



**NAPERVILLE PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS – MUNICIPAL CENTER
FINAL AGENDA
08/03/2011 - 7:00 p.m.**

CALL TO ORDER:

A. Roll Call

B. Approve Minutes

1. Approve the minutes of the July 20, 2011 Planning and Zoning Commission meeting.

C. Old Business

D. Public Hearings

1. PC Case # 11-1-069 Full Service Hotel Text Amendment
Petitioner: Superhost Hospitality
Location: N/A

Request: The Petitioner requests that this item be continued to the August 17, 2011 meeting.

Official Notice: Published in the Naperville Sun on June 5, 8 and 10, 2011.

2. PC Case # 11-1-070 Freedom Plaza Planned Unit Development
Petitioner: Superhost Hospitality
Location: Generally located on Abriter Court north of Diehl Road and south of Interstate 88.

Request: The petitioner requests that this item be continued to the August 17, 2011 meeting.

Official Notice: Published in the Naperville Sun on Sunday, June 5, 2011.

3. PC Case # 11-1-008 Lots 1 and 2 of Freedom Plaza
Petitioner: Superhost Hospitality

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Location: Generally located on Abriter Court north of Diehl Road and south of Interstate 88.

Request: The petitioner requests that this item be continued tot he August 17, 2011 meeting.

Official Notice: Published in the Naperville Sun on Sunday, June 5, 2011.

4. PC Case # 11-1-007 CRL LLC
Petitioner: CRL LLC
Location: Generally located on Abriter Court north of Diehl Road and south of Interstate 88.

Request: The petitioner requestst that this item be continued to the August 17, 2011 meeting.

Official Notice: Published in the Naperville Sun on Sunday, June 5, 2011.

5. PC Case # 11-1-057 Children's World Subdivision (1190 S. Naper Boulevard)
Petitioner: NAP Properties LLC, 150 S. Madison St. #208, Denver, Co. 80209
Location: 1190 S. Naper Boulevard, at the northeast corner of Naper Boulevard and Market Avenue

Request: Recommend approval of the petitioner's request to revoke the existing planned unit development and rezone the property from R1A (Low Density Single-Family District) to OCI (Office, Commercial, and Institutional District).

Official Notice: Published in the Naperville Sun on July 1 and July 22, 2011

E. Reports and Recommendations

1. PC Case # 11-1-076 CityGate Center Resubdivision
Petitioner: Calamos Real Estate, LLC, 2020 Calamos Court, Naperville IL 60563
Location: Southeast corner of Route 59 and Ferry Road

Request: Recommend approval of the Final Plat for Resubdivision of Lot 1 of CityGate Centre Subdivision.

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2. Appeal to Downtown Design Standards
Petitioner: Mike Hackett
Location: 14 W. Jackson Avenue

Request: Deny the request for an appeal of Zoning Administrator application of the Downtown Design Standards to the property at 14 W. Jackson Avenue.

F. Correspondence

G. New Business

H. Adjournment

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 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6725 or 630-305-5205 (TDD) or via e-mail at manningm@naperville.il.us. Every effort will be made to allow for meeting participation.



**NAPERVILLE PLANNING AND ZONING COMMISSION
DRAFT MINUTES OF JULY 20, 2011**

Call to Order

7:03 p.m.

A. Roll Call

Present: Bruno, Coyne, Messer, Meyer, Trowbridge, Williams, Edmonds
Absent: Herzog, Gustin
Student Members: Uber
Staff Present: Planning Team – Emery, Forystek, Thorsen

B. Minutes

Approve the minutes of July 6, 2011

Motion by: Williams
Second by: Messer

Approved
(7 to 0)

C. Old Business

D. Public Hearings

**D1. PC 11-1-084
Caribou Coffee**

The petitioner requests a variance from Section 6-7C-7 (B3 Yard Requirements) of the Naperville Municipal Code to reduce the minimum required corner side yard setback for the purposes of constructing an outdoor patio for a coffee shop for the property located at 686 E. Ogden Avenue, PC 11-1-084.

Katie Forystek, Planning Services Team, gave an overview of the request.

- The proposal complies with the Ogden avenue Corridor Enhancement Initiative.

Todd Mosher, Atwell LLC, 1245 E. Diehl Road, Naperville, architect on behalf of the petitioner, discussed the proposal and was available for questions

- An ornamental fence will separate the patio area from the surrounding site elements.
- No exterior sound or lighting is proposed for the site.

Planning and Zoning Commission inquired about

- Proposed fencing materials around the patio area
- The nature of exterior lighting or sound systems and the procedure for permitting such improvements
- The extent to which the proposed use complies with the Ogden Avenue Corridor Enhancement Initiative

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Messer – the variance is reasonable, the patio and coffee shop will be a great addition to the Ogden corridor.
- Williams – agrees with Messer, and finds that the proposal is a win-win.
- Edmonds – finds that the proposal will be an improvement.

Planning and Zoning Commission moved to recommend approval of PC 11-1-084, Caribou Coffee's request for a variance from Section 6-7C-7 for the purpose of constructing an outdoor dining patio.

Motion by: Trowbridge
Seconded by: Williams

Approved
(7 to 0)

**D2. PC 11-1-050
NAR Business Park**

The petitioner requests annexation, amendment to an existing annexation agreement, and zoning upon annexation to I (Industrial District).

Amy Emery, Planning Services Team, gave an overview of the request

- History of annexation and zoning for NAR Business Park was described.
- Future land use is for mixed-use to encourage transit-oriented development including commercial, residential and office uses.
- The proposed zoning case pertains to areas identified for a land swap that is intended to straighten property lines. The City would retain ownership of areas adjoining the railroad.
- NAR has provided the City with right-of-way along North Aurora Road and the cost of future stormwater detention construction and maintenance will be shared among adjacent property owners.
- No development is presently proposed. Prior to development, a subdivision plat will be required to go before the Planning and Zoning Commission and the City Council.
- The current request being considered by the Plan Commission is annexation of a parcel along the EJE&E Railroad and zoning to the Industrial District upon annexation.

Planning and Zoning Commission inquired about

- The nature of future development plans on the subject property
- Plans for development of right-of-way in the future.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Bruno – noted that the proposal is straightforward and expressed support.
- Williams -- stated that the absence of a plan is somewhat unusual but noted that there are no substantive objections to what is proposed.

Planning and Zoning Commission moved to recommend approval of PC 11-1-150, annexation and amendment to the existing annexation agreement, and zoning upon annexation to the I District.

