGENDA**  
**NAPERVILLE PLAN COMMISSION**  
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3. PC Case # 10-1-014 NCC Master Land Use Plan and Text Amendment  
Petitioner: North Central College, 30 N. Brainard Street, Naperville, IL 60540  
Location: North Central College Campus

Request: The petitioner requests that the Plan Commission initiate a text amendment to Section 6-7G (College/University District) of the Naperville Municipal Code to reflect the proposed updates in the North Central College Master Land Use Plan 2010-2020.

Official Notice: Published in the Naperville Sun March 17, 18 and 19, 2010

4. PC Case # 10-1-024 Keystone Parking Deck  
Petitioner: Keystone Property Group, LLC  
Location: 1751 W. Diehl Road

Request: The petitioner requests approval of a preliminary/final plat of subdivision and a variance to Section 6-2-14 (Major Arterial Setback) to accommodate construction of a one-story parking deck.

Official Notice: Published in the Naperville Sun, Tuesday, March 23, 2010

5. PC Case # 10-1-029 United Martial Arts  
Petitioner: Inland Commercial Property Management, Inc.  
Location: 1290 Chicago Avenue, Naperville, IL

Request: Petitioner requests approval of a Conditional Use to expand the existing business to adjacent space.

Official Notice: Published in the Naperville Sun, March 15, 2010

- E. Reports and Recommendations**
- F. Correspondence**
- G. New Business**
- H. Adjournment**

**AGENDA**  
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**Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Accessibility Coordinator at least 48 hours in advance of the scheduled meeting. The Accessibility Coordinator can be reached in person at 1350 Aurora Avenue, Naperville, IL., via telephone at 630-420-6725 or 630-305-5205 (TDD) or via e-mail at [manningm@naperville.il.us](mailto:manningm@naperville.il.us). Every effort will be made to allow for meeting participation.**









**NAPERVILLE PLAN COMMISSION  
MINUTES OF MARCH 17, 2010**

**Call to Order**

**7:03pm**

**A. Roll Call**

Present: Chairman Brown, Edmonds, Herzog, Messer, Meyer, Meschino, Trowbridge  
Absent: Gustin  
Student Members: Stancey, Stimple  
Staff Present: Planning Team – Laff, Thorsen, Emery, Fancier  
Engineer – Louden

**B. Minutes**

Approve the minutes of March 3, 2010

Motion by: Meyer  
Second by: Messer

Approved  
(8 to 0)

**C. Old Business**

None

**D. Public Hearings**

**D2. PC # 10-1-021  
Plank Road Study**

The City of Naperville is conducting the Plank Road Study to evaluate future land use of unincorporated properties along Plank Road pursuant to City Council direction received in 2007-08 relative to the East Sector Plan and the Planning Services Team FY 09-10 Work Program.

Amy Emery, Planning Services Team, gave an overview of the Plank Road Study

- Plank Road Study is an update to the East Sector Master Plan
- Plan only studies unincorporated properties within the city’s planning boundary
- Implementation of the future land plan occurs upon request for annexation

**Public Testimony:**

Robert Gordon, 23W351 Plank Road: concerns about density and tree preservation in Sub-Area 4.

Fred Thulin, 1120 Greensfield Drive: concerns about flooding and traffic in Sub-Areas 1 and 2 as a result of future development.

Zenat Vakili, 25W225 Plank Road: spoke regarding the Naperville/Lisle planning boundary and utility access. Supports the Rural Estate land use designation in Sub-Areas 5 and 6.

John T. Gorey, 5S440 Tuthill: concerns about commercial in Sub-Area 3, connections between commercial and residential on Burlington Avenue, and access to Naper Boulevard.

Kevin Madden, 1411 Larsen Lane: concerns about safety at Plank Road and Tuthill Drive intersection.

Ken Struchil, 5S278 Tuthill: concerns about stormwater and flooding impact from Days Inn, density of residential in vicinity of Plank Road and Naper Boulevard, and traffic safety.

Jordan Macarus, 25W375 Plank Road: concerns about recent tree removal and future development in vicinity of Plank Road and Naper Boulevard.

David Ritchie, 523 Springhill Circle: concerns about expansion of Ogden Avenue commercial uses to Plank Road.

Brian Barger, 680 Milton Drive: concurs with land use recommendations in Sub-Areas 1 and 2, but has concerns about stormwater and traffic.

**Plan Commission Discussion:**

In General:

- Clarified that the plan is a guide for future development and that stormwater management is addressed through development review.
- Discussion of traffic volumes along Plank Road. Staff clarified that there is not a future planning document for widening of Plank Road to provide additional through travel lanes.

Sub-Area 1

- Concerns about traffic impact of future development and relation to Master Thoroughfare Plan.
- Discussed bicycle accommodations along Plank Road.
- Question of how preservation/mitigation of trees will be approached for new development.
- Clarification of conservation design approach and contents of spotlight page (p. 18).
- General support for Low-Density Residential.
- Suggestion that the conservation design illustration be reviewed for feasibility or removed (p. 18).
- Suggestion to eliminate language regarding wooded views from Seager

Park and review language pertaining to trees on Plank Road (p.17).

Sub-Area 2

- Clarification about area currently owned for city utilities and planned use of site for stormwater management.

Sub-Area 3

- Clarification of future land use designation Residential, Office and Limited Commercial (ROLC), comparison to Transitional Use District, and what intensity of residential is intended.
- Clarification about future extension of unimproved Burlington Avenue which appears as right-of-way in the plan maps.
- Concerns about traffic as it relates to potential commercial development and examples of areas in Naperville where similar development has occurred.
- Discussion about limited commercial as defined, particularly with respect to duplication of uses currently on Ogden Avenue and potential location of such uses at Plank Road and Naper Boulevard.
- Concerns about nature of transition in ROLC to nearby single-family residences.
- Discussion about office or commercial use at intersection of Plank Road and Naper Boulevard versus feasibility of residential.
- Suggestion to eliminate “limited commercial” in the ROLC area.
- Suggestion to retain “limited commercial” in ROLC area.

Sub-Area 4

- Clarification of ROLC recommendation at northeast corner of Sub-Area 4.
- Clarification about mention of quality tree specimens (p. 22).
- Suggestion to eliminate “limited commercial” in the ROLC area.
- Suggestion to consider Low-Density Residential for properties closest to Larsen Lane, east of Tuthill Road.
- Suggestion to modify ROLC area to Medium-Density Residential, and to modify Medium-Density Residential west of Naper Boulevard to Low-Density Residential.
- Suggestion to evaluate Rural Estate Residential for properties west of Naper Boulevard east of Tuthill Road.
- Suggestion to maintain Medium-Density Residential along Naper Boulevard as a transition.
- Suggestion to reference tree preservation consistently throughout the document or remove it if it is addressed elsewhere.

Sub-Areas 5 & 6

- Clarification about flag lots relative to access for emergency vehicles, clustering of driveways, and past City Council policy.

Plan Commission continued the public hearing to April 21, 2010.

**D1. PC # 09-1-191  
Park's Edge  
Subdivision**

Annexation; rezoning to R2; a conditional use for a planned unit development; preliminary PUD plat; preliminary subdivision plat; a variance from Section 6-6C-7 (R2, Yard Requirements); and deviations from Section 7-4-2 (Streets) for right-of-way and pavement width

Rory Fancier, Planning Services Team, gave an overview of the request

Russ Whitaker, Rosanova & Whitaker Ltd., 23 W. Jefferson, Suite 200 Naperville, Illinois 60540, attorney on behalf of the petitioner

- Summarized presentation from February 4, 2010.
- Key concerns of the Plan Commission were tree preservation and compliance with PUD standards.
- The site provides approximately 55% open space per the requirements of the Municipal Code.
- Age-restriction covenants are not preferred for the property. Single-story concepts were evaluated.
- Petitioner will commit to LEED certification and will market additional enhancements that increase rating for individual homes.
- A variance for front-yard setback and reduction in pavement width is requested in order to provide continuous sidewalk.
- Additional setback is provided from the Anderson property.

Ed Siefert, Intech Consultants, 5413 Walnut Avenue, Downers Grove Illinois, engineer on behalf of the petitioner

- Developer would prefer to save trees due to value that mature trees add to the property and aesthetic enhancements.
- Challenge associated with tree preservation on the subject property is the topography of the site.
- Trees located in the proposed roadway area, building footprints and detention system cannot be preserved. Many trees elsewhere on the site cannot be saved due to grading requirements for the roadways, driveways and site slope.
- Some trees on the perimeter of the site in rear yards can be preserved, although installation of utilities also results in some removal.

Fred Conforti, EPEIUS, Inc., 676 North LaSalle St., Suite 526, Chicago, IL 60654, on his behalf

- LEED encourages infill development located near transit and discourages suburban sprawl.
- Overview of construction methodologies and benefits of green homes.

**Public Testimony:**

Georgia Peceniak, 1121 Needham Road: concerns about stormwater in Springhill Subdivision attributable to new development and does not support

variations and deviations.

Marion Baran, 1101 Tennyson Lane: biologist who spoke regarding climate change and the value of trees. Concerns about density, lack of tree preservation, environmental impacts, improper right-of-way, loss of wetland, lack of open space, lack of assurance that homes will be green.

Kathy Benson, 51 Forest: concerns about street width and accommodations for guest parking on “dogleg” circles. Question of whether the type of development is appropriate.

LeAnn Jones, 1113 Needham Road: concerns about discrepancy of site and tree preservation plans.

John Pinner, 677 Milton Drive: concern for appropriateness of development within density guidelines for the area.

Pete Adamovich, 1021 N. Charles Street: concerns about density and setback from Seager Park.

Jane Pickens, 832 Biltmore Court: spoke on behalf of Columbia Estates subdivision. Mixed opinions about development of the property within the neighborhood but there is a shared concern about the density of the proposal. Architect should be held to specifications for LEED certification.

Janet Tannenbaum, 1149 Brighton Road: spoke on behalf of Yorkshire Manor subdivision. Opposed to R2 zoning and has concerns about density.

Paul Weinewuth, 1307 Kallien Court: does not believe that Park’s Edge will negatively impact Seager Park and referenced tax revenues.

Bruce Anderson, 1107 Plank Road: discussed possibility for additional development to the east and additional traffic on proposed Leona Mae Court.

Karen Weinewuth, 1307 Kallien Court: supports the proposal.

Annissa Olley, 101 Springwood: concern about reduction in right-of-way and reduced pavement width and potential impacts in the future.

Doug Huston, 1108 Brighton Road: loves Seager Park and values the view.

H.R. Hoffmann, 1210 Lawn Meadow Lane: concern about fill dirt that will be necessary on the site to meet grading requirements, and future impacts of settling relative to roadway and building foundation quality.

Maggie Hartigan, 5S624 Tuthill Road: does not support the development due to density and flooding.

Joe Lampke, 676 N. LaSalle Street Chicago, Illinois, architect and city planner: referenced document by American Planning Association (APA) supporting Smart Growth (i.e., reduced right-of-way, more intensive development near transit and transportation access points, diverse housing stock, and increased density).

Anthony Giannini, 1345 Tally Ho Drive, Addison IL: developer has high standards and will follow through on high standards.

Gary Postiglione, 833 Biltmore Court: discussed Smart Growth and emphasis on preservation of environmentally sensitive lands. Concerns about visibility of homes from within Seager Park and impact on experience of park user.

Edie Postiglione, 833 Biltmore Court: LEED certification is a low level and one day will be standard.

Petitioner responded to testimony:

- Density relates to people, cars and massing of buildings. Massing is similar to Columbia Estates. Duplex units tend to have lower density due to the age of the population who will occupy the units. Traffic generation of duplexes is lower than single-family.
- The standard of Low-Density Residential is unfair in light of existing density of Springhill Subdivision.
- Approximately 45 new trees will be provided.
- Higher level of amenity in the PUD justifies leeway from strictures of the Zoning Ordinance.
- Reduced right-of-way is appropriate. Development to the west will require a second point of access.
- Development of the property will result in stormwater improvements.
- Due to costs required to develop the property, a reduction of two units will make it infeasible.

Plan Commission inquired about

- Pavement width
- Placement of the roadway to reduce tree loss
- Written agreement from adjacent property owner to allow installation of public improvements on his property
- Ability of petitioner to achieve LEED for New Homes and lack of documentation submitted to date
- Requested plans and studies that have not been provided
- Open space calculations and landscape plan
- Replacement of trees removed due to development
- Willingness of property owner to submit a plan with 47 points that will be achieved in pursuit of LEED certification

Plan Commission closed the public hearing.

**Plan Commission Discussion:**

- Meschino expressed support for LEED certification but stated that the site is inappropriate for the development that is proposed.
- Messer expressed concern relative to criteria for rezoning; consistency with the future land use plan; feasibility of alternate design; compliance with purpose and intent of PUD relative to natural features and environmental resources; compatibility with adjacent property and neighborhood character; absence of requested documentation.
- Meyer expressed concern about R2 zoning based upon recommendation of staff and Plank Road Study relative to density, as well as absence of requested documentation and the request to reduce roadway and right-of-way. Support for LEED certification was noted.
- Sterlin expressed comfort with the proposal.
- Herzog stated that homes are attractive and supports rights of new property owners to access views of Seager Park. Expressed support for LEED certification as an asset to the city and comfort relative to density, engineering and tree preservation.
- Edmonds dismissed concerns related to density and expressed comfort with the petitioner's approach to tree preservation, noting that the outcome for tree preservation would be the same regardless of single-family versus duplex units. Concern was expressed about reduced pavement width.
- Brown commented on density and the relative impact of duplexes to the community as well as the density of surrounding neighborhoods. Support for building elevations, open space and LEED certification was noted. Brown commented that right-of-way concerns will be addressed in the future but the road should be a standard width.

Plan Commission moved to recommend approval of PC# 09-1-191, Park's Edge Subdivision, which includes a request for annexation and rezoning to R2 (Single-Family and Low Density Multiple-Family Residence District) in order to construct five two-family structures (total of ten residential dwelling units); and in conjunction with the request a conditional use for a planned unit development; approval of a preliminary PUD plat and a preliminary subdivision plat; and a deviation from Section 7-4-2 to reduce the minimum required 66' right-of-way for a portion of the proposed right-of-way and a variance to reduce required front setbacks from 25' to 20'; in accordance with conditions that as a result of widening the street to 28' the petitioner may not include a sidewalk on the west side of the street and that the right-of-way variance on the west side of the street will be reduced accordingly; a satisfactory Satre easement agreement approved by staff prior to City Council; final review and approval of landscape plan by staff to include eleven (11) additional trees; final review and approval of tree preservation by staff; a plan for LEED certification that includes two points above current minimum requirements for LEED certified compliance that will be

included in the building plans subject to the building department's approval.

Motion by: Herzog  
Seconded by: Sterlin

No  
Recommendation  
(4 to 4)

Ayes: Brown, Edmonds, Herzog, Sterlin  
Nays: Meschino, Messer, Meyer, Trowbridge

**E. Reports and  
Recommendations**

None

**F. Correspondence**

Plan Commission Consideration of Market Information

**G. New Business**

Planning Team FY 10/11 Work Program

Plan Commission inquired about

- Status of Event Venue initiative from FY10
- Text amendments from FY10 not included in the work program for FY11

Recommend approval of staff work program for 2010-2011

Motion by: Trowbridge  
Seconded by: Messer

Approved  
(8 to 0)

Voice Vote: Motion carried

**H. Adjournment**

12:43 a.m.







# Naperville

## PLAN COMMISSION AGENDA ITEM

**PC CASE:** 10-1-006 **AGENDA DATE:** 4/8/2010  
**SUBJECT:** Knox Presbyterian Church  
 Petitioner: Knox Presbyterian Church

**LOCATION:** 1105 Catalpa Lane, 220 W. Gartner Road, and 221 Basswood Drive

Correspondence      New Business      Old Business      Public Hearing

### **SYNOPSIS:**

The petitioner requests approval of a Planned Unit Development (PUD) and a major change to the existing conditional use for a religious institution in order to create a church campus, which includes the property located at 220 W. Gartner Road.