Motion by: Williams
Seconded by: Meyer

Approved
(7 to 0)

**D3. PC 11-1-057
Children's World
Subdivision**

The petitioner requests to revoke the existing planned unit development for Children's World/Meadows PUD and rezone the property from R1A (Low Density Single-Family District) to OCI (Office, Commercial, and Institutional District).

Suzanne Thorsen, Planning Services Team, gave an overview of the request

- The proposed OCI zoning is more appropriate than the existing R1A designation.
- OCI zoning would permit office and daycare uses by right. Retail would require approval of a conditional use.

Nick Peters, CB Richard Ellis, address, spoke on behalf of the petitioner

- The property has remained vacant for approximately two years.
- Parking lot will only be slightly expanded to the south toward Market Drive, parking supply will be primarily increased through reconfiguring the existing lot.
- Most interest has been from office and medical office uses. Daycare demand has been soft in this area.

Planning and Zoning Commission inquired about

- The nature of zoning and land use near the subject property.
- The length of time that the property has remained vacant.
- Existing parking and the nature of proposed parking modifications.
- How revocation of the PUD would impact the property.
- The nature of landscaping modifications that will occur.
- The nature of uses that are permitted by right in the OCI District.

Planning and Zoning Commission continued the matter to August 3, 2011.

**D4. 11-1-070
Freedom Plaza PUD**

The petitioner requests to revoke portions of the Diehl Office Campus planned unit development, a preliminary plat of subdivision, and a conditional use for a planned unit development and a Preliminary Plat of Planned Unit Development for Freedom Plaza. In conjunction with this request, the petitioner seeks deviations from Section 7-4-7 (Land Use) and Section 6-8B-5 (ORI Area Requirements) of the Municipal Code.

This matter was continued to the Planning and Zoning Commission meeting of August 3, 2011.

**D5. 11-1-008
Lots 1 & 2 of
Freedom Plaza**

The petitioner requests a major change to Lots 1 and 2 of Freedom Plaza for the purposes of establishing a preliminary PUD plat with a restaurant and full service hotel, and a conditional use for a full service hotel. In conjunction with this request, the petitioner seeks deviations for off-street parking facilities, the ORI bulk requirements and the signage requirements.

This matter was continued to the Planning and Zoning Commission meeting of August 3, 2011.

**D6. 11-1-069
Full Service Hotel
Text Amendment**

Amend Title 6 (Zoning Regulations), Chapter 1 (Zoning Title, Purpose, Definitions) of the Municipal Code in order to modify the definition of Full Service Hotel.

This matter was continued to the Planning and Zoning Commission meeting of August 3, 2011.

**D7. 11-1-007
CRL LLC**

The petitioner requests a major change to the Preliminary Freedom Plaza Planned Unit Development, to rezone the subject property from ORI (Office, Research and Light Industry District) to OCI (Office, Commercial and Institutional District), and to establish a Preliminary PUD Plat and a conditional use for a nursing home (Alzheimer's treatment facility). In conjunction with the request, the petitioner seeks deviations for building height, setbacks and signage.

This matter was continued to the Planning and Zoning Commission meeting of August 3, 2011.

**E. Reports and
Recommendations**

None

F. Correspondence

None

G. New Business

None

H. Adjournment

7:37 p.m.



Naperville

NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

CASE: 11-1-069 **AGENDA DATE:** 8/3/2011
SUBJECT: Full Service Hotel Text Amendment
 Petitioner: Superhost Hospitality

LOCATION: N/A

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

Amend Title 6 (Zoning Regulations), Chapter 1 (Zoning Title, Purpose, Definitions) of the Municipal Code in order to modify the definition of Full Service Hotel. In conjunction with this request, amend Section 6-7F-5 (OCI, Required Conditions) and Section 6-8B-4 (ORI, Required Conditions) of the Municipal Code for the purpose of incorporating required conditions for Full Service Hotels.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
6/22/2011	D3	Continued to the July 20, 2011 meeting with a request for additional information.
7/20/2011	D4	Continued to the August 3, 2011 meeting at the request of the petitioner.

ACTION REQUESTED/RECOMMENDED THIS MEETING:

The petitioner requests to continue PC #11-1-069 to the August 17, 2011 Planning and Zoning Commission meeting.

PREPARED BY: Katie Forystek, AICP, Planning Services



Naperville

NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

CASE: 11-1-070 **AGENDA DATE:** 8/3/2011
SUBJECT: Freedom Plaza Planned Unit Development
 Petitioner: Superhost Hospitality

LOCATION: Generally located on Abriter Court north of Diehl Road and south of Interstate 88.

Correspondence New Business Old Business Public Hearing

SYNOPSIS:
 The petitioner requests to revoke portions of the Diehl Office Campus planned unit development, a Preliminary Plat of Subdivision, and a conditional use for a planned unit development and a Preliminary Plat of Planned Unit Development for Freedom Plaza. In conjunction with this request, the petitioner seeks deviations from Section 7-4-7 (Land Use) and Section 6-8B-5 (ORI Area Requirements) of the Municipal Code.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
6/22/2011	D1	Continued to the July 20, 2011 meeting with a request for additional information.
7/20/2011	D5	Continued to the August 3, 2011 meeting at the request of the petitioner.

ACTION REQUESTED/RECOMMENDED THIS MEETING:
 The petitioner requests to continue PC #11-1-070 to the August 17, 2011 Planning and Zoning Commission meeting.

PREPARED BY: Katie Forystek, AICP, Planning Services



Naperville

NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

CASE: 11-1-008 **AGENDA DATE:** 8/3/2011
SUBJECT: Freedom Plaza Planned Unit Development, Lots 1 and 2
 Petitioner: Superhost Hospitality

LOCATION: Generally located on Abriter Court north of Diehl Road and south of Interstate 88.

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

The petitioner requests a major change to Lots 1 and 2 of Freedom Plaza for the purposes of establishing a preliminary PUD plat with a restaurant and full service hotel, and a conditional use for a full service hotel. In conjunction with this request, the petitioner seeks deviations for off-street parking facilities, the ORI bulk requirements and the signage requirements.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
6/22/2011	D2	Continued to the July 20, 2011 meeting with a request for additional information.
7/20/2011	D6	Continued to the August 3, 2011 meeting at the request of the petitioner.

ACTION REQUESTED/RECOMMENDED THIS MEETING:

The petitioner requests to continue PC #11-1-008 to the August 17, 2011 Planning and Zoning Commission meeting.

PREPARED BY: Katie Forystek, AICP, Planning Services



Naperville

NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

CASE: 11-1-007 **AGENDA DATE:** 8/3/2011
SUBJECT: CRL
 Petitioner: CRL LLC, 875 North Michigan Avenue, Suite 3740, Chicago, IL 60611

LOCATION: Generally located on Abriter Court north of Diehl Road and south of Interstate 88.

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

The petitioner requests a major change to the Preliminary Freedom Plaza Planned Unit Development, to rezone the subject property from ORI (Office, Research and Light Industry District) to OCI (Office, Commercial and Institutional District), and to establish a Preliminary PUD Plat and a conditional use for a nursing home (Alzheimer's treatment facility). In conjunction with the request, the petitioner seeks deviations for building height, setbacks and signage.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
6/22/2011	D4	Continued to the July 20, 2011 meeting with a request for additional information.
7/20/2011	D7	Continued to the August 3, 2011 meeting at the request of the petitioner.

ACTION REQUESTED/RECOMMENDED THIS MEETING:

The petitioner requests to continue PC #11-1-007 to the August 17, 2011 Planning and Zoning Commission meeting.

PREPARED BY: Katie Forystek, AICP, Planning Services

Rosanova & Whitaker Ltd.
Attorneys at Law

23 W. Jefferson, Suite 200
Naperville, Illinois 60540

630-355-4600 office
630-352-3610 fax

www.rw-attorneys.com

July 28, 2011

Anastasia Urban
City of Naperville
400 S Eagle Street
Naperville, IL 60540

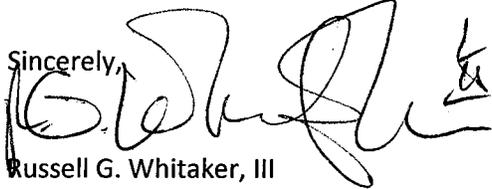
Re: *Freedom Plaza*
August 3, 2011 Plan Commission meeting

Dear Anastasia,

As you are aware, I have been engaged to represent the Petitioner, Superhost Enterprise, in the above referenced matter. In light of comments from the last Planning & Zoning Commission meeting we have revised plans to accommodate additional parking on the site. I hereby request that the case be continued from August 3, 2011 meeting to the August 17, 2011 meeting in order to provide sufficient time for the preparation and review of revised plan documents.

Should you have any questions or concerns please don't hesitate to contact me. I look forward to working with you on this exciting project.

Sincerely,


Russell G. Whitaker, III



Naperville

PLANNING AND ZONING COMMISSION AGENDA ITEM

PC CASE: 11-1-057 **AGENDA DATE:** 8/3/2011
SUBJECT: Children’s World Subdivision (1190 S. Naper Boulevard)
Petitioner: NAP Properties LLC, 150 S. Madison St. #208, Denver, Co.
80209

LOCATION: 1190 S. Naper Boulevard, at the northeast corner of Naper Boulevard and Market Avenue

Correspondence New Business Old Business Public Hearing

SYNOPSIS:
The petitioner requests to revoke the existing planned unit development for Children’s World/Meadows PUD and rezone the property from R1A (Low Density Single-Family District) to OCI (Office, Commercial, and Institutional District).

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
7/20/2011	D3	Conducted the public hearing and continued the case to August 3.

ACTION REQUESTED/RECOMMENDED THIS MEETING:
Recommend approval of the petitioner’s request to revoke the existing planned unit development for Children’s World/Meadows PUD and rezone the property from R1A (Low Density Single-Family District) to OCI (Office, Commercial, and Institutional District) for the property located at 1190 S. Naper Boulevard.

PREPARED BY: Suzanne Thorsen, AICP, Planning Services

BACKGROUND
The subject parcel, comprised of 1.04 acres located at the northeast corner of Naper Boulevard and Market Avenue, is zoned R1A (Low Density Single-Family Residential District) within the Children’s World/Meadows PUD, which allows for development of a nursery school/daycare center. The subject property is presently improved in accordance with the PUD.

The petitioner proposes to occupy the existing 6,175 square foot building with for professional and medical offices. Surrounding parcels to the north, east and south are also zoned R1A PUD and are improved with office and commercial uses. Parcels to the west are zoned B2 PUD and are improved with commercial uses.

DISCUSSION:

The subject property was previously used as a daycare facility but is presently vacant. The property owner, NAP Properties LLC, is seeking a change in zoning to accommodate future use of the site for a professional or medical office. As the current zoning (R1A) does not allow any commercial use, and the existing PUD limits occupancy of the property to only daycare uses, rezoning is necessary in order to accommodate future tenancy of the site.

Staff has reviewed the zoning of surrounding properties and the nature of uses proposed for the subject property and concurs with the petitioner that OCI (Office, Commercial and Institutional) is an appropriate zoning designation for the property. Further, staff finds that the existing PUD is out of compliance with the current standards, and recommends that the PUD be revoked for the subject property. Design elements associated with any unforeseen future changes will be guided by existing landscaping standards and the *Building Design Guidelines*.

July 20th Plan Commission Meeting

The Planning and Zoning Commission opened the public hearing for this item on July 20, 2011. Following presentations by staff and the petitioner's representative, the commission asked questions for clarification regarding land use, the duration of the property's vacant state, and impact of proposed zoning changes on the property. No members of the public provided testimony. As this agenda item was a late addition to the July 20 agenda, the Planning and Zoning Commission continued the public hearing to August 3, 2011 in order to ensure proper publication on the PZC agenda.

ACTION REQUESTED:

Recommend approval of the petitioner's request to revoke the existing planned unit development for Children's World/Meadows PUD and rezone the property from R1A (Low Density Single-Family District) to OCI (Office, Commercial, and Institutional District) for the property located at 1190 S. Naper Boulevard.

ATTACHMENTS:

1. Children's World Subdivision – Petition – PC 11-1-057
2. Children's World Subdivision – Location Map – PC 11-1-057
3. Children's World Subdivision – Site Plan – PC 11-1-057

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

Development Name (should be consistent with plat): Lot 1 Childrens' World Subdivision

Development Address: 1190 S. Naper Blvd.