### **PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
N/A		

### **ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Conduct the public hearing.

**PREPARED BY:** Ying Liu, AICP, Community Planner

### **EXISTING ZONING, LAND USE, AND LOCATION:**

The subject property consists of a total of 2.52 acres and encompasses three parcels that are located at 1105 Catalpa Lane, 220 W. Gartner Road, and 221 Basswood Drive, respectively. All three parcels are zoned R1A (Low Density Single-Family Residence District). The parcel located at 1105 Catalpa Lane is zoned R1A with a conditional use for the Knox Presbyterian Church. The parcels at 220 W. Gartner Road and 221 Basswood Drive abut Knox Presbyterian Church and are currently improved with two single-family residences as well as a playground in the backyard of the property at 220 W. Gartner Road.

### **CONTROLLING AGREEMENTS AND ORDINANCES:**

Ordinance 88-032: Granted a variance to reduce the required parking to 37 parking spaces for 572-person seating capacity. The church currently has permission from the adjacent Naperville Plaza shopping center and National City Bank to park automobiles in their parking lots on Sunday mornings.

Ordinance 06-213: Approved a major change to a conditional use, yard setback variances, and a preliminary/final plat of subdivision for Knox Presbyterian Church to allow for the construction of various additions and improvements.

**RELATIONSHIP TO OFFICIAL PLAN OF THE CITY OF NAPERVILLE:**

The 1998 East Sector Update to the Comprehensive Plan designates the future land use of the parcel at 1105 Catalpa Lane as “Church” and the parcels at 220 W. Gartner Road and 221 Basswood Drive as “Low Density Single Family Residential”. The petitioner intends to maintain the two single-family structures as church staff housing while utilizing the playground at 220 W. Gartner Road for the church’s children programs. The intended uses for 220 W. Gartner and 221 Basswood Drive are consistent with their future land use designation.

**NATURAL FEATURES:**

There are some mature trees on the property.

**PLANNING SERVICES TEAM REVIEW:**

*Planned Unit Development and Major Change to the Conditional Use*

The petitioner requests approval of a planned unit development (PUD) and a major change to the existing conditional use in order to create a church campus comprised of 1105 Catalpa Lane, 220 W. Gartner Road, and 221 Basswood Drive. Upon approval of the PUD and expanded conditional use, the two existing single-family structures will be maintained as church staff housing and the playground located at 220 W. Gartner Road will be utilized for the church’s children programs. The PUD will allow two principal uses (i.e. the single-family residence and the playground for the church’s children programs) on one parcel at 220 W. Gartner Road.

According to the petitioner, there will be no changes to the church’s current operation (e.g. seating capacity and programs), internal floor plan or site layout; therefore, the requests are not anticipated to generate additional traffic or parking demand on the site. The petitioner has provided responses to the standards for granting a planned unit development and a major change to a conditional use, which are included in the Development Petition (Attachment 3). Staff concurs with the petitioner’s findings.

*Children’s Programs*

The petitioner has indicated that the church currently ministers several children’s programs that are oriented toward members of the congregation and that the requests will not cause an expansion of the current programs but simply offer the children an opportunity to play outside in the playground at 220 W. Gartner Road. The playground will be utilized per the schedule included in Attachment 1.

According to the petitioner, the children’s programs are part of the church’s ministry and are not required to be licensed by the State as a nursery school, preschool, or daycare center. Staff finds that churches in the area commonly offer similar programs, which are not classified as a nursery school, preschool, or daycare center. However, in the event that the programs become a nursery school, preschool, or daycare center in the future, the church is required to obtain approval of a conditional use for a nursery school/preschool/daycare center in the R1A district, which is subject to the Plan Commission and City Council’s further review.

*Knox Presbyterian Church (PC 10-1-006)*

*April 8, 2010*

*Page 3 of 3*

*Preliminary/Final PUD Plat*

A preliminary/final PUD plat is submitted to show that all existing improvements will be maintained and incorporated as part of the church campus. While new improvements are limited, they are proposed to better screen the playground from neighboring properties. New improvements include:

- Installation of a 4' tall chain link fence around the playground area.
- Extension of the existing 6' tall wood privacy fence along the west property line of 220 W. Gartner Road to 221 Basswood Drive.
- Planting of a continuous row of 6' tall bushes alongside the fence.

The combination of the proposed fence and bushes will screen activities in the playground from neighboring residences and will create a buffer along the west property lines of the church campus. Staff finds that the proposed improvements comply with the requirements of the Zoning Regulations and Landscape Ordinance.

**ATTACHMENTS:**

1. Knox Presbyterian Church – Attachment 1: Playground Schedule – PC 10-1-006
2. Knox Presbyterian Church – Development Application – PC 10-1-006
3. Knox Presbyterian Church – Development Petition – PC 10-1-006
4. Knox Presbyterian Church – Legal Description – PC 10-1-006
5. Knox Presbyterian Church – Location Map – PC 10-1-006
6. Knox Presbyterian Church – Location Map Aerial – PC 10-1-006
7. Knox Presbyterian Church – Preliminary/Final PUD Plat – PC 10-1-006

PLAY AREA UTILIZATION

September – May

Children's Day Out Program

- Days of Operation: Monday/Tuesday/Thursday/Friday
- Hours of Play Area Use: 9:00 a.m. to 1:00 p.m.
- Number of Children in the Play Area at Any Given Time: 10-22

Midweek Church Program

- Days of Operation: Wednesday
- Hours of Play Area Use: 9:30 a.m. to 11:30 a.m./5:00 p.m. to 7:00 p.m.
- Number of Children in the Play Area at Any Given Time: 10-12(morning)/15-18 (evening)

June – August

Children's Day Out Program

- Days of Operation: Tuesday/Wednesday/Thursday
- Hours of Play Area Use: 10:00 a.m. to 12:30 p.m.
- Number of Children in the Play Area at Any Given Time: 15-18

Vacation Bible School

- One week during the summer
- Hours of Play Area Use: 9:30 a.m. – 11:30 a.m.
- Number of Children in the Play Area at Any Given Time: 30

**CITY OF NAPERVILLE  
TRANSPORTATION, ENGINEERING AND DEVELOPMENT  
BUSINESS GROUP  
APPLICATION FOR DEVELOPMENT APPROVAL**

**DEVELOPMENT NAME:** Knox Presbyterian Church

Date of Submission: January 8, 2010

**I. APPLICANT/PETITIONER:**

Name: Knox Presbyterian Church  
Address: 1105 Catalpa Lane, Naperville, Illinois 60540  
Telephone Number: (630) 355-8181  
Contact Person: Ron Mobley  
Relationship of Applicant to Subject Property: Owner

**II. OWNER OF THE PROPERTY:**

Name: Knox Presbyterian Church  
Address: 1105 Catalpa Lane, Naperville, Illinois 60540

**III. ACTION REQUESTED:**

- |   |   |
|---|---|
| <input type="checkbox"/> Annexation                                   | <input type="checkbox"/> Rezoning                                   |
| <input checked="" type="checkbox"/> Conditional Use                   | <input type="checkbox"/> Site Plan Review                           |
| <input checked="" type="checkbox"/> Preliminary PUD Plat              | <input checked="" type="checkbox"/> Final PUD Plat                  |
| <input checked="" type="checkbox"/> Major Change to a Conditional Use | <input type="checkbox"/> Minor Change to a Conditional Use          |
| <input type="checkbox"/> Major Change to a Planned Unit Development   | <input type="checkbox"/> Minor Change to a Planned Unit Development |
| <input type="checkbox"/> Preliminary Plat of Subdivision              | <input type="checkbox"/> Final Plat of Subdivision                  |
| <input type="checkbox"/> Subdivision Waivers                          | <input type="checkbox"/> Zoning Variance                            |

**IV. APPLICANT'S/PETITIONER'S STAFF:**

Attorney: Dommermuth, Brestal, Cobine & West, Ltd. Telephone No. 630/355-5800

Address: 123 Water Street  
Naperville, Illinois 60540

Fax Number: 630-355-5976

E-Mail: kcw@dbcw.com

Engineer: Roake & Associates

Telephone No: 630/355-3232

Address: 1887 High Grove Lane  
Naperville, Illinois 60540

Fax Number: 630-355-3267

E-Mail:

**V. PROJECT DATA:**

1. Location: Between Gartner Road and Basswood Drive west of Catalpa Lane
2. County:  X  DuPage  \_\_\_  Will
3. General Description of the Site: Religious Institution/Single-Family Residential
4. Existing Zoning on the Site: Parcel 1-R1A with a Conditional Use for a Religious Institution/Parcels 2 and 3 – R1A
5. Acreage of Site: 2.524 acres
6. Character of Surrounding Area:

	ZONING	JURISDICTION	EXISTING LAND USE	ADOPTED CITY PLAN
North	R1A	City of Naperville	Single-Family Residential	Low Density Residential
South	R1A	City of Naperville	Single-Family Residential	Low Density Residential

East	B2/OCI	City of Naperville	Commercial Shopping Center/Bank/Office Building	Commercial/Office/ Research & Development
West	R1A	City of Naperville	Single-Family Residential	Low Density Residential

7. List Controlling Ordinances, Agreements and Plats:

- Ordinance 88-32, an Ordinance Granting a Variation
- Ordinance 06-213, an Ordinance Approving a Major Change to a Conditional Use, Yard Setback Variances, and a Preliminary/Final Plat of Subdivision

8. Is this property within the City limits?

- Yes
- No, requesting annexation
- Under review by another governmental agency and requires review due to 1 ½ mile jurisdictional requirements

9. Permanent Parcel Number:

08-30-103-017; 08-30-103-004; 08-30-103-012

10. For annexation petition, are there electors living on the property:

- Yes  No

**VI. PROPOSED DEVELOPMENT:**

1. Type of Development:

- Residential  Commercial  Office
- Industrial  Other: Religious Institution

2. Proposed Zoning: R1A with a Conditional Use for a Religious Institution

3. Description of Proposal: The Subject Property consists of a religious institution and two single-family residences. These are adjacent and long-established structures and land uses. The Applicant is requesting (a) a Major Change to its Conditional Use so as to incorporate the single-family residential lots into its site plan and (b) a Planned Unit Development so as to integrate these structures and land uses by which to create a campus setting. This Planned Unit Development will facilitate future planning for the Subject Property and address its role as a transition between the surrounding residential and commercial uses.

4. General Land Use Data:

	Resid.	Comm.	Office	Indst.	R.O.W.	Park	School	Private	Other	Total
No. of Acres									2.524	2.524
% of Total									100%	100 %

\*Please explain: Religious Institution/Single-Family Residences

5. Development Densities: Not Applicable

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Minimum Lot Size	Maximum Lot Size	Average Lot Size
Single-Family								
Townhouse								
Duplex								
Apartment								
Comm.								
Office								
Industrial								

Gross Acres = land designated for land use type including right-of-way  
 Gross Density = number of units divided by gross acres  
 Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school and park dedications and open space  
 Modified Gross Density = number of units divided by modified gross acres

6. Community Facilities within the Development:

School Site: Not Applicable

Open Space: Not Applicable

7. Description of any Non-Residential, Commercial or Industrial portion of the Development: The site is developed with a religious institution.

8. Description of Stormwater Management Facilities: Not Applicable

9. Deviations from the Zoning Regulations: Section 6-6A-7 – (a) to allow the canopy to extend into the required front yard setback so that the front yard setback would be reduced from 30 feet (minimum) to 15 feet (proposed), and (b) to reduce the corner side yard setback from 33-1/2 feet (minimum) to 31-1/2 feet (proposed) – Approved by Ordinance No. 06-213

10. Deviations from the Subdivision Regulations: None

11. Deviations from the Landscaping Regulations: None

**VII. SCHOOL AND PARK DONATION REQUIREMENTS:**

1. Required School Donation: Not Applicable

Land:

Cash:

How Satisfied:

2. Required Park Donation: Not Applicable

Land:

Cash:

How Satisfied:

KNOX PRESBYTERIAN CHURCH

STATE OF ILLINOIS )  
 )  
COUNTIES OF DUPAGE & WILL )  
 )  
CITY OF NAPERVILLE )

PETITION TO GRANT A MAJOR CHANGE TO A CONDITIONAL USE AND TO GRANT  
A CONDITIONAL USE FOR A PLANNED UNIT DEVELOPMENT

The undersigned Petitioner, Knox Presbyterian Church, being the owner, respectfully petitions the City of Naperville to grant a (a) Major Change to the Knox Presbyterian Church Conditional Use pursuant to Section 6-3-8 of the Zoning Regulations of the Naperville Municipal Code and (b) a Conditional Use for a Planned Unit Development pursuant to Sections 6-4 and 6-6A-3:3 of the Zoning Regulations of the Naperville Municipal Code for the property legally described in **Exhibit A** and depicted on **Exhibit B**, which exhibits are attached hereto and incorporated herein by reference (hereinafter referred to as the "Subject Property").

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

1. That the Petitioner, Knox Presbyterian Church, whose address is 1105 Catalpa Lane, Naperville, Illinois, is the owner of the Subject Property.
2. That the Subject Property consists of 2.524 acres and is located between Gartner Road and Basswood Drive west of Catalpa Lane, and is within the corporate boundaries of the City of Naperville.
3. That the Subject Property consists of three subdivided lots as indicated on **Exhibit C**.
4. That Parcel 1 of the Subject Property is zoned R1A (Low Density Single-Family Residence District) with a Conditional Use for a Religious Institution and Parcels 2 and 3 of the

Subject Property are zoned R1A (Low Density Single-Family Residence District).

5. That Parcel 1 of the Subject Property is improved with a church building used for religious institution purposes and Parcels 2 and 3 of the Subject Property are improved with and used for single-family residences.

6. That the existing land uses surrounding the Subject Property are as follows:

North: Single-family residential; Bank/office building

South: Single-family residential

East: Commercial

West: Single-family residential.

7. That the Petitioner proposes to incorporate Parcels 1, 2, and 3 into a campus and to use the backyard of Parcel 2 and the play equipment located thereon as a play area for the Petitioner's nursery school/preschool/day care program located in the church building on Parcel 1. The single-family residences located on Parcels 2 and 3 of the Subject Property are currently used for and will continue to be used as single-family residences.

8. That the Petitioner requests (a) a Major Change to the Knox Presbyterian Church Conditional Use and (b) a Conditional Use for a Planned Unit Development so as to allow the Subject Property to be considered as a campus and to allow the backyard of Parcel 2 of the Subject Property to be used as a play area.

9. That granting the requested Major Change to the Conditional Use is appropriate, under Section 6-3-8:2 of the Zoning Regulations of the Naperville Municipal Code based on 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.*

The Petitioner is requesting that its Conditional Use be amended by incorporating the two adjacent single-family lots into its Site Plan and allowing the play area (with the play equipment) to be used in Church programs. The Church and the single-family residences have been long-established structures and land uses in this neighborhood. Further, for over twenty-five years, the Petitioner has operated a children's program which is a combination of a nursery school, preschool and day care center designed for children between the ages of one and five.

The incorporation of the two single-family lots into the Knox Presbyterian Church Conditional Use will provide a new level of City review for any changes proposed by the Petitioner in the future (except as set forth on the plat).

This play area is consistent with a single-family residential neighborhood. Backyards are traditionally play areas and often include play equipment. Also, the R1A zoning classification allows, as permitted uses, schools and preschools associated with a school; schools always have playgrounds. The activity generated by this play area will be consistent with that generated by a residential neighborhood. Further, the houses located on Parcels 2 and 3 of the Subject Property will continue to be used as single-family residences. The nature of this proposed use will not differ from any of the other homes in the neighborhood.

Over the years, the Church has always taken measures to insure that its operations do not negatively impact the surrounding residential neighborhood. Therefore, the proposed Major Change to the Knox Presbyterian Church Conditional Use will not be detrimental to, or endanger the public health, safety and general welfare.