P.I.N. Number (s): 08-29-207-001

Date of Submission: JUNE 24, 2011

I. APPLICANT:

NAP PROPERTIES LLP

Name

Corporation

150 SO. MADISON ST. #208

DENVER, CO. 80209

612-845-7496

City	State	Zip Code	Telephone Number
LEE B. HOFFMAN		MANAGING GENERAL PARTNER	612-845-7496
Primary Contact Person		Relationship to Applicant	Telephone Number
		<u>highlandfin2@msn.com</u>	E-Mail Address
Fax Number			

II. OWNER OF THE PROPERTY:

SAME AS ABOVE

Name

Address	Telephone Number
---------	------------------

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 (Complete Exhibit 4) |
| RIA | |
| <input checked="" type="checkbox"/> Rezoning from PUD To OCI (Complete Exhibit 1) | <input type="checkbox"/> Zoning Variance (Complete Exhibit 5) |
| <input type="checkbox"/> Preliminary PUD Plat (Complete Exhibit 2) | <input type="checkbox"/> Final PUD Plat (Complete Exhibit 2) |
| <input type="checkbox"/> Major Change to a Planned Unit Development (Complete Exhibit 2) | <input type="checkbox"/> Minor Change to a Planned Unit Development (Complete Exhibit 2) |
| <input type="checkbox"/> Preliminary Plat of Subdivision | <input type="checkbox"/> PUD Deviation (Zoning or Subdivision) |
| <input type="checkbox"/> Conditional Use (Complete Exhibit 3) | <input type="checkbox"/> Final Plat of Subdivision |
| <input type="checkbox"/> Minor Change to a Conditional Use (Complete Exhibit 3) | <input type="checkbox"/> Major Change to a Conditional Use (Complete Exhibit 3) |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Landscape Variance (Complete Exhibit 6) |
| <input type="checkbox"/> Sign Variance (Complete Exhibit 5) | <input type="checkbox"/> Plat of Easement / Vacation / Dedication (circle all that apply) |

V. ANNEXATION

RESCIND CURRENT PUD

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.)

ONE STORY BRICK BUILDING, USED AS A PRESCHOOL, APPROX 6,175 SQ. FT.

CURRENTLY 21 PARKING SPACES & 1 HANDICAP; 2 SIGNS AT THE SW CORNER OF PROPERTY, NAPER BLVD. AND & MARKET AVE. PROPERTY IS CURRENTLY FULLY LANDSCAPED.

- 2. Existing Utility Services (water, sewer, electricity): ALL SERVICES EXIST
- 3. Existing zoning on the site: R1A PUD
- 4. Existing Land Use : PRESCHOOL BUILDING
- 5. Acreage & Square Footage of the site: 1.0471 ACRES, 45,613 SQ FT.
- 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: ALLOWABLE USE UNDER OCI ZONING

2. Proposed Zoning: OCI

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):

PROPERTY IS VACANT AND AVAILABLE FOR PURCHASE OR LEASE

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

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:

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

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

FINAL LANDSCAPE PLAN TO BE SUBMITTED BY ULTIMATE USER

7. General Land Use Data:

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

*Please explain:

PROPERTY IS VACANT AND AVAILABLE FOR PURCHASE OR LEASE ACTUAL USE WILL BE DETERMINED BY USER

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	Average Lot Size
Single-Family						NA			

ownhome						NA			
Duplex						NA			
apartment						NA			
Comrc.			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 N/A acres will be met by a _____

2. Required Park Donation of N/A acres will be met by a _____

IX. PRIVATE FACILITIES

1. Private open space and recreational facilities include:
 N/A
Which will be maintained by: _____ The City of Naperville
_____ Homeowners Association
_____ Other (_____)
2. Outlots and/or detention/retention facilities include (size, number and location)
 N/A
Which will be maintained by: _____ The City of Naperville
_____ Homeowners Association
_____ Other (_____)
3. Detention, retention, open space/recreation and school uses within the development: N/A

	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, NAP PROPERTIES, LLP
 [Enter Name of Petitioner(s) or Authorized Agent]

By: *Lee R. Hoffman*
 [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 24 day of June 2011 A.D. *Tory Harrington*

TORY HARRINGTON
 NOTARY PUBLIC
 STATE OF COLORADO

My Commission Expires March 31, 2014

By: *Tory Harrington*
 [Type in Name of Notary]
 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

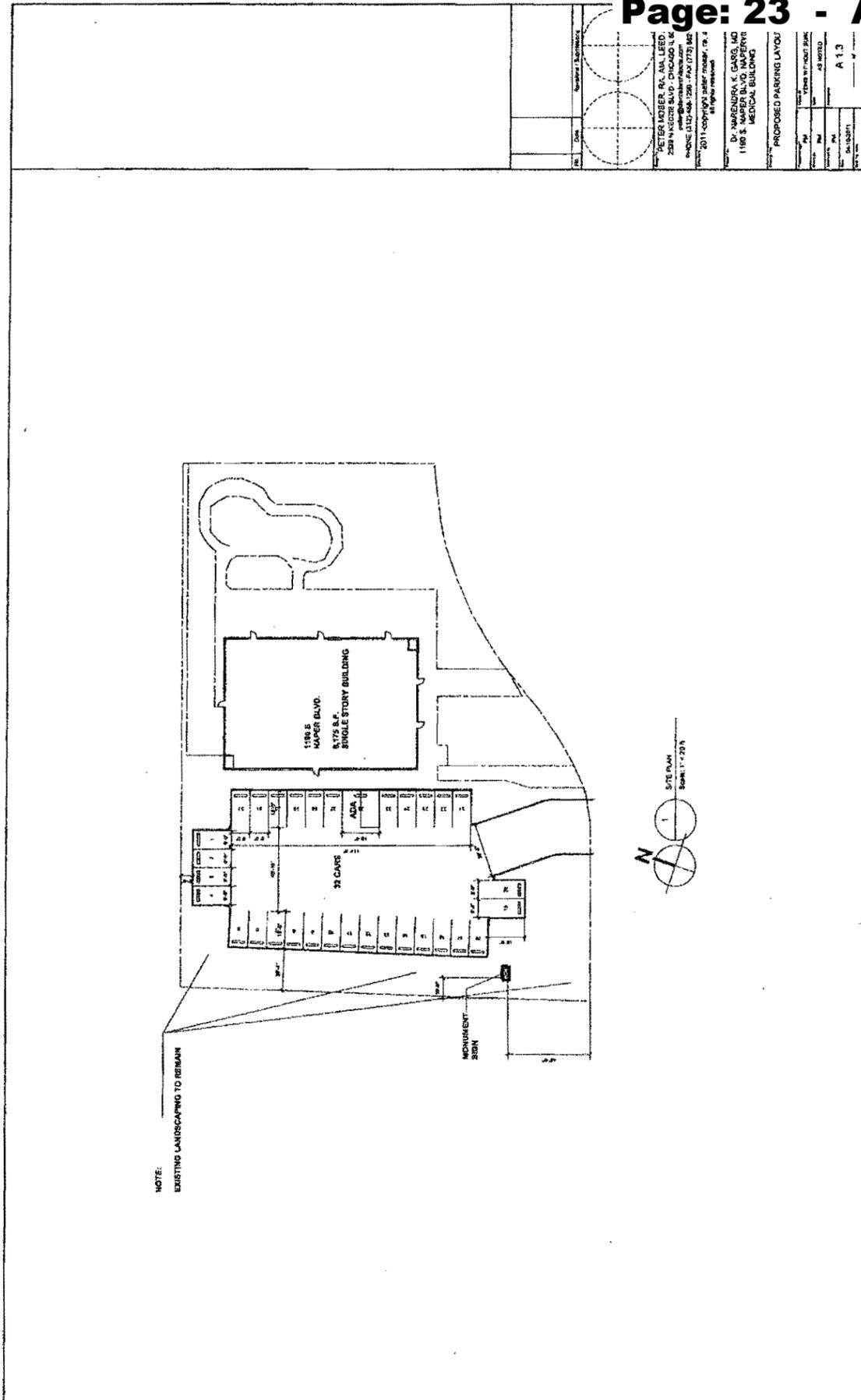
Please note that applications for development approval are only valid for a period of two years from the date of application submission and that all cases will be closed by the City without further notice to the applicant after the two year period has expired.