- 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.*

The requested Major Change to the Knox Presbyterian Church Conditional Use is for the purpose of incorporating the two single-family lots into the previously approved Site Plan for Knox Church and of allowing the Petitioner to utilize the play area and play equipment located on Parcel 2 for Church programs.

Since the two lots have been developed and used for single-family residences for several years, and will continue to be used for said purpose, there should not be any impact on the surrounding neighborhood.

Utilizing the play area and the play equipment in the back yard of Parcel 2 is consistent with the residential neighborhood.

Utilizing the backyard of a home as a play area for young children is a typical use of a single-family lot in a residential subdivision. Also, schools with playgrounds are generally located in residential neighborhoods. Further, the Church's programs are limited in nature.

Therefore, the proposed Major Change to the Knox Presbyterian Church 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.

- 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.*

The Subject Property is already developed and will continue to be used for religious institution and single-family residential purposes and is surrounded by properties which are already developed. Therefore, the proposed Major Change to the Conditional Use will not negatively impact the normal and orderly development and improvement of adjacent properties for uses permitted in the R1A District.

10. That granting the requested Conditional Use for a Planned Unit Development is appropriate, under Section 6-4-7:1 of the Zoning Regulations of the Naperville Municipal Code, based on the following factors:

- a. *The design of the planned unit development presents an innovative and creative approach to the development of land and living environments.*

Knox Presbyterian Church and the two residential properties which comprise the Subject Property are part of an established residential neighborhood and are adjacent to commercial uses. By incorporating the Church and the single-family residences into a Planned Unit Development, the Church is creating a campus which will allow the Church to better plan for its future and to address its role as a transition between the surrounding residential and commercial uses. The implementation of a planned unit development presents a creative and innovative approach to the future development of a long-established land use situation.

- b. *The planned unit development meets the requirements and standards of the planned unit development regulations.*
  - i. Ownership and Control: The Subject Property is solely owned by the Petitioner.
  - ii. Area, Lot Width, Yard and Height/Bulk Requirements: The buildings, structures, and uses of land within this Planned Unit Development conform to the area, lot width, yard, height and bulk regulations of the zoning district, except as previously approved with the Knox Presbyterian Church Conditional Use.

iii. Outdoor Common Area and Site Amenities Requirements: This Planned Unit Development incorporates the landscaping approved as part of the Knox Presbyterian Church Conditional Use and fencing and landscaping for the play area. The existing landscaping provides beautification and the play area provides an amenity for the parishioners of the Church.

iv. Park and School Sites: Since this Planned Unit Development has been built for several years, no contribution of park and school sites is required.

v. Landscaping, Screening, and Tree Preservation: This Planned Unit Development complies with the City's regulations for landscaping, screening, and tree preservation.

vi. Lighting: This Planned Unit Development complies with the City's regulations for exterior lighting.

vii. Pedestrian and Bicycle Circulation: Pedestrian circulation is provided around the perimeter of the Subject Property and a connection is made between the Church and the play area.

viii. Public Improvements: All public improvements conform to the City's regulations and design standards.

ix. Principal Structures: Each principal building or structure within this Planned Unit Development is located on a separately-platted lot.

x. Relationship to Adjoining Land: The Subject Property is located within a long-established neighborhood and the buildings and land uses have existed for many years. As such, this Planned Unit Development is in context with adjoining properties.

xi. Design: This Planned Unit Development incorporates established structures and land uses. As such, the features which fulfill the intent and objectives of the PUD regulations cannot be included in this Planned Unit Development.

xii. Deviations from Requirements of the Municipal Code: This Planned Unit Development incorporates established structures and land uses. Any deviations from the requirements of the Municipal Code have been previously approved.

*c. The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site.*

The physical design of this proposed Planned Unit Development was established over forty years ago. The utilization of the back yard of one of the single-family residences as a play area for Church programs maintains the single-family character of the area while providing a needed recreational area for the Church. The design of the site ties the Church building and the

single-family residences together in a campus setting and the recently-constructed Church building provides for better pedestrian and vehicular access to the site. Therefore, this existing site design furthers the goals of efficient land utilization, adequate transportation and preservation of natural features.

*d. Open space, outdoor common area, and recreational facilities are provided.*

Because the Subject Property is zoned residential, it maintains generous setbacks. A play area is provided for Church programs. The outdoor spaces are nicely landscaped.

*e. The modifications in design standards from the subdivision control regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations.*

The modifications in the design standards were previously approved by the City. No additional modifications are being requested with the proposed planned unit development.

*f. The planned unit development is compatible with the adjacent properties and nearby land uses.*

The Subject Property is located in an established residential neighborhood and is adjacent to commercial uses. The Church and the single-family residences which comprise the Subject Property have been a part of the area for over forty years. The single-family residences of this proposed planned unit development are similar to and are compatible with the residential neighborhood. The Church functions as a transition between the residential and commercial areas. Therefore, the Planned Unit Development is compatible with the surrounding properties.

*g. The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the City.*

The East Sector Plan of the Naperville Comprehensive Plan recommends that the Subject Property be maintained for Church and low density residential purposes. This Planned Unit Development proposes to continue the existing uses of the Subject Property in conformance with the City's Master Plan.

WHEREFORE, by reason of the foregoing, the Petitioner requests the City Council and Plan Commission take the necessary steps to grant (a) a Major Change to the Knox Presbyterian Church Conditional Uses pursuant to Section 6-3-8 of the Zoning Regulations of the Naperville Municipal Code and (b) a Conditional Use for a Planned Unit Development pursuant to Sections 6-4 and 6-6A-3:3 of the Zoning Regulations of the Naperville Municipal Code for the Subject

Property as legally described on **Exhibit A** and depicted on **Exhibit B**.

RESPECTFULLY SUBMITTED this 8<sup>th</sup> day of January, 2010.

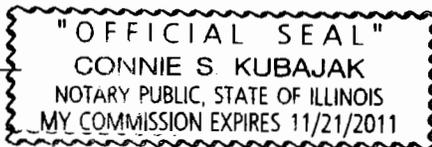
PETITIONER:

KNOX PRESBYTERIAN CHURCH

By: Kathleen C. West  
Dommermuth, Brestal, Cobine and West, Ltd.,  
Its Attorneys

SUBSCRIBED and SWORN to before me  
this 8<sup>th</sup> day of January, 2010.

Connie S. Kubajak  
Notary Public



Prepared by:

Kathleen C. West  
Dommermuth, Brestal, Cobine and West, Ltd.  
123 Water Street  
Post Office Box 565  
Naperville, Illinois 60566-0565

EXHIBIT A

KNOX PRESBYTERIAN CHURCH  
LEGAL DESCRIPTION

LOT 1 IN KNOX PRESBYTERIAN CHURCH SUBDIVISION BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 16, 2006 AS DOCUMENT R2006-221915 IN DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH:

LOTS 6 AND 13 IN BLOCK 2 IN MOSER HIGHLANDS UNIT NO. 12 BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 19 AND THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1960 AS DOCUMENT 980172 IN DUPAGE COUNTY, ILLINOIS.

PIN NO.	08-30-103-017	1105 Catalpa Lane
	08-30-103-004	220 West Gartner Road
	08-30-103-012	221 Basswood Drive

EXHIBIT A

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PIN NO.	08-30-103-017	1105 Catalpa Lane
	08-30-103-004	220 West Gartner Road
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# City of Naperville KNOX PRESBYTERIAN CHURCH

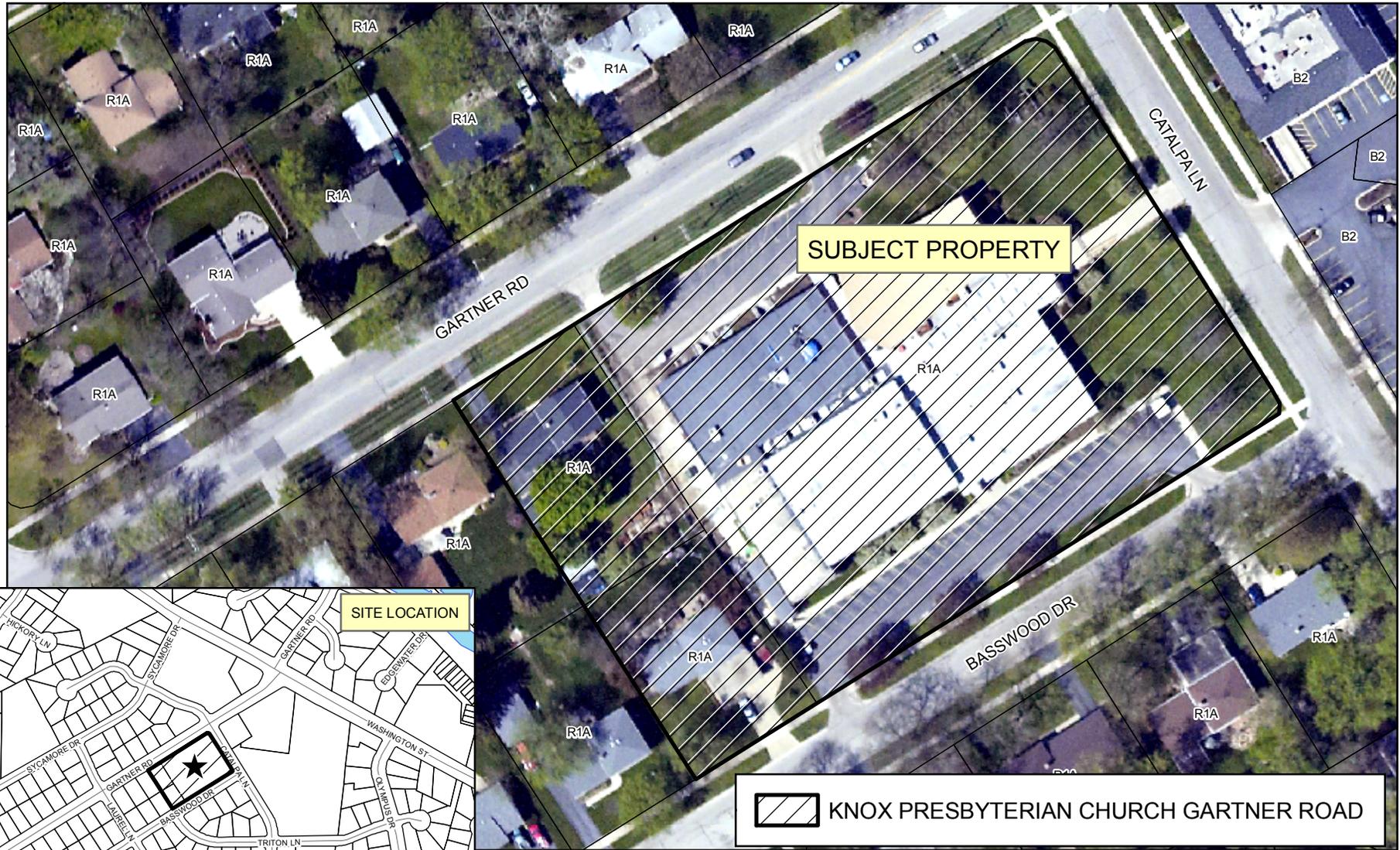


Transportation, Engineering and  
Development Business Group  
Questions Contact (630) 420-6694  
www.naperville.il.us  
February 2010



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City of Naperville  
**KNOX PRESBYTERIAN CHURCH**



 KNOX PRESBYTERIAN CHURCH GARTNER ROAD

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# Naperville

## PLAN COMMISSION AGENDA ITEM

**PC CASE:** 09-1-178 **AGENDA DATE:** 4/8/2010  
**SUBJECT:** Medical or Dental Clinics/Offices Text Amendment  
 Petitioner: City of Naperville Staff

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**LOCATION:** N/A

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Correspondence      New Business      Old Business      Public Hearing

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### **SYNOPSIS:**

This is a proposed text amendment to Title 6 (Zoning Regulations) of the Municipal Code pertaining to medical or dental clinics/offices and the definition of hospitals.

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### **PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
3/3/2010	D1	Tabled the case to April 8, 2010.

### **ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Recommend approval of the proposed text amendment (Attachment 2).

**PREPARED BY:** Ying Liu, AICP, Community Planner

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### **BACKGROUND:**

The Naperville Municipal Code currently provides zoning regulations for “clinic, medical or dental” and “office, medical or dental”. Although these two terms are used interchangeably, they are regulated differently under the Municipal Code. On April 8, 2009, the City Council approved the Planning Team FY 09-10 Work Program which includes a text amendment to update and clarify the definitions and regulations for medical or dental clinics vs. offices. Based on Council’s direction, staff presented a text amendment before the Plan Commission on March 3, 2010, which proposed to replace the term “clinic, medical or dental” with “office, medical or dental” throughout Title 6 (Zoning Regulations) without modifying the districts in which they are allowed.

#### *Previous Plan Commission Action*

The Plan Commission opened the public hearing for the proposed text amendment on March 3, 2010. Following staff’s presentation, the Plan Commission inquired about the distinctions between various health care facilities such as medical offices, surgical centers, urgent care facilities and hospitals. The Plan Commission expressed concerns for allowing outpatient surgical facilities in residential districts as well as the lack of clarity in the current definitions for

medical or dental offices and hospitals. The commission proposed revisions to the definitions in order to differentiate medical or dental offices and hospitals based on overnight stay.

One member of the public provided testimony stating that the Illinois Department of Public Health provides definitions for clinics and hospitals and that the proposed text amendment does not clearly define medical offices and hospitals.

Following the public testimony, the Plan Commission tabled the text amendment to April 8, 2010 in order to allow staff additional time to research the State definitions for medical or dental offices and hospitals.

### **PLANNING SERVICES TEAM REVIEW:**

#### *Illinois State Statute Definitions*

The Illinois State Statute defines “hospital” and “ambulatory surgical treatment center” as summarized in Attachment 1. Per the statutory definitions, a key difference between a hospital and a surgical treatment center is whether overnight stay of patients is allowed. While a hospital admits persons for overnight stay or longer, a surgical center only provides outpatient medical or surgical treatment for patients without overnight stays.

The State Statute requires medical or dental doctors to be licensed, but provides no differentiation for medical or dental offices and clinics. It also provides that no facility shall use the term “urgent” or “emergency” care center unless it is the emergency room of a licensed hospital or a facility licensed as a freestanding emergency center. Therefore, “urgent care” centers in Illinois would always be used to refer to an emergency room.

The Illinois State Statute is primarily concerned with the proper regulations of healthcare facilities from a public health and licensing standpoint, whereas the Zoning Regulations address the appropriate location of the uses at the municipal level. Although the regulations proposed by staff present no conflict with the State Statute, staff recommends that the statutory definitions be considered for reference only.

#### *Proposed Text Amendment*

Staff proposes to classify health care facilities in two categories: hospitals and medical or dental offices. The revised definitions for both terms are included in Attachment 2. Based on the revised definitions:

- “Hospital” will encompass all facilities that are operated on a 24-hour basis or permit overnight stay of patients. Such facilities may include hospitals, 24-hour “urgent care” centers, 24-hour clinics, standalone emergency rooms or emergency rooms associated with a hospital.
- “Medical or dental office” will encompass all facilities that are not operated overnight or do not permit overnight stay of patients. Such facilities may include doctor’s offices, clinics, and outpatient surgical centers that are operated during daytime only.

Staff finds that, regardless of the treatments or procedures performed in a health care facility, the land use impact of such facilities are primarily determined by the hours of operation and traffic generation. Hospitals as defined in Attachment 2 would have a 24-hour impact on surrounding

*Medical or Dental Clinics/Offices (PC 09-1-178)*

*April 8, 2010*

*Page 3 of 3*

properties including a greater noise, light and traffic impact generated by emergency vehicles and visitors. In contrast, medical or dental offices as defined would be operated during daytime and would generate minimal emergency vehicle traffic and fewer or no visitations during a patient's short daytime stay. Their impacts on surrounding properties are considerably less intense regardless of whether surgical procedures are performed in such facilities. A separate land use classification of "surgical center" is not recommended as staff finds no substantial difference in the land use impacts of a medical office and a surgical center.