EXHIBIT 1

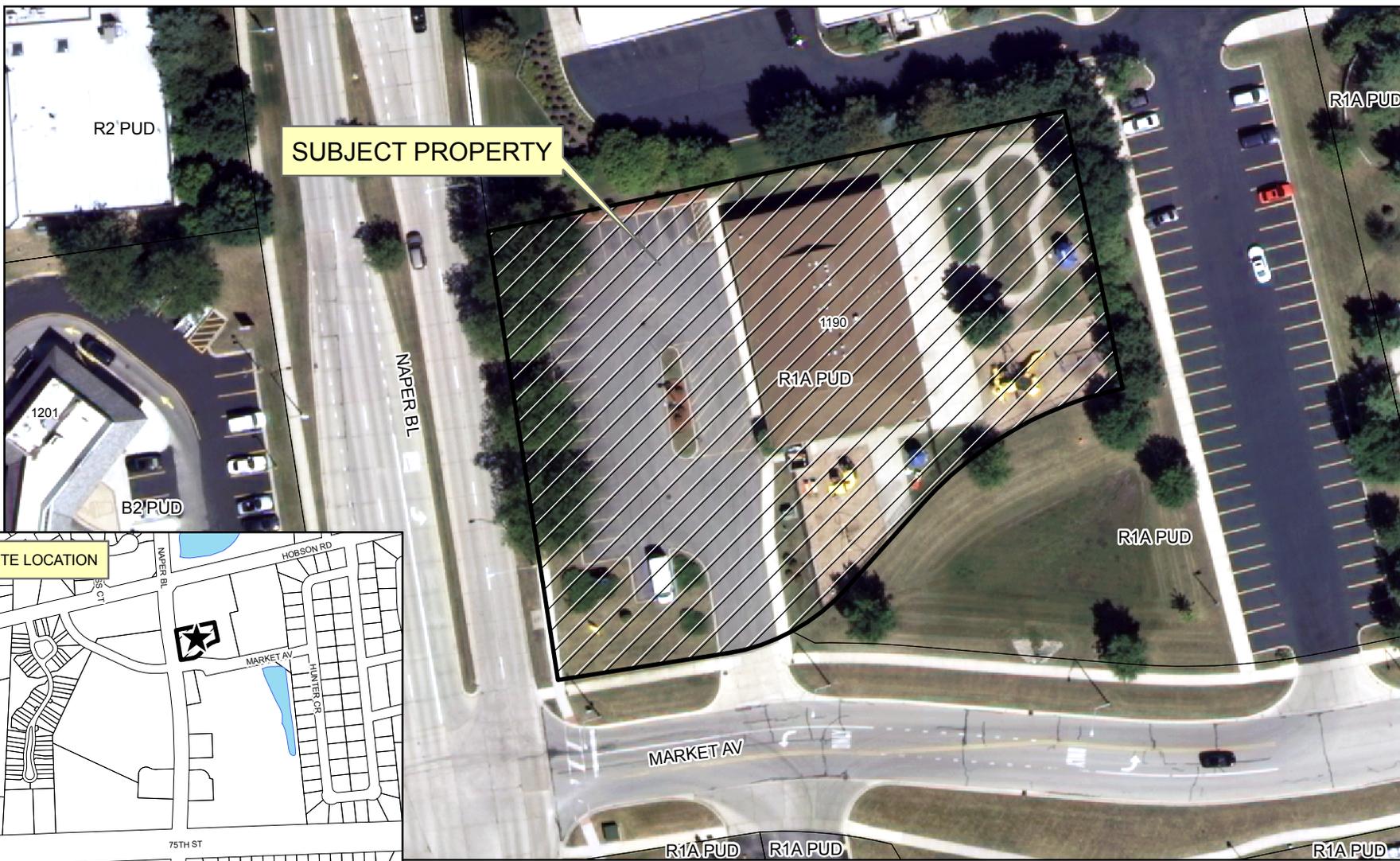
STANDARDS FOR GRANTING A MAP AMENDMENT
(REZONING)

SECTION 6-3-7:2

- *The amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other plans of the city. As amended, this property will benefit the community, be a welcomed transition from its current single purpose use, and be in harmony with the general purpose and intent of this title.*
- *The trend of development in the area of the subject property is consistent with the requested amendment. The proposed amendment will allow this property to be used in keeping with the adjacent property uses.*
- *The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification. The current zoning is highly restrictive, allowing only a single use. Continued enforcement of this zoning would result in practical difficulties and added hardship. Upon approval of the amendment, the property will benefit from numerous potential uses.*
- *The property cannot yield a reasonable return if permitted to be used only under the conditions allowed under the existing zoning classification. During the past 25 years the property has been operated as a children's day care facility. The existing zoning is for child care only. To date no daycare user has been willing to refurbish the property. Numerous alternative office/medical/business users have shown interest, but require the zoning be changed to allow for their use.*
- *The subject property has not been utilized under the existing zoning classification for a substantial period of time. The property has remained vacant for the past 24 months waiting for an appropriate user.*
- *The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to the adjacent property. This property, properly zoned, will be used in concert with the existing neighboring properties and will not alter the character of the neighborhood.*



City of Naperville CHILDREN'S WORLD SUBDIVISION

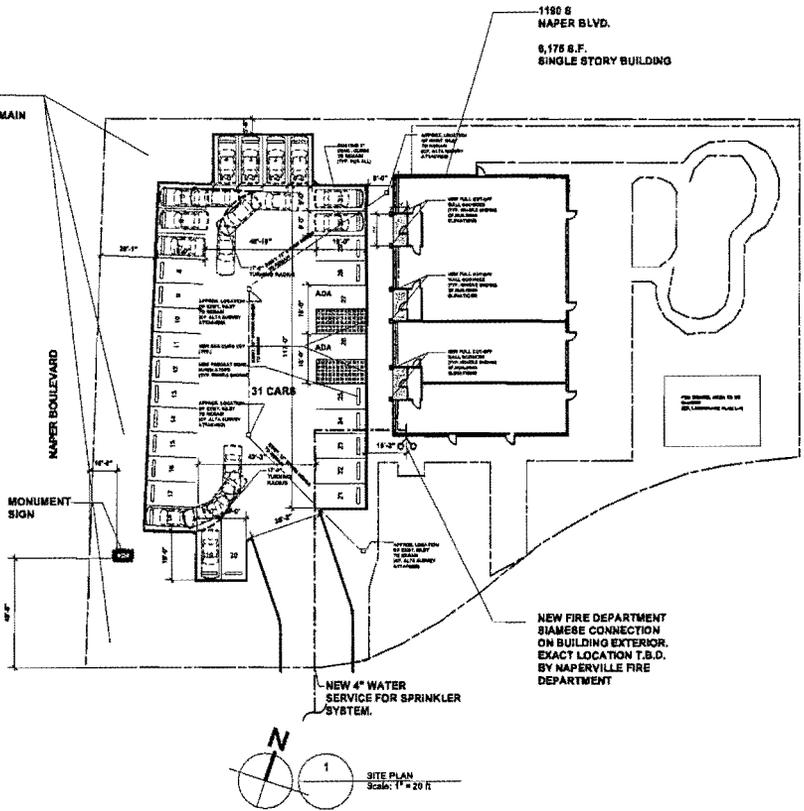


Transportation, Engineering and
Development Business Group
Questions Contact (630) 420-6719
www.naperville.il.us
June 2011



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forbidden without expressed written consent from the City of Naperville.

NOTE:
EXISTING LANDSCAPING TO REMAIN
SEE LANDSCAPE PLAN L-1



LITONKA LIGHTING

REVISION & APPROVALS

NO.	DATE	DESCRIPTION
1	08-02-11	ISSUED FOR PERMITS

MRW

PROJECT INFORMATION

PROJECT NO.	11-1000057
PROJECT NAME	DR. NARENDRA K. GARG, MD 1190 S. NAPER BLVD., NAPERVILLE, IL
CLIENT	DR. NARENDRA K. GARG, MD
DATE	08-02-11

NEW FIRE DEPT. SIAMERE CONNECTION ON BUILDING EXTERIOR

NO.	DATE	ISSUE NOTES
1	08-02-11	ISSUED FOR PERMITS

NEW 4" WATER SERVICE FOR SPRINKLER SYSTEM

NO.	DATE	ISSUE NOTES
1	08-02-11	ISSUED FOR PERMITS

LITONKA LIGHTING

PROJECT INFORMATION

PROJECT NO.	11-1000057
PROJECT NAME	DR. NARENDRA K. GARG, MD 1190 S. NAPER BLVD., NAPERVILLE, IL
CLIENT	DR. NARENDRA K. GARG, MD
DATE	08-02-11

FULL CUT-OFF EXTERIOR LIGHT
FIXTURE PHOTOMETRICS AND
SPECIFICATIONS

No.	Date	Issue Notes
1	08-02-11	ISSUED FOR PERMITS

PETER MOSER, RA, AIA, LEED
2539 N KEDZIE BLVD - CHICAGO IL, IL
peter@dentarcphoto.com
PHONE (312) 466-1290 - FAX (773) 862-

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DR. NARENDRA K. GARG, MD
1190 S. NAPER BLVD., NAPERVILLE
MEDICAL BUILDING

SITE PLAN
PROJECT # 11-1000057

Prepared by	PM	Checked by	VENB WITHOUT BUR
Drawn by	PM	Reviewed by	AS NOTED
Designed by	PM	Scale	A1-0
Date	08-02-11	Sheet	of



Naperville

PLAN COMMISSION AGENDA ITEM

PC CASE: 11-1-076 **AGENDA DATE:** 8/3/2011
SUBJECT: CityGate Center Resubdivision - Presentation Case
 Petitioner: CityGate Centre, LLC

LOCATION: Southeast corner of Route 59 and Ferry Road

Correspondence New Business Old Business Public Hearing

SYNOPSIS:
 The petitioner requests approval of a subdivision plat for Lot 1 of CityGate Centre Subdivision, in order to establish three lots-of-record.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
N/A		

ACTION REQUESTED/RECOMMENDED THIS MEETING:
 Recommend approval of the Final Plat for Resubdivision of Lot 1 of CityGate Centre Subdivision.

PREPARED BY: Suzanne Thorsen, AICP, Community Planner

EXISTING ZONING, LAND USE, AND LOCATION:
 The subject property consists of approximately 5.5 acres located at the southeast corner of Route 59 and Ferry Road. The property is zoned OCI (Office, Commercial and Institutional) with a conditional use for a planned unit development to allow for office/commercial uses.

CONTROLLING AGREEMENTS AND ORDINANCES:

- 05-254 Ordinance amending the zoning map for the property located at the southeast corner of Route 59 and Ferry Road from ORI to OCI.
- 05-255 Ordinance approving a conditional use for a Planned Unit Development (PUD), a Preliminary PUD Plat, and a Preliminary Plat of Subdivision for Calamos Town Centre.
- 06-053 Approving a final plat of subdivision for Citygate Centre Phase 1a (Calamos Town Centre) to allow for a 3 lot subdivision.
- 06-054 Approving a final plat of PUD and an Owner's Acknowledgement and Acceptance Letter for Citygate Phase 1a to allow for the construction of a 241,800

sq. ft. mid-rise office building and adjacent plaza area, 54,500 sq. ft. of restaurant/retail/commercial space, and a 392,000 sq. ft. parking structure which will contain 1,035 parking spaces.

07-075 Approving a major change to the PUD and approving a Final PUD Plat for Citygate Center Phase II (f/k/a Calamos Town Centre)

09-118 Granting a temporary use for parking facilities at Calamos Headquarters and CityGate Centre Development. The temporary use is approved for a three- year period expiring upon commencement of the construction of Phase 2 of the CityGate Centre development or October 7, 2012, whichever occurs first.

RELATIONSHIP TO OFFICIAL PLAN OF THE CITY OF NAPERVILLE:

The East Sector Update to the Comprehensive Master Plan identifies the future land use of this site as “Office/Research and Development”. The Calamos CityGate Centre PUD allows for office, retail, lodging and performing arts uses within a campus setting.

NATURAL FEATURES:

The site is relatively flat.