The proposed amendments clearly define and differentiate various health care facilities based on their land use impacts. Based upon Plan Commission feedback on March 3, 2010, clinics are removed as a permitted use and medical or dental offices are added as a conditional use in the R4 (High Density Multi-Family District). With this change, the proposed amendments would allow the Plan Commission and City Council the opportunity to review any new medical or dental facilities in a residential district as a conditional use.

It is important to note that the HS (Health Services District) was established by the city in 2007 to specifically address the potential impacts related to hospitals. Staff does not find that additional changes to the hospital regulations (other than the changes to the "hospital" definition) are necessary.

**ATTACHMENTS:**

1. Medical or Dental Clinics/Offices – Attachment 1: State Statute Definitions – PC 09-1-178
2. Medical or Dental Clinics/Offices – Attachment 2: Proposed Amendments – PC 09-1-178
3. Medical or Dental Clinics/Offices – Attachment 3: 3/3/2010 Plan Commission Minutes – PC 09-1-178

## **STATUTORY DEFINITIONS FOR HEALTH CARE FACILITIES**

### **HOSPITALS (210 ILCS 85/) Hospital Licensing Act.**

"Hospital" means any institution, place, building, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of 2 or more unrelated persons admitted for overnight stay or longer in order to obtain medical, including obstetric, psychiatric and nursing, care of illness, disease, injury, infirmity, or deformity.

The term "hospital", without regard to length of stay, shall also include:

- (a) any facility which is devoted primarily to providing psychiatric and related services and programs for the diagnosis and treatment or care of 2 or more unrelated persons suffering from emotional or nervous diseases;
- (b) all places where pregnant females are received, cared for, or treated during delivery irrespective of the number of patients received.
- (c) The term "hospital" includes general and specialized hospitals, tuberculosis sanatoria, mental or psychiatric hospitals and sanatoria, and includes maternity homes, lying-in homes, and homes for unwed mothers in which care is given during delivery.

The term "hospital" does not include:

- (a) any person or institution required to be licensed pursuant to the Nursing Home Care Act or the MR/DD Community Care Act;
- (b) hospitalization or care facilities maintained by the State or any department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitalization or care facilities under its management and control;
- (c) hospitalization or care facilities maintained by the federal government or agencies thereof;
- (d) hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation;
- (e) any person or facility required to be licensed pursuant to the Alcoholism and Other Drug Abuse and Dependency Act;
- (f) any facility operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination; or

## **STATUTORY DEFINITIONS FOR HEALTH CARE FACILITIES**

- (g) An Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act.

### **SURGICAL CENTER (210 ILCS 5/) Ambulatory Surgical Treatment Center Act.**

"Ambulatory surgical treatment center" means any institution, place or building devoted primarily to the maintenance and operation of facilities for the performance of surgical procedures or any facility in which a medical or surgical procedure is utilized to terminate a pregnancy, irrespective of whether the facility is devoted primarily to this purpose. Such facility shall not provide beds or other accommodations for the overnight stay of patients; however, facilities devoted exclusively to the treatment of children may provide accommodations and beds for their patients for up to 23 hours following admission. Individual patients shall be discharged in an ambulatory condition without danger to the continued well being of the patients or shall be transferred to a hospital.

The term "ambulatory surgical treatment center" does not include any of the following:

- (a) Any institution, place, building or agency required to be licensed pursuant to the "Hospital Licensing Act", approved July 1, 1953, as amended.
- (b) Any person or institution required to be licensed pursuant to the Nursing Home Care Act or the MR/DD Community Care Act.
- (c) Hospitals or ambulatory surgical treatment centers maintained by the State or any department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitals or ambulatory surgical treatment centers under its management and control.
- (d) Hospitals or ambulatory surgical treatment centers maintained by the Federal Government or agencies thereof.
- (e) Any place, agency, clinic, or practice, public or private, whether organized for profit or not, devoted exclusively to the performance of dental or oral surgical procedures.

**PROPOSED TEXT AMENDMENT**

**Medical or Dental Clinics/Offices:**

**Section 6-1-6: Definition**

~~CLINIC, MEDICAL OR DENTAL OFFICE, MEDICAL OR DENTAL:~~ A building, structure or portion thereof which is maintained or operated for the diagnosis, treatment, medical care or surgical care of persons. Medical or dental clinics shall not include facilities operated overnight or that permit overnight lodging for patients in which patients who are not lodged overnight are admitted for examination, and treatment by one or more medical or dental practitioners.

**Section 6-2-8: Home Occupation Regulations:**

3. Permitted Uses: Home occupations shall include, but shall not be limited to, the following uses:

...  
3.5. Offices of medical or dental practitioners.  
...

4. Prohibited Uses: Permitted home occupations shall not be deemed to include the following uses:

~~4.1. Clinics, medical and dental.~~

**Section 6-6 to Section 6-8:**

District	District Name	<del>Clinic, Medical or Dental</del>	Office, Medical or Dental
R1A	Low Density Single Family Residence		CU(HTO only)
R1	Low Density Single-Family Residence		CU(HTO only)
R1B	Medium Density Single-Family Residence		CU(HTO only)
R2	Single-Family and Low Density Multifamily Residence		CU(HTO only )
R3A	Medium Density Multifamily Residence	<del>CU</del>	<u>CU</u>
R3	Medium Density Multifamily Residence	<del>CU</del>	<u>CU</u>
R4	High Density Multifamily Residence	<del>P</del>	<u>CU</u>
B1	Neighborhood Convenience Shopping Center		P
B2	Community Shopping Center	<del>P</del>	P
B3	General Commercial	<del>P</del>	P
B4	Downtown Core		P (Second floor or above only)
B5	Secondary Commercial		P
OCI	Office, Commercial and Institutional		P
BP	Business Park		P
TU	Transitional Use		P
HS	Health Services	<del>P</del>	P
RD	Research and Development	<del>P</del>	P
ORI	Office, Research and Light Industrial	<del>P</del>	<u>P</u>
I	Industrial		P

P: Permitted Use by right

CU: Conditional Use

HTO: Home-to-Office Conversion.

**PROPOSED TEXT AMENDMENT**

**Section 6-9-3: Schedule of Off-Street Parking Requirements**

...  
 6. Parking Class No. 5 — Services And Institutions:

...  
 Office, medical or dental                      5 parking spaces per 1,000 square  
~~Clinic, medical or dental~~                      feet of gross floor area

**Hospital/Sanitarium:**

**Section 6-1-6: Definition**

~~HOSPITAL: An building or structure which is maintained and operated institution which maintains and operates facilities for the diagnosis, treatment, medical care or surgical care of persons on a twenty-four (24) hour basis suffering from illness, disease, injury, deformity, or other abnormal condition and which permits overnight lodging for patients.~~

~~SANITARIUM: An institution which maintains and operates facilities for the diagnosis, treatment, medical care or surgical care of persons suffering from illness, disease, injury, deformity, or other abnormal condition and which permits overnight lodging for patients.~~

**Section 6-2-8: Home Occupation Regulations:**

4. Prohibited Uses: Permitted home occupations shall not be deemed to include the following uses:  
 4.4. ~~Hospitals and sanitariums.~~

**Section 6-6 to Section 6-7:**

District	District Name	Hospital	<del>Sanitarium</del>
E1	Low Density Estate	CU	<del>CU</del>
E2	Medium Density Estate	CU	<del>CU</del>
E3	Estate Transition	CU	<del>CU</del>
OCI	Office, Commercial and Institutional	P	<del>P</del>
HS	Health Services	P	

P: Permitted Use by right  
 CU: Conditional Use

**MINUTES**  
**NAPERVILLE PLAN COMMISSION**  
**March 3, 2010 - 7:00 P.M. – COUNCIL CHAMBERS**

<b>Call to Order</b>		<u>Time:</u>	(7:02pm)
<b>A. Roll Call</b> Commissioners:		<u>Present:</u>	<u>Yes</u> <u>No</u>
		Mike Brown, Chairman	X
		Ann Edmonds, Vice Chairman	X
		Patty Gustin, Secretary	X
		John Herzog	X
		Paul Meschino	X
		Timothy Messer	X
		Patricia Meyer	X
		Reynold Sterlin	
		Janet Trowbridge	X
Student Members:		Thomas Stancey	X
		Kelsey Stimple	X
Staff Present:	Community Planner – Suzanne Thorsen, Ying Liu Project Engineer – Kim Grabow and Jennifer Ebel Project Assistant – Dina Hagen and Sam McCarthy		
<b>B. Approve Minutes</b>	<b>February 4, 2010</b>	Motion to approve by: Gustin Seconded by: Meyer	Approved (8 to 0)
	<b>February 17, 2010</b>	<i>* Page 7 of 8, fourth bullet (Plan Commission Questions/Discussion :) modified to add the word lighting. (Commissioner Request:) modified by changing “zoning cases” to “Plan Commission”</i> Motion to approve by: Gustin Seconded by: Edmond	Approved (8 to 0)
<b>Agenda Item D1: PC Case # 09-1-178 Title 6 Medical and Dental Clinics</b>	Petitioner: City of Naperville, 400 S. Eagle Street, Naperville, IL 60540 Location: 400 S. Eagle Street Naperville, Illinois 60540  Request: Approve proposed text amendment to Title 6 (Zoning Regulations) of the Municipal Code pertaining to medical or dental clinics/offices.  (Official Notice: Published in Naperville Sun on Sunday February 10,11 and 12, 2010)		
	<b>Staff/ Presentation:</b> Planner Ying Liu of staff gave an overview of the proposal which entailed: <ul style="list-style-type: none"> <li>• In April of 2009 the City Council approved the Planning Team FY 09-10 Work Program which included a text amendment to update and clarify the definitions and regulations for clinics vs. offices with regards to medical and dental.</li> <li>• Staff also recommends removing the term “sanitarium” from Title 6 as Section 6-1-6 provides identical definitions for “hospital” and</li> </ul>		

	“sanitarium”.	
	<p><b>Public Testimony:</b> One (1) member of the public spoke.          Anissa Olley (101 Springwood Drive, Naperville, Illinois 60540)</p> <ul style="list-style-type: none"> <li>• Amendment not clearly crafted with regards to definition of the word clinics and conditional uses in residential district</li> <li>• State definitions exist for medical clinic and hospital</li> </ul>	
	<p><b>Plan Commission Questions / Discussion:</b></p> <ul style="list-style-type: none"> <li>• Concern about outpatient functions in medical office, including differentiating between surgical facilities and medical offices that offer surgical procedures</li> <li>• Distinction between medical office and hospital, with the key difference being “overnight stay”</li> <li>• Concern for outpatient surgery functions in districts that allow residential use</li> <li>• Whether the proposed amendment lends clarity to regulation of medical use</li> <li>• Regulation of urgent care facilities</li> </ul>	
<p>Chairman Brown upon commission consensus continued the meeting to the April 8, 2010 Plan Commission meeting with the following deliverable:</p> <ul style="list-style-type: none"> <li>• Staff to incorporate any existing definition of “office” vs. “clinic” and “hospital” as set forth by any Illinois health facility Planning Board, State or Federal institution into the proposed text amendment.</li> </ul>		
<b>E. Reports</b>	None	
<b>F. Correspondence</b>	None	
<b>G. New Business</b>	None	
<b>G. Adjournment</b>	<p><b><u>Motion to Adjourn:</u></b>          Motion by: Gustin          Seconded by: Meyer</p> <p style="text-align: right;"><b>Time: 8:41 pm</b></p>	<p>Approved          (8 to 0)</p>









# Naperville

## PLAN COMMISSION AGENDA ITEM

**PC CASE:** 10-1-014 **AGENDA DATE:** 4/8/2010  
**SUBJECT:** North Central College Master Land Use Plan 2010-2020  
 Petitioner: North Central College

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**LOCATION:** North Central College

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Correspondence      New Business      Old Business      Public Hearing

---

### **SYNOPSIS:**

The petitioner, North Central College, requests approval of the 2010-2020 North Central College Master Land Use Plan and a text amendment to Section 6-7G (College/University District) of the Naperville Municipal Code consistent with the new Master Land Use Plan.

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### **PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
2/17/2010	G1	Initiated a text amendment to Section 6-7G (College/University).

### **ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Conduct the public hearing.

**PREPARED BY:** Ying Liu, AICP, Community Planner

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### **BACKGROUND:**

The North Central College Master Land Use Plan was initially adopted in 1989 as a component of the City's Comprehensive Master Plan. Last updated in 2001, the plan identifies planned renovation and expansion of college facilities and addresses the parking and traffic impact of the College's growth in a 10-year timeframe. As the current plan is set to expire in 2010, the college initiated another update to its Master Land Use Plan in May 2009 to re-evaluate its future growth and facility expansion for the next 10 years.

On February 17, 2010, the Plan Commission directed the initiation of a text amendment to section 6-7G (College/University District) of the Naperville Municipal Code to reflect the changes in the new Master Land Use Plan (approved 6-0).

### **PLANNING SERVICES TEAM REVIEW:**

#### *Public Process*

The North Central College Master Land Use Plan 2010-2020 has been developed based on input from college faculty, staff, and students and residents from the surrounding neighborhoods.

Similar to the previous plan update in 2001, the college managed the public process and plan development. Staff from the City of Naperville provided support and feedback as needed throughout the process. The college conducted three public meetings, on May 28, August 31, and September 29, 2009 respectively, to inform area residents of the project progress and seek input on preliminary concepts for potential new building locations. Early drafts as well as the final document were made available for public review on the college's website.

#### *Master Land Use Plan 2010-2020*

The North Central College Master Land Use Plan 2010-2020 is available for viewing on the college's website at <http://northcentralcollege.edu/x50188.xml>. The new plan summarizes the college's anticipated facility needs and land use changes through 2020. It identifies new facilities that may be constructed, including a new science center, additional student housing, a new classroom/office building, and a natatorium (swimming facility). Alternative locations for new facilities are presented where more than one feasible option exists. While the plan focuses on satisfying the college's space needs within the current campus boundaries, it also acknowledges that opportunities may arise for the sensitive campus growth outside of the college boundaries. Pages 20-22 identify other potential campus growth options including collaborative property use and ventures with the city and other private property owners.

Additionally, the plan outlines the college's current and proposed policies to manage parking and traffic generated by the college. A list of multimodal transportation improvements is identified in the plan (pages 23-29) to enhance vehicular, bicycle and pedestrian circulation on and adjacent to the campus. The appended documents contain parking and traffic studies, infrastructure and circulation suggestions, and a stormwater management and utility support summary, all used as references in the development of the plan.

#### *Text Amendment*

In conjunction with the updated plan, the college requests approval of a text amendment to Section 6-7G (College/University District) of the Municipal Code to reflect the changes in the 2010-2020 Master Land Use Plan. The text amendment will serve as a cleanup of the existing code and include a more comprehensive list of common college uses (Attachment 1).

#### *Summary*

Staff has reviewed the draft North Central College Master Land Use Plan and text amendment and concurs with the recommendations in both documents.

#### **ATTACHMENTS:**

1. North Central College Master Land Use Plan – Attachment 1: Text Amendment – PC 10-1-014
2. North Central College Master Land Use Plan – Application – PC 10-1-014
3. North Central College Master Land Use Plan – Location Map – PC 10-1-014
4. North Central College Master Land Use Plan – 2/17/2010 Plan Commission Minutes – PC 10-1-014

**PROPOSED AMENDMENTS TO  
SECTION 6-7G (COLLEGE/UNIVERSITY DISTRICT)**

Added text is underlined. Deleted text is ~~struck through~~.

...