PLANNING SERVICES TEAM REVIEW:

The proposed subdivision is a re-subdivision of Lot 1 in CityGate Centre, in order to establish lot boundaries corresponding to existing improvements. This case is being referred to the Planning and Zoning Commission as a presentation case pursuant to Section 7-2-3 of the Naperville Municipal Code as the subject property exceeds 5 acres in size. No public hearing is required for the subdivision plat, however a recommendation from the Planning and Zoning Commission is required before the case can move forward to the City Council.

Staff has reviewed the plat of subdivision and finds that it complies with the requirements of the Zoning Regulations (Title 6) and the Subdivision Regulations (Title 7). The proposed subdivision plat meets the purpose and standards of the Municipal Code and further is in harmony with the existing CityGate Centre PUD.

ACTION REQUESTED:

Recommend approval of the Final Plat for Resubdivision of Lot 1 of CityGate Centre Subdivision.

ATTACHMENTS:

1. CityGate Centre Resubdivision – Development Petition – PC 11-1-076
2. CityGate Centre Resubdivision – Location Map – PC 11-1-076
3. City Gate Centre Resubdivision – Final Plat of Resubdivision – PC 11-1-076

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

Development Name (should be consistent with plat): CityGate Centre I LLC

Development Address: 2135, 2155, 2191 CityGate Lane, Naperville, IL 60563

P.I.N. Number (s): 07-03-103-020

Date of Submission: _____

I. APPLICANT:

CityGate Centre I LLC
Name Corporation

2020 Calamos Court
Street

Naperville, IL 60563
City State Zip Code Telephone Number

David Michelsen Employee (630) 955-4896
Primary Contact Person Relationship to Applicant Telephone Number

(630) 955-6999 dmichelsen@calamos.com
Fax Number E-Mail Address

II. OWNER OF THE PROPERTY:

CityGate Centre I LLC
Name

2020 Calamos Court Naperville, IL 60563 (630) 955-4896
Address Telephone Number

III. APPLICANT'S/PETITIONER'S STAFF:

Attorney: William Takahashi Telephone Number: (630) 955-4879

Email Address: btakahashi@calamos.com Fax Number: (630) 245-6831

Address: 2020 Calamos Court, Naperville, IL 60563

Engineer: SpaceCo Inc. Telephone Number: (847) 697-4060

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
(Complete Exhibit 4) |
| <input type="checkbox"/> Rezoning from _____ To _____
(Complete Exhibit 1) | <input type="checkbox"/> Zoning Variance
(Complete Exhibit 5) |
| <input type="checkbox"/> Preliminary PUD Plat
(Complete Exhibit 2) | <input type="checkbox"/> Final PUD Plat
(Complete Exhibit 2) |
| <input type="checkbox"/> Major Change to a Planned Unit Development
(Complete Exhibit 2) | <input type="checkbox"/> Minor Change to a Planned Unit Development
(Complete Exhibit 2) |
| <input type="checkbox"/> Preliminary Plat of Subdivision | <input type="checkbox"/> PUD Deviation (Zoning or Subdivision) |
| <input type="checkbox"/> Conditional Use
(Complete Exhibit 3) | <input checked="" type="checkbox"/> Final Plat of Subdivision |
| <input type="checkbox"/> Minor Change to a Conditional Use
(Complete Exhibit 3) | <input type="checkbox"/> Major Change to a Conditional Use
(Complete Exhibit 3) |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Landscape Variance
(Complete Exhibit 6) |
| <input type="checkbox"/> Sign Variance
(Complete Exhibit 5) | <input type="checkbox"/> Plat of Easement / Vacation / Dedication
(circle all that apply) |

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.)

1 Office Building, 1 Parking Garage, 1 Retail Building, trees, digital sign

- 2. Existing Utility Services (water, sewer, electricity): Water, Sewer, Electricity, Gas
- 3. Existing zoning on the site: OCI PUD
- 4. Existing Land Use: Office, Retail, Parking
- 5. Acreage & Square Footage of the site: 5.985 acres & 614,591 sf
- 6. List Controlling Ordinances and agreements (zoning, annexation ordinances, SIA, site plans, preliminary/final PUD plats, etc.):
See CityGate Centre PUD

VII. PROPOSED DEVELOPMENT:

- 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):

1 Office Building (open 24 hours), 1 Retail Building (open 6am – 1 am), 1 Parking Garage (1,035 spots)

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

1 Office Building, 219,570 sf, 7 stories, glass and steal façade

1 Retail Building, 56,621 sf, 2 stories, glass and concrete façade

1 Parking Garage, 338,400 sf, 6 stories, concrete

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:

See CityGate Centre PUD

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:

See CityGate Centre PUD

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

See CityGate Centre PUD

7. General Land Use Data:

	Residntl.	Comrc.	Office	Indst.	R.O.W.	Park	School	Private	Other*	Total
No. of Acres		.67	.76							
% of Total		11.2%	12.7%							

*Please explain:

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	Average Lot Size
Single-family						NA			
Townhome						NA			
Duplex						NA			
Apartment						NA			

Comrc.			NA	NA	NA	56,621		
Office			NA	NA	NA	219,570		
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 _____

 N/A
2. Required Park Donation of _____ acres will be met by a _____

 N/A

IX. PRIVATE FACILITIES

1. Private open space and recreational facilities include:

 N/A
 Which will be maintained by: _____ The City of Naperville
 _____ Homeowners Association
 _____ Other (_____)
2. Outlots and/or detention/retention facilities include (size, number and location)

 N/A
 Which will be maintained by: _____ The City of Naperville
 _____ Homeowners Association
 _____ Other (_____)
3. Detention, retention, open space/recreation and school uses within the development:

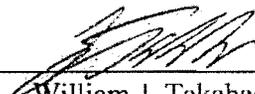
	Private -- Homeowners Association (acres)*	Public --To be Dedicated (acres)	Other (acres)*	Total (acres)
Open Space*				
a. Park Site				
b. Common				

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

*Please Explain:

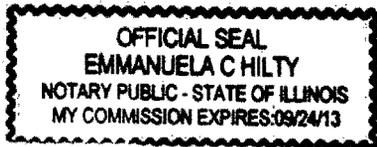
Note: Please provide a brief explanation of the type of private facility, common area, open space or other acreage included in the development (Private facilities would include facilities such as clubhouses or private swim clubs. Other could include detention/facilities or outlots for landscape buffers,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

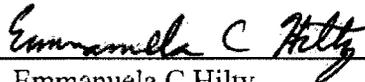
Respectfully Submitted,
Calamos Property Holdings LLC manager of CityGate Centre I LLC

By: 
William J. Takahashi
General Counsel

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

The foregoing petition was acknowledged before me by Emmanuela C Hilty on the 6th day of June, 2011 A.D.