**6-7G-4: PERMITTED ACCESSORY USES:**

The uses delineated below shall be accessory only to colleges or universities. The permitted accessory uses for the district include, but are not limited to, the following:

1. Classroom buildings; administration buildings; faculty/staff office buildings; dormitories; multipurpose buildings for college uses; training buildings; conference and seminar buildings; buildings which provide overnight accommodations for guests of and visitors to the college or university; parking lots; maintenance buildings; health clubs; general retail and services which are generally associated with bookstores and dining services and other functions servicing college students; general retail and services which are included in a college/university-sponsored class, program, club or activity; clubs, lodges and organizations.

2. Other uses which are the same general character as the above permitted uses, as determined by the Zoning Administrator.

...

**6-7G-5: REQUIRED CONDITIONS:**

The following conditions shall be required:

1. – 4. ...

5. The accessory uses in the college/university district shall be located within a building or structure containing a permitted or accessory use and shall not contain advertising visible from the outside of the building or structure. Such accessory uses shall be primarily for the service and convenience of the students and employees of the college or university. This provision shall not apply to (i) special events sponsored by the institution or held in their facilities, or (ii) general retail and services which are included in a college/university-sponsored class, program, club or activity.

6. The college or university may sponsor a special event of community wide interest or may permit a person or organization to utilize its facilities for such an event with or without remuneration. The college or university may permit a person or organization to utilize its facilities for conferences, programming, instruction, or sports/performing arts/special interest camps with or without remuneration.

7. ... In the college/university district, any tract of land or lot may contain one or more principal buildings, structures or uses and any building, structure or use may be located on one or more lots or tracts of land. (Ord. 01-188, 9-18-2001)

...

6-7G-10: - REQUIREMENTS APPLICABLE TO THE NORTH CENTRAL COLLEGE MASTER PLAN AREA:

1. Intent: This district is created in recognition of the fact that North Central College and the surrounding residential and business uses constitute a single neighborhood which must develop and grow in a harmonious and compatible manner. It also recognizes that the stability of North Central College is integral to the viability of the neighborhood. Therefore, the district is intended to provide flexibility to North Central College to develop and expand as it deems necessary to meet the changing requirements of higher education, with a minimum amount of impact on surrounding areas. The North Central College master land use plan ~~dated September 2000, as amended in April 2001, May 2001, and September 2001 (including text and map), was approved by the City Council on September 18, 2001~~ dated January 2010 was approved by the City Council on [REDACTED], 2010. This plan supersedes the North Central College master plan (including text dated November 30, 1988, and accompanying map dated February 18, 1988) which was approved by City Council on January 16, 1989, and the master land use plan dated September 2000, as amended in April 2001, May 2001, and September 2001 (including text and map), which was approved by the city council on September 18, 2001.

2. – 5. ...

6. Height Limitations/Bulk Regulations: The height requirements/bulk requirements for North Central College shall be as follows:

6.1. The maximum height for all buildings and structures in the North Central College master land use plan area constructed after the effective date of these provisions or for all additions to existing buildings and structures constructed after the effective date of these provisions shall be four (4) stories not to exceed fifty (50) feet.

6.2. The height limitations/bulk regulations for single-family detached structures and duplexes shall be the same as the R2 regulations.

6.3. Notwithstanding the provisions of this Subsection 6-7G-10.6, the maximum height of ~~old main~~ Old Main, Carnegie Hall~~building~~, Pfeiffer Hall~~hall~~, Goldspohn Hall~~hall~~, and Merner Field House ~~fieldhouse~~ shall not exceed the height of that the building existing on the date of the adoption of the North Central College master land use plan dated September 2000, as amended.

7. Rezoning: If North Central College expands beyond its boundaries as delineated in the latest Master Land Use Plan approved by the City Council, North Central College may request that the City of Naperville rezone said real property to the College/University District.

**CITY OF NAPERVILLE  
TRANSPORTATION, ENGINEERING AND DEVELOPMENT  
BUSINESS GROUP  
APPLICATION FOR DEVELOPMENT APPROVAL**

**DEVELOPMENT NAME:** North Central College – Master Land Use Plan 2010-2020

Date of Submission: January 27, 2010

**I. APPLICANT/PETITIONER:**

Name: North Central College  
Address: 30 North Brainard Street  
Naperville, Illinois 60540  
Telephone Number: (630)637-5678  
Contact Person: Paul H. Loscheider  
Relationship of Applicant to Subject Property: Owner

**II. OWNER OF THE PROPERTY:**

Name: North Central College  
Address: 30 North Brainard Street  
Naperville, Illinois 60540

**III. ACTION REQUESTED:**

- |   |  |
|---|--|
| <input type="checkbox"/> Annexation                                 | <input type="checkbox"/> Rezoning                                      |
| <input type="checkbox"/> Conditional Use                            | <input type="checkbox"/> Site Plan Review                              |
| <input type="checkbox"/> Preliminary PUD Plat                       | <input type="checkbox"/> Final PUD Plat                                |
| <input type="checkbox"/> Major Change to a Conditional Use          | <input type="checkbox"/> Minor Change to a Conditional Use             |
| <input type="checkbox"/> Major Change to a Planned Unit Development | <input type="checkbox"/> Minor Change to a Planned Unit Development    |
| <input type="checkbox"/> Preliminary Plat of Subdivision            | <input type="checkbox"/> Final Plat of Subdivision                     |
| <input type="checkbox"/> Subdivision Waivers                        | <input type="checkbox"/> Zoning Variance                               |
| <input checked="" type="checkbox"/> Master Land Use Plan            | <input checked="" type="checkbox"/> Modification of Zoning Regulations |

143834/1

**IV. APPLICANT'S/PETITIONER'S STAFF:**

Coordinator: U.S. Equities Realty Telephone Number: 312/456-7000  
20 North Michigan Avenue  
Chicago, Illinois 60602

Attorney: Dommernuth, Brestal, Cobine & West, Ltd. Telephone Number: 630/355-5800  
Address: 123 Water Street  
Naperville, Illinois 60540

Fax Number: 630/355-5976 E-Mail: [kcw@dbcw.com](mailto:kcw@dbcw.com)

Engineer: Cemcon, Inc. Telephone Number: 630/862-2100  
Address: 2280 White Oak Circle  
Aurora, Illinois 60502

Fax Number: 630/862-2199

Metro Transportation Group, Inc. Telephone Number: 312/853-0820  
212 West Kinzie, 3<sup>rd</sup> Floor  
Chicago, Illinois 60610-4695

Landscape Architect: Hitchcock Design Group Telephone Number: 630/961-1787  
221 West Jefferson Avenue  
Naperville, Illinois 60540

**V. PROJECT DATA:**

1. Location: The area between North Avenue and Prairie Avenue and between Brainard Street/DuPage River and Loomis Street
2. County:  X  DuPage  \_\_\_  Will
3. General Description of the Site: College campus improved with academic, residential, recreational and office buildings and facilities
4. Existing Zoning on the Site: CU (College/University District)
5. Acreage of Site:
6. Character of Surrounding Area: Not Applicable

	ZONING	JURISDICTION	EXISTING LAND USE	ADOPTED CITY PLAN
North				
South				
East				
West				

7. List Controlling Ordinances, Agreements and Plats:

- Ordinance No. 87-101 Granting a Conditional Use for an Accessory Parking Lot
- Ordinance No. 89-08 Amending Chapter 11 (Comprehensive Plan) of Title 1 (Administrative) of the Municipal Code
- Ordinance No. 89-09 Creating the College/University District
- Ordinance No. 89-21 Rezoning Property to the College/University District with a Conditional Use
- Ordinance No. 89-22 Amending Chapter 6C (R2 Single Family and Low Density Multi-Family Residence District) Title 6 (Zoning) of the Municipal Code
- Ordinance No. 89-63 Rezoning Property to the College/University District
- Ordinance No. 98-196 Granting a Minor Change to the South Campus
- Ordinance No. 99-115 Approving a Conditional Use for the South Campus Parking Deck
- Ordinance No. 01-187 Updating the North Central College Master Plan
- Ordinance No. 01-188 Amending the College/University District Regulations
- Ordinance No. 04-152 Updating the North Central College Master Plan
- Ordinance No. 04-153 Rezoning Property
- Ordinance No. 06-44 Rezoning Property

- Ordinance No. 06-45 Granting a Conditional Use
- Ordinance No. 06-251 Approving a Minor Change to the Conditional Use
- Ordinance No. 08-36 Amending Chapter 9 (Comprehensive Plan) of Title 1 (Administrative) of the Municipal Code

8. Is this property within the City limits?

- Yes
- No, requesting annexation
- Under review by another governmental agency and requires review due to 1 ½ mile jurisdictional requirements

9. Permanent Parcel Number:

10. For annexation petition, are there electors living on the property: Not Applicable  
 Yes  No

**VI. PROPOSED DEVELOPMENT:**

1. Type of Development:

- Residential  Commercial  Office
- Industrial  Other: Institutional

2. Proposed Zoning: CU (College/University District)

3. Description of Proposal: To update the North Central College Master Land Use Plan for the period of 2010 through 2020 and to modify the provisions of the College/University District relative to the updated Master Land Use Plan

4. General Land Use Data:

	Resid.	Comm.	Office	Indst.	R.O.W.	Park	School	Private	Other	Total
No. of Acres										
% of Total										100%

5. Development Densities: Not Applicable

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Minimum Lot Size	Maximum Lot Size	Average Lot Size
Single-Family								
Townhouse								
Duplex								
Apartment								
Comm.								
Office								
Industrial								

- Gross Acres = land designated for land use type including right-of-way
- Gross Density = number of units divided by gross acres
- Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school and park dedications and open space
- Modified Gross Density = number of units divided by modified gross acres.

6. Community Facilities within the Development: Not Applicable

School Site:

Open Space:

- a. Park Site (to be conveyed to a governmental entity):
- b. Common Areas (to be conveyed to a homeowners association):
- c. Private Facility (to be conveyed to \_\_\_\_\_):

Total:

7. Description of any Non-Residential, Commercial or Industrial portion of the Development: College Campus

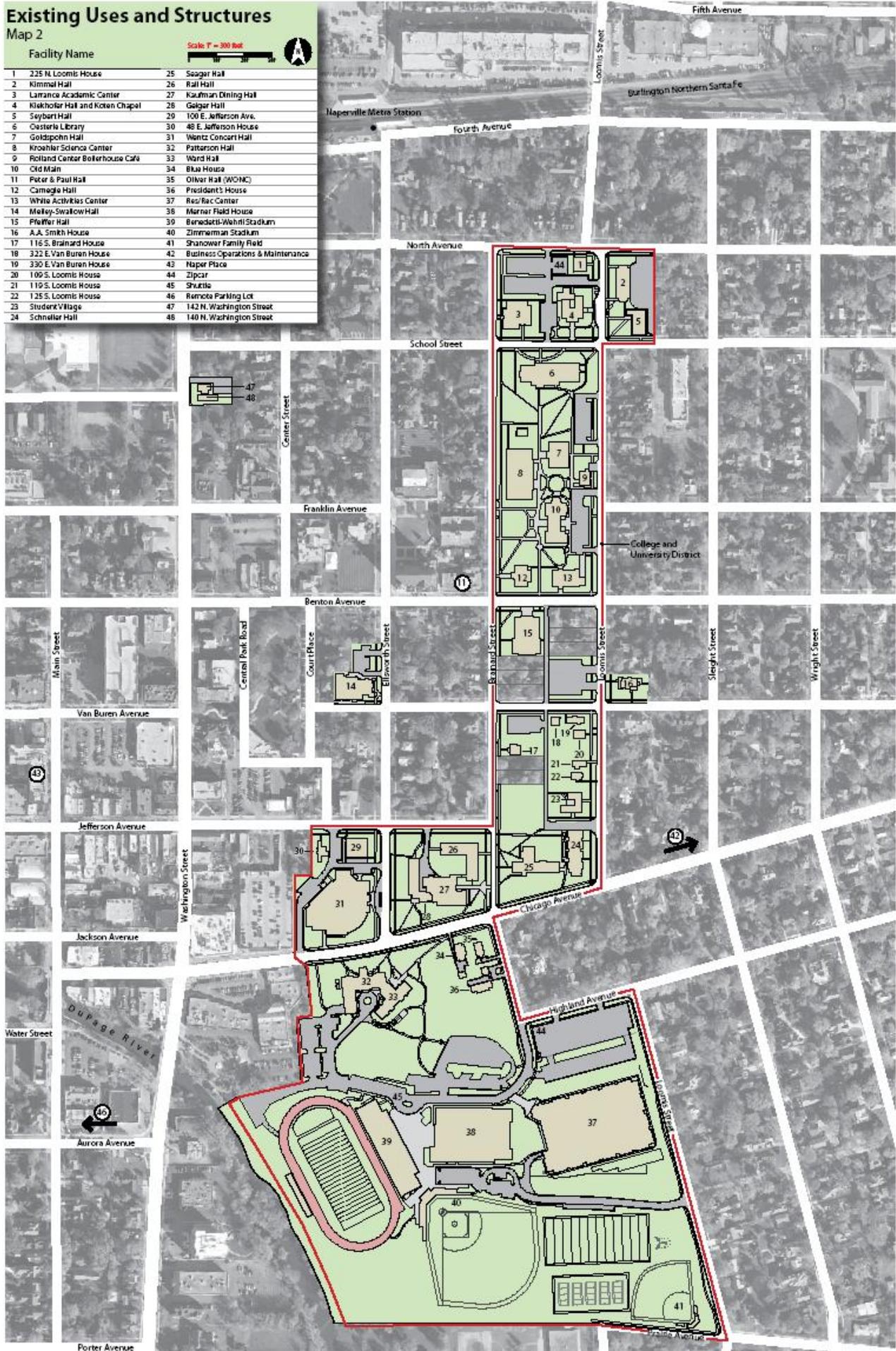
8. Description of Stormwater Management Facilities: Existing Facilities
9. Deviations from the Zoning Regulations: None
10. Deviations from the Subdivision Regulations: None
11. Deviations from the Landscaping Regulations: None

**VII. SCHOOL AND PARK DONATION REQUIREMENTS:**

1. Required School Donation: Not Applicable  
Land:  
Cash:  
How Satisfied:
2. Required Park Donation: Not Applicable  
Land:  
Cash:  
How Satisfied:

### Existing Uses and Structures Map 2

Facility Name	
1	225 N. Loomis House
2	Kimmel Hall
3	Larrance Academic Center
4	Kiekhofler Hall and Koken Chapel
5	Seybart Hall
6	Oesterle Library
7	Goldspohn Hall
8	Kroehler Science Center
9	Roland Center Boilerhouse Cafe
10	Old Main
11	Piper & Paul Hall
12	Carnegie Hall
13	White Activities Center
14	Melloy-Swallow Hall
15	Pfeiffer Hall
16	A.A. Smith House
17	116 S. Brainerd House
18	322 E. Van Buren House
19	330 E. Van Buren House
20	109 S. Loomis House
21	119 S. Loomis House
22	125 S. Loomis House
23	Student Village
24	Schneller Hall
25	Seager Hall
26	Rail Hall
27	Kaufman Dining Hall
28	Galger Hall
29	100 E. Jefferson Ave.
30	48 E. Jefferson House
31	Wentz Concert Hall
32	Patterson Hall
33	Ward Hall
34	Blue House
35	Oliver Hall (WOMC)
36	President's House
37	Res./Bac.Center
38	Merner Field House
39	Benedict/Wehrli Stadium
40	Zimmerman Stadium
41	Shanower Family Field
42	Business Operations & Maintenance
43	Naper Place
44	Zipcar
45	Shuttle
46	Remote Parking Lot
47	142 N. Washington Street
48	140 N. Washington Street



**MINUTES  
NAPERVILLE PLAN COMMISSION  
February 17, 2010 - 7:00 P.M. – COUNCIL CHAMBERS**

<b>Call to Order</b>	<u>Time:</u> (7:03pm)
<b>A. Roll Call</b> Commissioners:	<u>Present:</u> Mike Brown, Chairman Ann Edmonds, Vice Chairman Patty Gustin, Secretary John Herzog Paul Meschino Timothy Messer Patricia Meyer Reynold Sterlin Janet Trowbridge
Student Members:	Thomas Stancey Kelsey Stimple
Staff Present:	Community Planner – Suzanne Thorsen, Amy Emery, Katie Forystek and Ying Liu Project Engineer – Kim Grabow Project Assistant – Dina Hagen
<b>B. Approve Minutes</b>	Ms. Thorsen of staff announced that the February 4, 2010 minutes would be included for review and approval on the March 3, 2010 agenda. (NO VOTE)
<b>G. New Business</b>  <b>PC Case 10-1-014</b> North Central College Master Land Use Plan  <b>Commissioner Requests</b>	<p>Petitioner: 30 N. Brainard Street, Naperville, IL 60540 Location: North Central College Campus</p> <p>Request: The petitioner requests that the Plan Commission initiate a text amendment to Section 6-7G (College/University District) of the Naperville Municipal Code to reflect the proposed updates in the North Central College Master Land Use Plan 2010-2020.</p> <p>Plan Commission directed staff to initiate the text amendment.</p> <ul style="list-style-type: none"> <li>• Clarification for the Plan Commission regarding consideration of marketability and economic information for Plan Commission cases.</li> <li>• Request of commitment from staff to look into an amendment regarding rooftop lighting included in the mixed use district</li> <li>• Information as to the Nike park decision and its impact on Mill Street</li> </ul>

	<p>and Bauer Rd study.</p> <p>Staff agreed to provide the requested information.</p>	
<p><b>G. Adjournment</b></p>	<p><b><u>Motion to Adjourn:</u></b>                  Motion by: Gustin                  Seconded by: Messer</p> <p style="text-align: right;"><b>Time:9:53 pm</b></p>	<p>Approved                  (6 to 0 )</p>









# Naperville

## PLAN COMMISSION AGENDA ITEM

**PC CASE:** 10-1-024                      **AGENDA DATE:** 4/8/2010  
**SUBJECT:** Keystone Parking Deck  
 Petitioner: Keystone Property Group, LLC

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**LOCATION:** Northwest corner of IL Route 59 and Diehl Road

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Correspondence      New Business      Old Business      Public Hearing

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**SYNOPSIS:**

The petitioner requests approval of a preliminary/final plat of subdivision and a variance to Section 6-2-14 (Major Arterial Setback). The purpose of this request is to accommodate construction of one-story parking deck.

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**PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item	Action
NA		

**ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Conduct the public hearing.

**PREPARED BY:** Amy Emery, AICP, Community Planner

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**EXISTING ZONING, LAND USE, AND LOCATION:**

The subject property, commonly known as 1751 W. Diehl Road, is located on the northwest corner of Diehl Road and IL Route 59. The property consists of approximately 15.78 acres and is zoned I (Industrial District). Currently, the property is improved with two office buildings and a surface parking lot.

**CONTROLLING AGREEMENTS AND ORDINANCES:** None

**RELATIONSHIP TO OFFICIAL PLAN OF THE CITY OF NAPERVILLE:**

The future land use designation for this site, as adopted in the 1996 Northwest Sector Revision to the Naperville Comprehensive Master Plan, is "Office/Research". The proposed parking deck use accommodates permitted office/research tenants on the subject property.

**NATURAL FEATURES:**

The site is fairly flat and is currently vacant.

**PLANNING SERVICES TEAM REVIEW:**

Staff has evaluated the development proposal and offers the following analysis:

*Preliminary/Final Plat of Subdivision*

The petitioner is seeking approval of a preliminary/final plat of subdivision in conjunction with the request to construct a one-story parking deck at the northwest corner of the property. The subject property has never been officially subdivided, as such, the requested plat will establish legal lots of record. The plat complies with all requirements of the Municipal Code.

*Major Arterial Setback Variance*

The petitioner has requested a variance to the arterial setback requirement contained in Section 6-2-14 (Major Arterial Setback) of the Municipal Code. This variance is necessary due to the anticipated geometrics associated with the planned widening of IL Route 59 adjacent to the subject property. With this roadway widening effort, IDOT is requiring additional right-of-way from the petitioner, thereby reducing the required 20-foot setback between the proposed parking deck and the property line. At its narrowest point, the parking deck will be setback 12.62 feet from the property line (32.62 feet from the pavement edge once the roadway is widened). The requested variance will not impede plans to widen IL Route 59 or present a safety hazard. The petitioner's response to the standards for approving a variance is included with the development petition. Staff concurs with the petitioner's findings.

*Landscape Plan*

The landscape plan adds to the existing palette of mature plantings on the site. The plan includes perimeter site, parkway and foundation plantings along the wall of the parking deck. The plan complies fully with all landscape code requirements.

*Elevations*

The parking deck will be constructed of precast concrete with a design and finish style intended to complement the principal building on the subject property. To that end, the same exterior finish colors and several architectural details, including a decorative railing around the roofline identical to the railing found on the cornice of each floor of the principal building, have been integrated into the parking deck design.

*Summary*

Staff has reviewed the plans for the proposed parking deck and finds that they comply with the requirements of the Municipal Code.

**ATTACHMENTS:**

1. Keystone Parking Deck – Development Petition – PC 10-1-24
2. Keystone Parking Deck – Location Map – PC 10-1-24
3. Keystone Parking Deck – Plat of Subdivision – PC 10-1-24
4. Keystone Parking Deck – Landscape Plan – PC 10-1-24
5. Keystone Parking Deck – Building Elevations – PC 10-1-24

CITY OF NAPERVILLE  
T.E.D. BUSINESS GROUP  
PETITION FOR DEVELOPMENT APPROVAL

Development Name (should be consistent with plat): EAST WEST CORPORATE CENTER

Development Address: 1751 & 1771 WEST DIEHL ROAD

Date of Submission: 12/8/2008

I. APPLICANT:

KEYSTONE PROPERTY GROUP, INC.  
FOID  
1751 WEST DIEHL ROAD ASSOCIATES, LLC  
1771 WEST DIEHL ROAD ASSOCIATES, LLC  
Corporation

BRIAN LAUCK, REGIONAL DIRECTOR

Name

1751 WEST DIEHL ROAD, 130

Street

NAPERVILLE

City

IL

State

60563

Zip Code

BRIAN LAUCK

Primary Contact Person

REGIONAL DIRECTOR

Relationship to Applicant

(630) 983-5900 x 11

Telephone Number

(630) 983-6015

Fax Number

BLAUCK@KEYSTONEPROPERTYGROUP.COM

E-Mail Address

II. OWNER OF THE PROPERTY:

1751 WEST DIEHL ROAD ASSOCIATES, LLC & 1771 WEST DIEHL ROAD ASSOCIATES, LLC

Name

ONE PRESIDENTIAL BOULEVARD, SUITE 305<sup>S</sup>, BALA CYNWYD, PA 19004

Address

III. APPLICANT'S/PETITIONER'S STAFF:

Attorney: DAVID MCLAUGHLIN, ESQ

Telephone Number: (610) 980-7057

Email Address: DSM@DSMLAW.BIZ

Fax Number: (610) 980-7058

Address: ONE PRESIDENTIAL BOULEVARD, SUITE 305, BALA CYNWYD, PA 19004

Engineer: CONDON CONSULTING ENGINEERS

Telephone Number: (815) 728-0068

IV. ACTION REQUESTED (Check applicable boxes and complete corresponding Exhibits):

- |   |   |
|---|---|
| <input type="checkbox"/> Annexation (see Section V below)                                   | <input type="checkbox"/> Subdivision Waiver / Deviation to Platted Setback Line<br>(Complete Exhibit 4) |
| <input type="checkbox"/> Rezoning from ___ To ___<br>(Complete Exhibit 1)                   | <input type="checkbox"/> Zoning Variance<br>(Complete Exhibit 5)  |
| <input type="checkbox"/> Preliminary PUD Plat<br>(Complete Exhibit 2)                       | <input type="checkbox"/> Final PUD Plat<br>(Complete Exhibit 2)   |
| <input type="checkbox"/> Major Change to a Planned Unit Development<br>(Complete Exhibit 2) | <input type="checkbox"/> Minor Change to a Planned Unit Development<br>(Complete Exhibit 2)             |
| <input checked="" type="checkbox"/> Preliminary Plat of Subdivision                         | <input checked="" type="checkbox"/> Final Plat of Subdivision   |
| <input type="checkbox"/> Conditional Use<br>(Complete Exhibit 3)                            | <input type="checkbox"/> Major Change to a Conditional Use<br>(Complete Exhibit 3)                      |
| <input type="checkbox"/> Minor Change to a Conditional Use<br>(Complete Exhibit 3)          | <input type="checkbox"/> Landscape Variance<br>(Complete Exhibit 6)                                     |
| <input type="checkbox"/> Site Plan Review   | <input type="checkbox"/> Plat of Easement / Vacation / Dedication<br>(circle all that apply)            |
| <input type="checkbox"/> Sign Variance<br>(Complete Exhibit 5)                              |   |

V. ANNEXATION

Is this development within the City limits?

- Yes.
- Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.
- No, *requesting annexation*
- Are there electors living on the property:
- Yes  No
- If yes, did they sign the Petition for Annexation?  Yes  No

VI. SITE DATA

1. General description of site conditions (Including existing site improvements, i.e., buildings, parking, landscaping, etc.)

SITE CONTAINS TWO CLASS A OFFICE BUILDINGS WITH SURFACE PARKING AND PARKING LOT LANDSCAPE SCREENING

LOT 1 / 1751 WEST DIEHL ROAD - 4 STORY BUILDING: 59,538 SF FOOTPRINT  
74,184 SF, PARKING: 559 STANDARD SPACES + 10 ACCESSIBLE SPACES = 568 TOTAL PARKING SPACES

LOT 2 / 1771 WEST DIEHL ROAD - 3 STORY BUILDING: 33,548 SF FOOTPRINT  
106,427 SF, PARKING: 293 STANDARD SPACES + 6 ACCESSIBLE SPACES = 299 TOTAL PARKING SPACES

- 2. Existing Utility Services (water, sewer, electricity): ELECTRIC, WATER, SEWER GAS
- 3. Existing zoning on the site: I - INDUSTRIAL
- 4. Existing Land Use: OFFICE RESEARCH + DEVELOPMENT
- 5. Acreage & Square Footage of the site: 15.78 AC OR 687,665 SF
- 6. List Controlling Ordinances and agreements (zoning, annexation ordinances, SIA, site plans, preliminary/final PUD plats, etc.):

**VII PROPOSED DEVELOPMENT: DOES NOT APPLY**

1. Type of Development (check all that apply):

- Residential       Commercial       Office  
 Industrial       Other: \_\_\_\_\_

2. Proposed Zoning: \_\_\_\_\_

Description of Proposal: (Including proposed land use, type of use, hours of operation, number of parking spaces, and all Exhibits mandated by the request (see Page 2, Section IV for Exhibit information)– attach additional pages if necessary):

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3. Description of Building (Including number of buildings, square footage of each building and use, maximum height, façade materials):

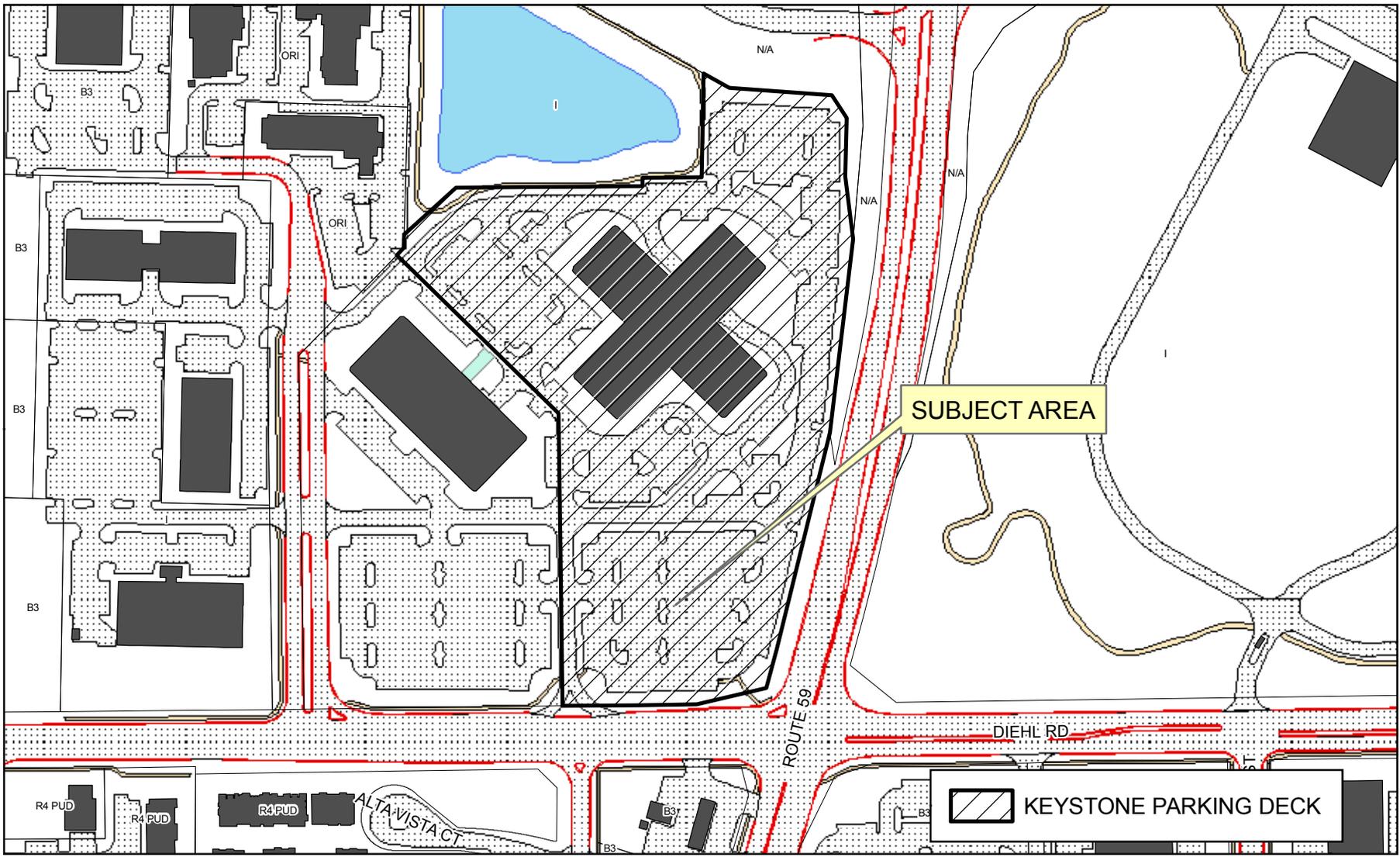
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# City of Naperville KEYSTONE PARKING GARAGE



FINAL - Plan Commission - 4/8/2011

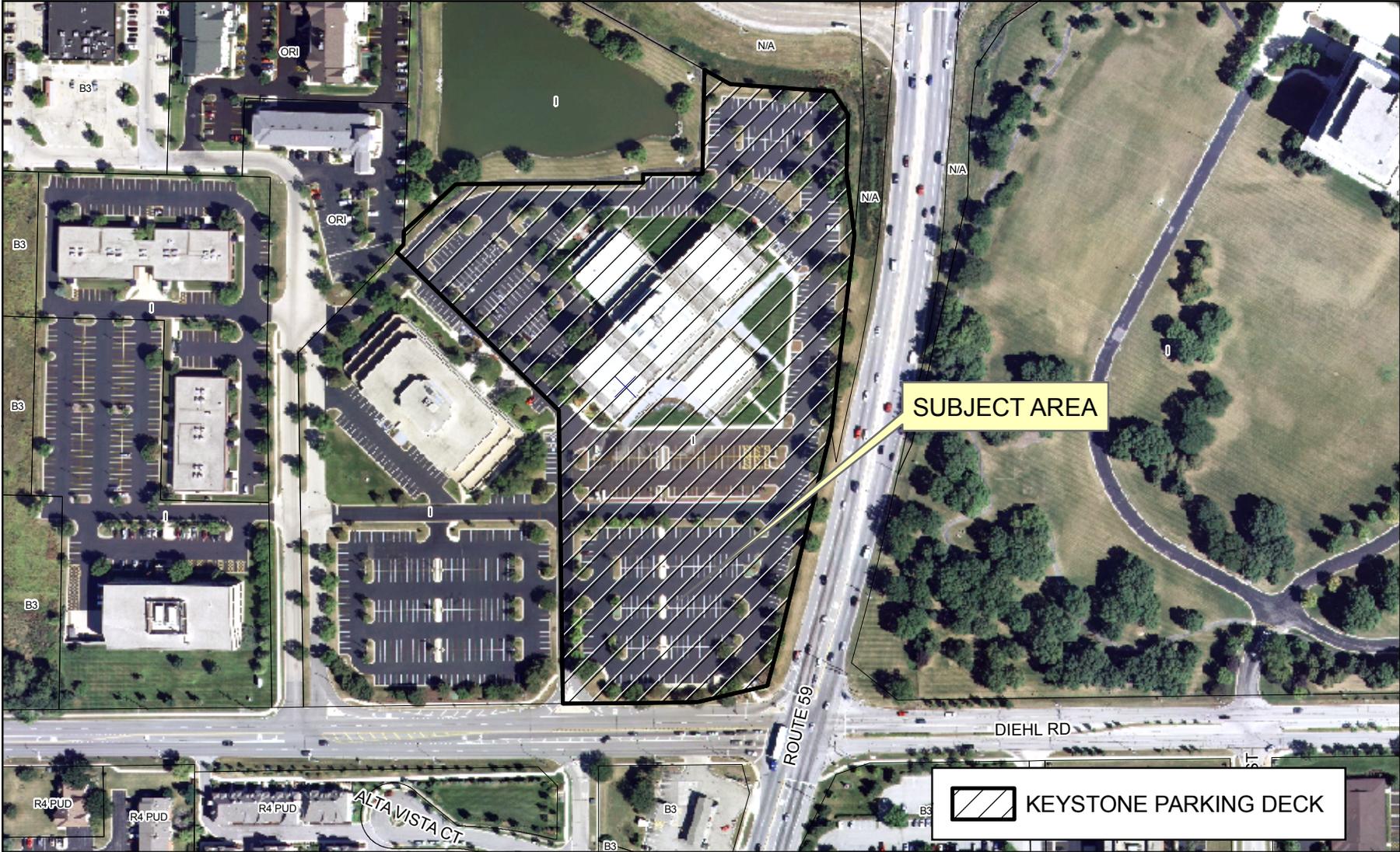


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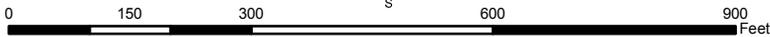


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City of Naperville  
**KEYSTONE PARKING GARAGE**



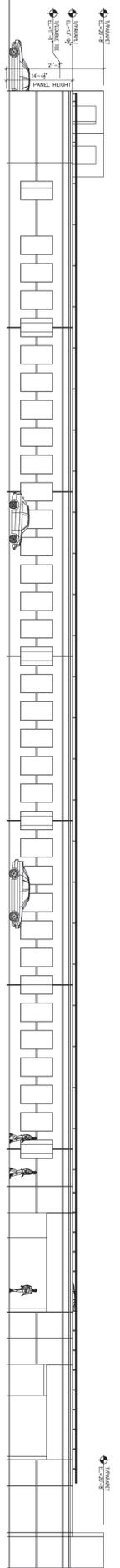
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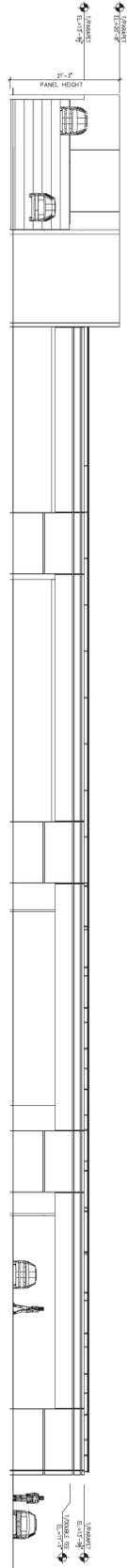
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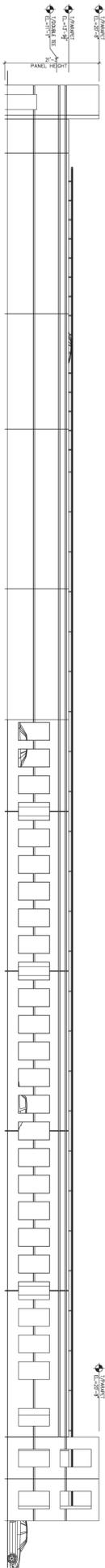




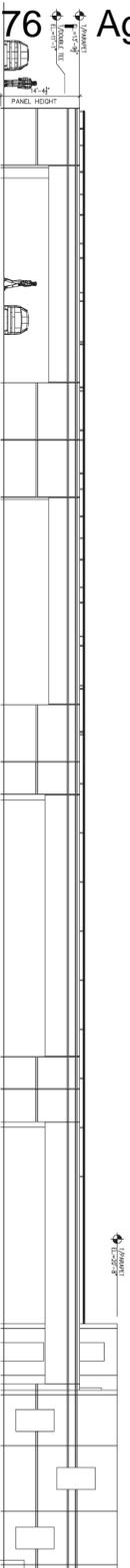
SOUTH VIEW



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

Keystone Parking Deck - PC 10-1-024

**dukane precast**  
 1605 MID-SOUTH LA. HIGHWAY, LUNDY 6640  
 1751 DIEHL ROAD  
 LUNDY, MISSISSIPPI 39096  
 PHONE: 662-833-2222 FAX: 662-833-2222  
 WWW.DUKANEPC.COM  
 PROJECT: Dukane Precast  
 DRAWN BY: [Name] DATE: 03-18-10  
 CHECKED BY: [Name] DATE: 03-18-10  
 APPROVED BY: [Name] DATE: 03-18-10  
 3DV-1







# Naperville

## PLAN COMMISSION AGENDA ITEM SUMMARY

**PC CASE:** 10-1-029 **AGENDA DATE:** 4/8/2010  
**SUBJECT:** PC Case #10-1-029 United Martial Arts Studio  
 Petitioner: Inland Commercial Property Management, Inc., 2901  
 Butterfield Road, Oak Brook, IL 60523

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**LOCATION:** 1262 East Chicago Avenue

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Correspondence       New Business       Old Business       Public Hearing

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### **SYNOPSIS:**

The petitioner requests a major change to a conditional use in the B1 District (Neighborhood Convenience Shopping Center) to expand the existing martial arts studio (United Martial Arts) from 2,080 square feet to 3,585 square feet.

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### **PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
N/A		

### **ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Conduct the public hearing.

**Prepared by:** Jason Zawila, AICP, Community Planner

---

### **EXISTING ZONING, LAND USE, AND LOCATION**

The subject property consists of a 3,585 square foot tenant space located in the Butera Market Shopping Center located at 1262 East Chicago Avenue. It is currently zoned B1 District (Neighborhood Convenience Shopping Center) and is improved with a strip-retail shopping center.

### **CONTROLLING AGREEMENTS AND ORDINANCES**

Ordinance 05-181: Amending a temporary use for an internet café.

Ordinance 03-162: Approving a conditional use for a martial arts studio (United Martial Arts).

Ordinance 92-103: Granting a variance to permit the area of a store to exceed 30,000 square feet and to reduce the required number of parking spaces.

Ordinance 72-052: Rezoning the subject property from R-3 to B-1

**RELATIONSHIP TO OFFICIAL PLAN OF THE CITY OF NAPERVILLE**

The 1998 East Sector Revision to the Comprehensive Master Plan designates this property for commercial use. The proposed use is consistent with that designation.

**NATURAL FEATURES**

The site is currently improved with a multi-tenant commercial building and a parking lot.

**PLANNING SERVICES TEAM REVIEW**

Staff has evaluated the proposal and offers the following analysis:

*Major Change to the Conditional Use*

The existing multi-tenant building (Butera Market Shopping Center) is currently occupied by supermarket, restaurant, and miscellaneous commercial uses (Attachment 1). In 2003, United Martial Arts received conditional use approval for a martial arts studio in a 2,080 square foot tenant space. The current request is to remain in the existing tenant space and expand the studio to a total size of 3,585 square feet.

Staff finds the expansion of the proposed martial arts training studio is compatible and appropriate within the context of the Butera Market Shopping Center. No changes to the exterior elevations of the existing building are proposed. The petitioner has provided responses to Section 6-3-8:2 (Standards for Granting a Major Change to the Conditional Use) which are included in the Development Petition. Staff concurs with the petitioner's findings.

*Off-Street Parking*

The proposed 3,585 square foot martial arts training studio requires a total of 18 off-street parking spaces. A total of 317 parking spaces are required for the shopping center per Ordinance 92-103 which authorized a parking variance for the overall site. Staff has reviewed the proposed use and the current tenant roster and determined that the expanded use will have no net impact on overall parking demand for the site (Attachment 1). This is due to the mix of service and office uses that are also located in the center, which are calculated at a lower parking requirement than retail uses.

*Summary*

Staff recommends approval of the requested major change to the conditional use for the United Martial Arts expansion. Staff finds that the proposed use will not negatively impact the character of the development or the overall parking availability of the existing shopping center.

**ATTACHMENTS**

- 1) United Martial Arts - Attachment 1: Butera Market Parking Analysis – PC#10-1-029
- 2) United Martial Arts - Development Petition – PC#10-1-029
- 3) United Martial Arts - Legal Description – PC #10-1-029
- 4) United Martial Arts - Location Map – PC#10-1-029

<b>Tenant</b>	<b>Square Feet</b>	<b>Parking Ratio</b>	<b>Parking Required</b>
<b>Total</b>	<b>69,137</b>		
Butera	46,096	4.5	207.4
My Travel Agent	910	3.3	3.0
State Farm Insurance	888	3.3	3.0
Vacant	900	4.5	4.1
Vacant	4,028	4.5	18.1
Pepe's	4,000	10.0	40.0
Vacant	2,810	4.5	12.6
Vacant	1,440	4.5	6.5
China Star Restaurant (Take Out)	1,275	4.5	5.7
Clean Care Center, Inc.	1,700	3.3	5.6
Vacant	1,505	4.5	6.8
United Martial Arts (with proposed expansion)	3,585	5.0	17.9
Required Parking Spaces			330.7
Provided Parking Spaces*			317.0

\* "Ordinance 92-103 granted a variance to reduce the required number of parking spaces for the site."

## ATTACHMENT 1

**CITY OF NAPERVILLE  
T.E.D. BUSINESS GROUP  
PETITION FOR DEVELOPMENT APPROVAL**

Development Name (should be consistent with plat): \_\_\_\_\_

Development Address: 1290 CHICAGO STREET

Date of Submission: \_\_\_\_\_

**I. APPLICANT:**

Allison M. KUCHNY INLAND Commercial Property Management, INC.  
Name Corporation

2901 Butterfield Road  
Street

Oak Brook IL 60523  
City State Zip Code

Allison M. KUCHNY (630) 218-5276  
Primary Contact Person Relationship to Applicant Telephone Number

(630) 645-7259 KUCHNY@INLANDREALESTATE.COM  
Fax Number E-Mail Address

**II. OWNER OF THE PROPERTY:**

INLAND 1290 CHICAGO AVENUE, L.L.C., A DELAWARE limited liability Company  
Name

2901 Butterfield Road Oak Brook, IL 60523  
Address

**III. APPLICANT'S/PETITIONER'S STAFF:**

Attorney: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Address: \_\_\_\_\_

Engineer: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**IV. ACTION REQUESTED (Check applicable boxes and complete corresponding Exhibits):**

- |   |   |
|---|---|
| <input type="checkbox"/> Annexation (see Section V below)                                   | <input type="checkbox"/> Subdivision Waiver / Deviation to Platted Setback Line<br>(Complete Exhibit 4) |
| <input type="checkbox"/> Rezoning from ____ To ____<br>(Complete Exhibit 1)                 | <input type="checkbox"/> Zoning Variance<br>(Complete Exhibit 5)  |
| <input type="checkbox"/> Preliminary PUD Plat<br>(Complete Exhibit 2)                       | <input type="checkbox"/> Final PUD Plat<br>(Complete Exhibit 2)   |
| <input type="checkbox"/> Major Change to a Planned Unit Development<br>(Complete Exhibit 2) | <input type="checkbox"/> Minor Change to a Planned Unit Development<br>(Complete Exhibit 2)             |
| <input type="checkbox"/> Preliminary Plat of Subdivision                                    | <input type="checkbox"/> Final Plat of Subdivision  |
| <input checked="" type="checkbox"/> Conditional Use<br>(Complete Exhibit 3)                 | <input type="checkbox"/> Major Change to a Conditional Use<br>(Complete Exhibit 3)                      |
| <input type="checkbox"/> Minor Change to a Conditional Use<br>(Complete Exhibit 3)          | <input type="checkbox"/> Landscape Variance<br>(Complete Exhibit 6)                                     |
| <input type="checkbox"/> Site Plan Review   | <input type="checkbox"/> Plat of Easement / Vacation / Dedication<br>(circle all that apply)            |
| <input type="checkbox"/> Sign Variance<br>(Complete Exhibit 5)                              |   |

**V. ANNEXATION**

Is this development within the City limits?

- Yes.
- Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.
- No, *requesting annexation*
- Are there electors living on the property:
- Yes  No
- If yes, did they sign the Petition for Annexation?  Yes  No

**VI. SITE DATA**

1. General description of site conditions (Including existing site improvements, i.e., buildings, parking, landscaping, etc.)

67,1632 S.F. Butera Anchored Shopping Center.

2. Existing Utility Services (water, sewer, electricity): All City Services
3. Existing zoning on the site: B-1
4. Existing Land Use: Neighborhood / Commercial Trade
5. Acreage & Square Footage of the site: 7.3116 Acres / 318,491.83 s.f.
6. List Controlling Ordinances and agreements (zoning, annexation ordinances, SIA, site plans, preliminary/final PUD plats, etc.):

**VII. PROPOSED DEVELOPMENT:**

1. Type of Development (check all that apply):

Residential

Commercial

Office

Industrial

Other: Expand Existing business to adjacent space.

2. Proposed Zoning: B-1

Description of Proposal: (Including proposed land use, type of use, hours of operation; number of parking spaces, and all Exhibits mandated by the request (see Page 2, Section IV for Exhibit information)– attach additional pages if necessary):

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3. Description of Building (Including number of buildings, square footage of each building and use, maximum height, façade materials):

Commercial Shopping Center that is 67,632 s.f. and 13.7% vacant. The center has approximately 256 parking stalls.

4. Describe all requested Variances / Deviations from the underlying zoning regulations (i.e. parking, setbacks, density, height/bulk etc.) **NOTE:** Complete this section as well as **Exhibit 5** – attach additional pages if necessary:

N/A

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5. Describe all requested waivers from the Subdivision Regulations: (i.e. R.O.W., widths, easements, etc.) **NOTE:** Complete this section as well as **Exhibit 4** – attach additional pages if necessary:

N/A

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6. Deviations from the Landscaping Regulations **NOTE:** Complete this section as well as **Exhibit 6** – attach additional pages if necessary:

N/A

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7. General Land Use Data:

	Residntl.	Comrcl.	Office	Indst.	R.O.W.	Park	School	Private	Other*	Total
No. of Acres										
% of Total										

\*Please explain:

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8. Development Densities:

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Building square footage	Minimum Lot Size	Maximum Lot Size	Ave Lot
Single-Family						NA			
Townhome						NA			
Duplex						NA			
Apartment						NA			

Comrcl.			NA	NA	NA				
Office			NA	NA	NA				
Industrial			NA	NA	NA				

- Gross Acres = land designated for land use type including right-of-way
- Gross Density = number of units divided by gross acres
- Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school/park dedications and open space areas.
- Modified Gross Density = number of units divided by modified gross acres.

**VIII. SCHOOL AND PARK DONATION REQUIREMENTS (calculation tables must be attached):**

1. Required School Donation of \_\_\_\_\_ acres will be met by a \_\_\_\_\_

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2. Required Park Donation of \_\_\_\_\_ acres will be met by a \_\_\_\_\_

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**IX. PRIVATE FACILITIES**

1. Private open space and recreational facilities include:

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Which will be maintained by: \_\_\_\_\_ The City of Naperville  
 \_\_\_\_\_ Homeowners Association  
 \_\_\_\_\_ Other ( \_\_\_\_\_ )

2. Outlots and/or detention/retention facilities include (size, number and location)

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Which will be maintained by: \_\_\_\_\_ The City of Naperville  
 \_\_\_\_\_ Homeowners Association  
 \_\_\_\_\_ Other ( \_\_\_\_\_ )

3. Detention, retention, open space/recreation and school uses within the development:

	Private -- Homeowners Association (acres)*	Public --To be Dedicated (acres)	Other (acres)*	Total (acres)
Open Space*				
a. Park Site				
b. Common				

Areas*				
c. Private Facility*				
Sub-total				
School Site				
Total				

\*Please Explain:

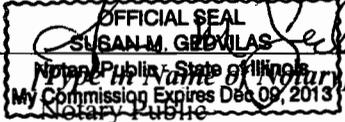
*Note: Please provide a brief explanation of the type of private facility, common area, open space or other acreage included in the development (Private facilities would include facilities such as clubhouses or private swim clubs. Other could include detention/facilities or outlots for landscape buffers, subdivision identification signage or similar purposes.)*

Respectfully Submitted,  
 [Enter Name of Petitioner(s) or Authorized Agent]

By: Alison Kuechy  
 [Type in Name of Signatory]  
 [Type in Title of Signatory (e.g. Owner, Atty., etc.)]

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

The foregoing petition was acknowledged before me by [Type in Name of Notary] on the 4<sup>th</sup> day of March, 2010 A.D.

By:  Susan M. Grovlas  
 [Type in Name of Notary]  
 Notary Public, State of Illinois  
 My Commission Expires Dec 09, 2013  
 Notary Public

**LLC PETITIONERS**

LLC petitioners are required to produce the articles of organization that are on file with the Illinois Secretary of State's Office. If an LLC is manager-managed, this petitioner may be executed by the manager identified within the articles of organization. If an LLC is member-managed, this petition must be executed by each member of the LLC

**EFFECTIVE PERIOD OF APPLICATION**

Please note that applications for development approval are only valid for a period of two years from the date of application submission and that all cases will be closed by the City without further notice to the applicant after the two year period has expired.

**ATTACHMENT 6**  
**CITY OF NAPERVILLE**  
**DISCLOSURE OF BENEFICIARIES**

In compliance with Ordinance 85-193, An Ordinance amending Title I (Administrative) of the Naperville Municipal Code, as amended, by adding Chapter 12 thereto requiring disclosure of certain interests by persons applying for permits, licenses, approvals or benefits from the City of Naperville.

1. Applicant: Allison M. KUCHNY  
Address: 2901 Butterfield Road  
Oak Brook, IL 60523

2. Nature of Benefit sought: Conditional Use

3. Nature of Applicant (Please check one):  
a. Natural Person       d. Trust/Trustee   
b. Corporation               e. Partnership   
c. Land Trust/ Trustee       f. Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of applicant:  
\_\_\_\_\_

5. If in your answer to Section 3 you checked box b, c, d, e or f, identify by name and address each person or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of case of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

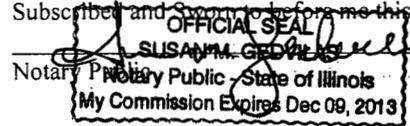
6. Name, address and capacity of person making this disclosure on behalf of the applicant:  
\_\_\_\_\_  
\_\_\_\_\_

IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than a natural person, additional disclosures are required for each entity.

VERIFICATION  
I, Allison KUCHNY, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature: Allison Kuchny

Subscribed and Sworn to before me this 4th day of March, 2010



## **Standards for Granting or Amending a Conditional Use**

- 1. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare:*

United Martial Arts has been a good standing Tenant within the shopping center and the community since January 26, 2004. United Martial Art's outstanding reputation as one of the best Martial Arts and Chinese Qigong facilities has helped the community practice Martial Arts, Self Defense and has even help to increase accident victim's mobility through Qigong Therapy. This Tenant does not generate noise beyond their walls, have excessive parking requirements and only goal is to help the community.

- 2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purpose already permitted, not substantially diminish and impair property values within the neighborhood:*

In their 6 years of operation at the site, United Martial Arts has never been injurious to the use, to the enjoyment of other property in the neighborhood, nor has it substantially diminished or impaired property values within the neighborhood.

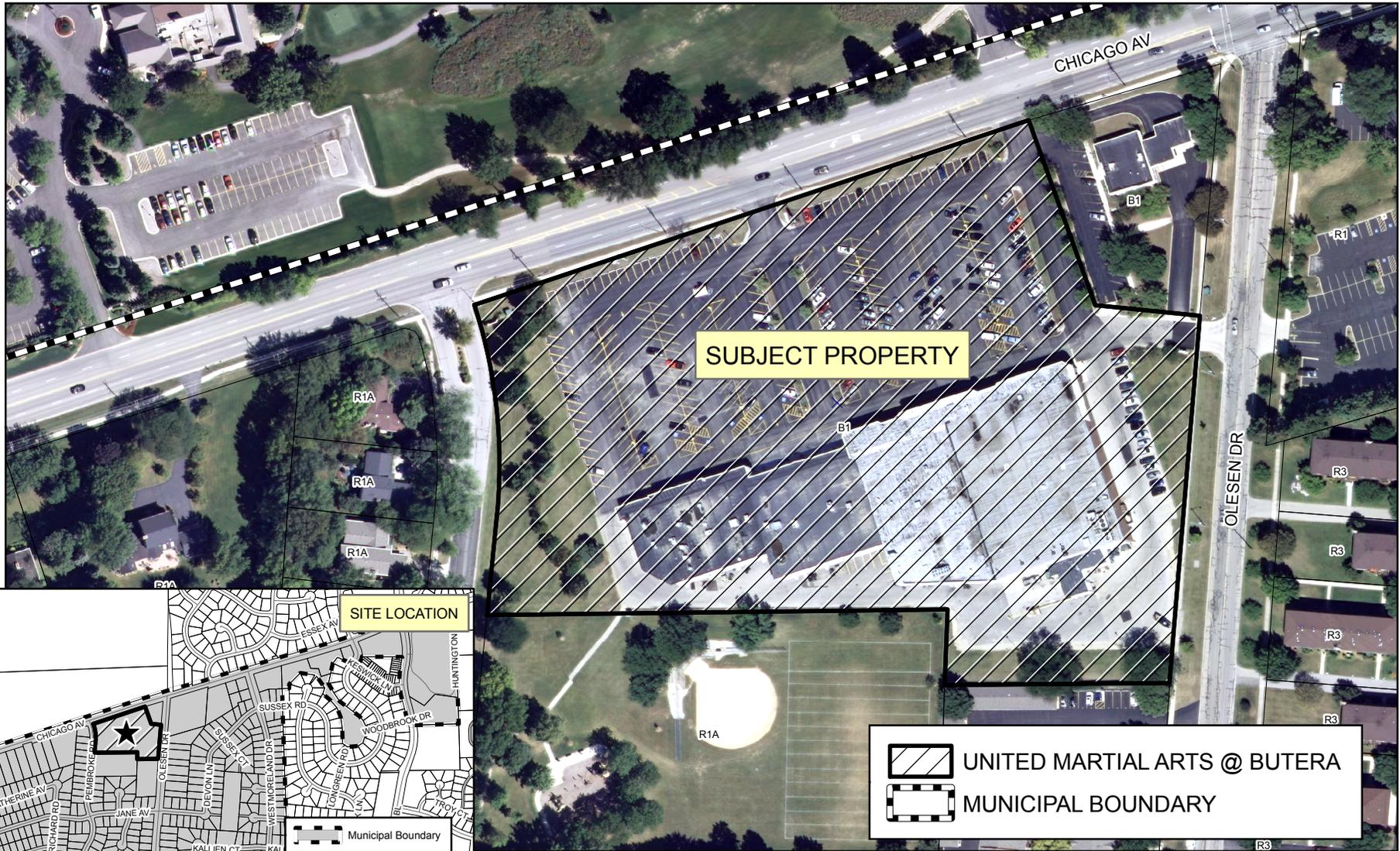
- 3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property.*

In their 6 years of operation at the site, United Martial Arts has never impacted any normal and orderly development of the adjacent property.

PIN NUMBER: 08-17-303-022

LEGAL DESCRIPTION: That part of the South half of Section 17. Township 38 North, Range 10, east of the Third Principal Meridian, described as follows: Commencing at a point on the center line of Chicago Avenue (Maple Road) (Naperville-Chicago Road) as now monumented and occupied, said point being 640.345 Feet (as measured along said center line) Northeasterly of the most Northerly corner of Pembroke Greens Unit One Subdivision, being a Subdivision in the aforesaid South half of said Section 17, and most Northerly corner being at the point of intersection of the aforesaid center line of Chicago Avenue and the Easterly line of the aforesaid Pembroke Greens Unit One Subdivision; thence South 74 degrees 29 minutes 10 seconds West along said center line of Chicago Avenue, 640.345 Feet, to the aforesaid most Northerly corner of Pembroke Greens Unit One Subdivision; thence South 15 degrees 30 minutes 50 seconds East along the Easterly line of the aforesaid Pembroke Greens Unit One Subdivision 50.00 Feet; thence continuing along the aforesaid Easterly line of Pembroke Greens Unit One Subdivision 224.15 Feet, being the Easterly line of Pembroke Road and the arc of a circle of 533.00 Feet radius, convex Easterly, and whose chord bears South 3 degrees 35 minutes 45 seconds East; thence continuing along the aforesaid Easterly line of Pembroke Road South 8 degrees 26 minutes 38 seconds West 106.658 Feet to the point of intersection with a line drawn 270.00 Feet (as measured along the Northerly extension of the Easterly line of Lots 10, 11, and 12 in Block 2 in the aforesaid Pembroke Greens Unit One Subdivision) Northerly of a parallel with Northerly line of Lots 1, 8, 9 and 10 in said Block 2, thence South 87 degrees 58 minutes 34 seconds East, along said Parallel line, 489.01 Feet to the point of intersection with the aforesaid Northerly extension of the Easterly line of the aforesaid Lots 10, 11 and 12; thence South 5 degrees 04 minutes 13 seconds West, along said Northerly extension 79.891 Feet to a point 190.109 Feet (as measured along said Northerly extension) North of the Northwest corner of the aforesaid Lot 10; thence South 87 degrees 58 minutes 34 seconds East, along a line parallel with the North line of the aforesaid Lots 1, 8, 9 and 10, a distance of 288.486 Feet to the point of intersection with the center line of Olesen's Drive, formerly Olesens Lane, as now platted, recorded and monumented; thence North 6 degrees 18 minutes 00 seconds East, along said center line, 387.381 Feet to a point 338.87 Feet (as measured along said center line) Southwesterly of the point of intersection of said center line with aforesaid center line of Chicago Avenue; thence North 83 degrees 42 minutes 00 seconds West, along a line drawn perpendicularly to the aforesaid center line of Olesen's Drive 159.36 feet; thence North 15 degrees 30 minutes 50 seconds West, along a line drawn perpendicularly to the aforesaid center line of Chicago Avenue 205.39 Feet to the point of intersection with a line drawn South 6 degrees 36 minutes 53 seconds West through the hereinabove designated point of beginning; thence North 6 degrees, 36 minutes, 53 seconds East along the last described line, 53.976 Feet to said point of beginning, all in DuPage County, Illinois.

City of Naperville  
**UNITED MARTIAL ARTS**

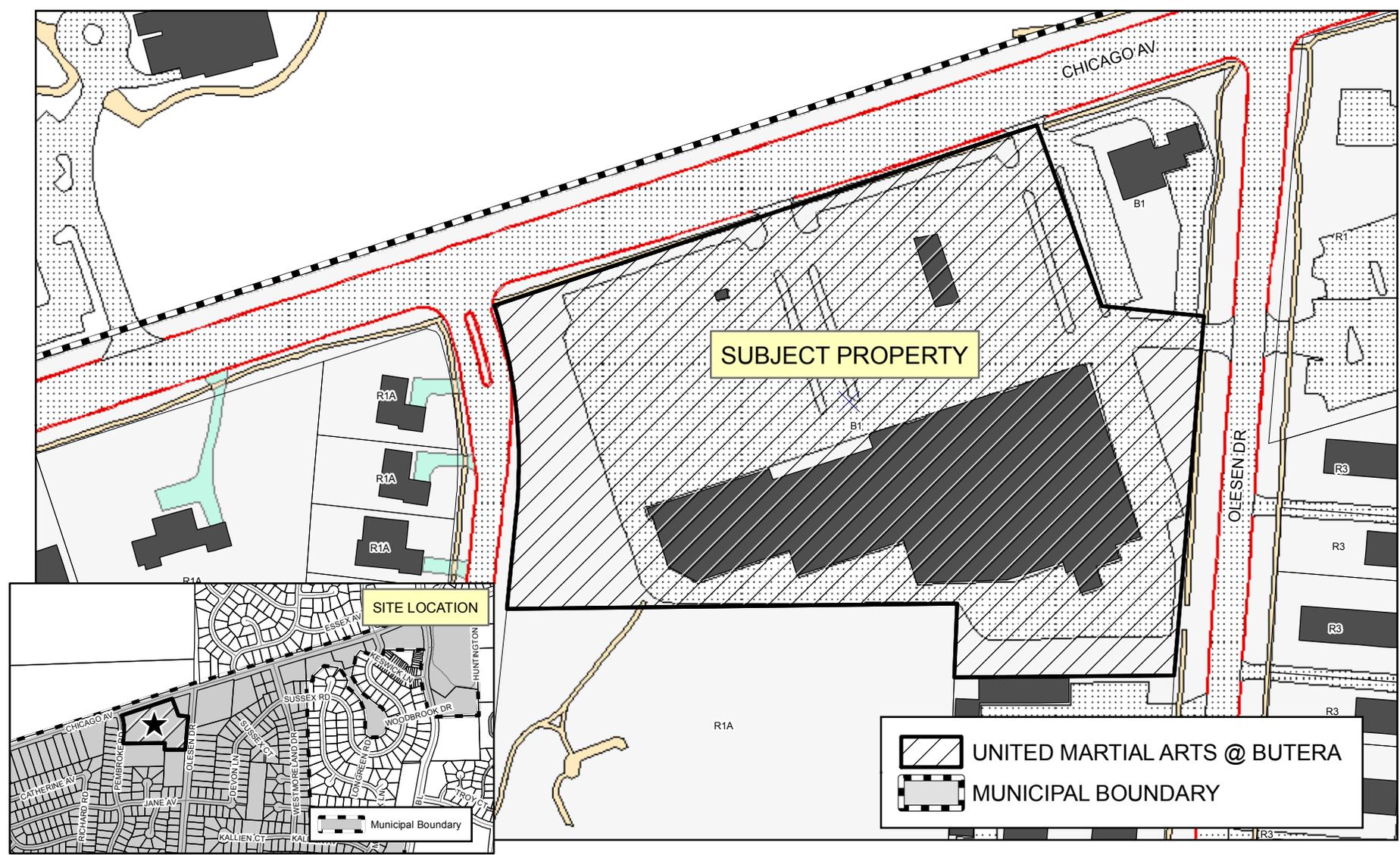


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# City of Naperville UNITED MARTIAL ARTS




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 March 2010



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