By: 
Emmanuela C Hilty
Notary Public

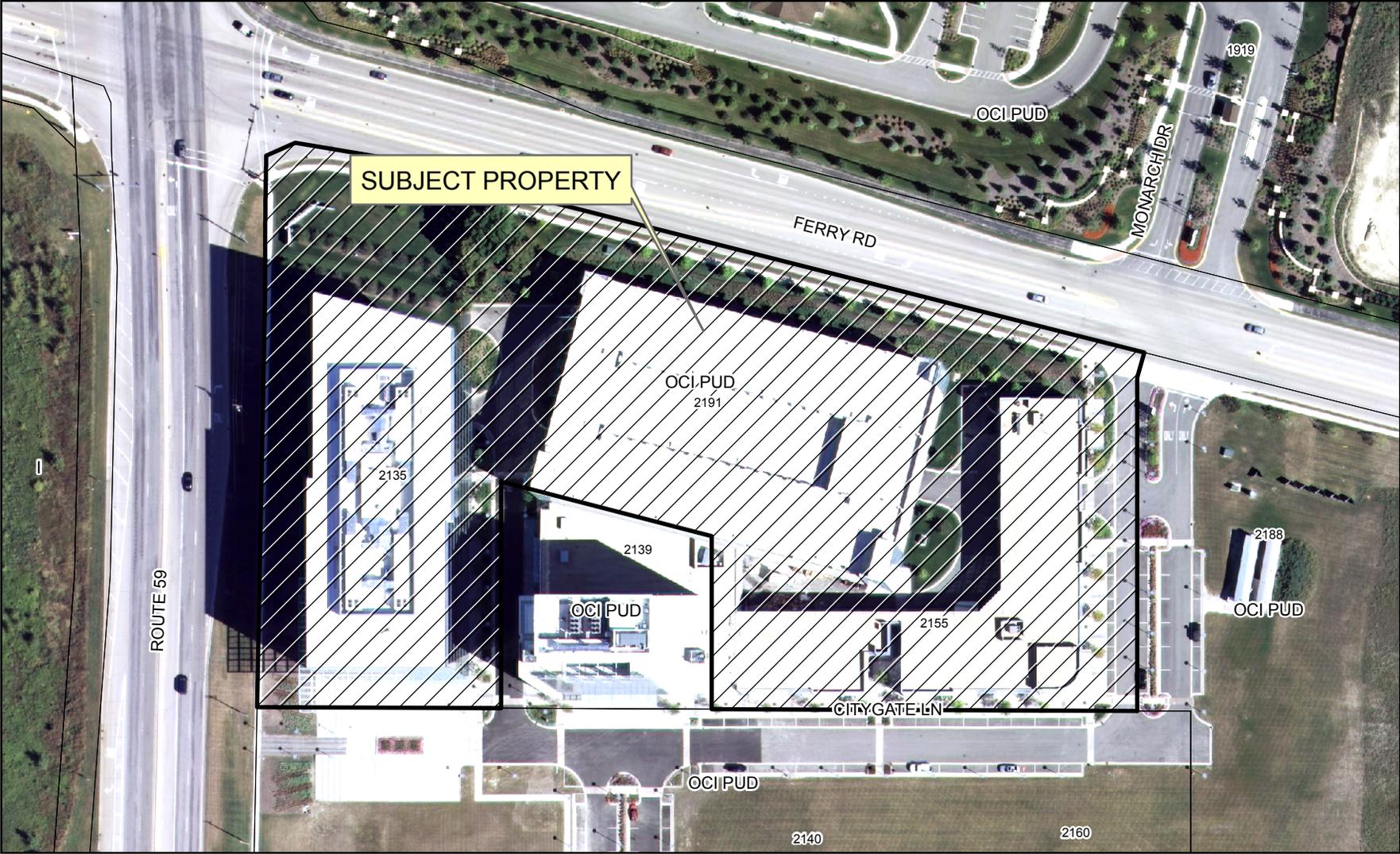
LLC PETITIONERS

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

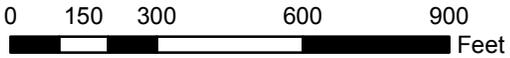
EFFECTIVE PERIOD OF APPLICATION

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.

City of Naperville
CITYGATE CENTRE PHASE 1 RESUBDIVISION

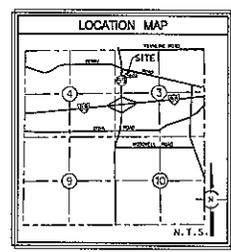


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 June 2011



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TAX P.L.N. 07-03-103-0



FINAL PLAT OF RESUBDIVISION RESUBDIVISION OF LOT 1 OF CITYGATE CENTRE SUBDIVISION NAPERVILLE, ILLINOIS

A SUBDIVISION OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 9
EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS

AREA TABLE

LOT #	SQ. FT.	ACRES
LOT 1	92,959	2.134
LOT 2	87,327	2.005
LOT 3	76,566	1.758
TOTAL	256,852	5.957

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:
NAME: NAPERVILLE CITY CLERK
ADDRESS: 400 S. EAGLE STREET
NAPERVILLE, IL 60566-7020

LEGEND

- PROPERTY LINE
- - - SUBDIVISION BOUNDARY LINE
- - - EASEMENT LINE
- - - SECTION LINE
- - - QUARTER SECTION LINE
- ▨ PUBLIC UTILITIES AND DRAINAGE EASEMENT PER DOCUMENT #2000-10980
- ▩ PUBLIC UTILITIES AND DRAINAGE EASEMENT PER DOCUMENT #2000-10980

ABBREVIATIONS

- DOC. = DOCUMENT
- NO. = NUMBER
- P.I.N. = PROPERTY INDEX NUMBER
- P.O.B. = POINT OF BEGINNING
- P.U. & D.E. = PUBLIC UTILITIES AND DRAINAGE EASEMENT

PROPERTY DESCRIPTION
LOT 1 IN CITYGATE CENTER SUBDIVISION, BEING A SUBDIVISION IN SECTION 3, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JUNE 9, 2006, AS DOCUMENT #2006-10510, EXCEPT LOT 1 IN CITYGATE CENTRE - PHASE II, BEING A RESUBDIVISION OF SAID SECTION 3, ACCORDING TO THE PLAT THEREOF, RECORDED FEBRUARY 25, 2007, AS DOCUMENT #2007-03544, IN DUPAGE COUNTY, ILLINOIS.

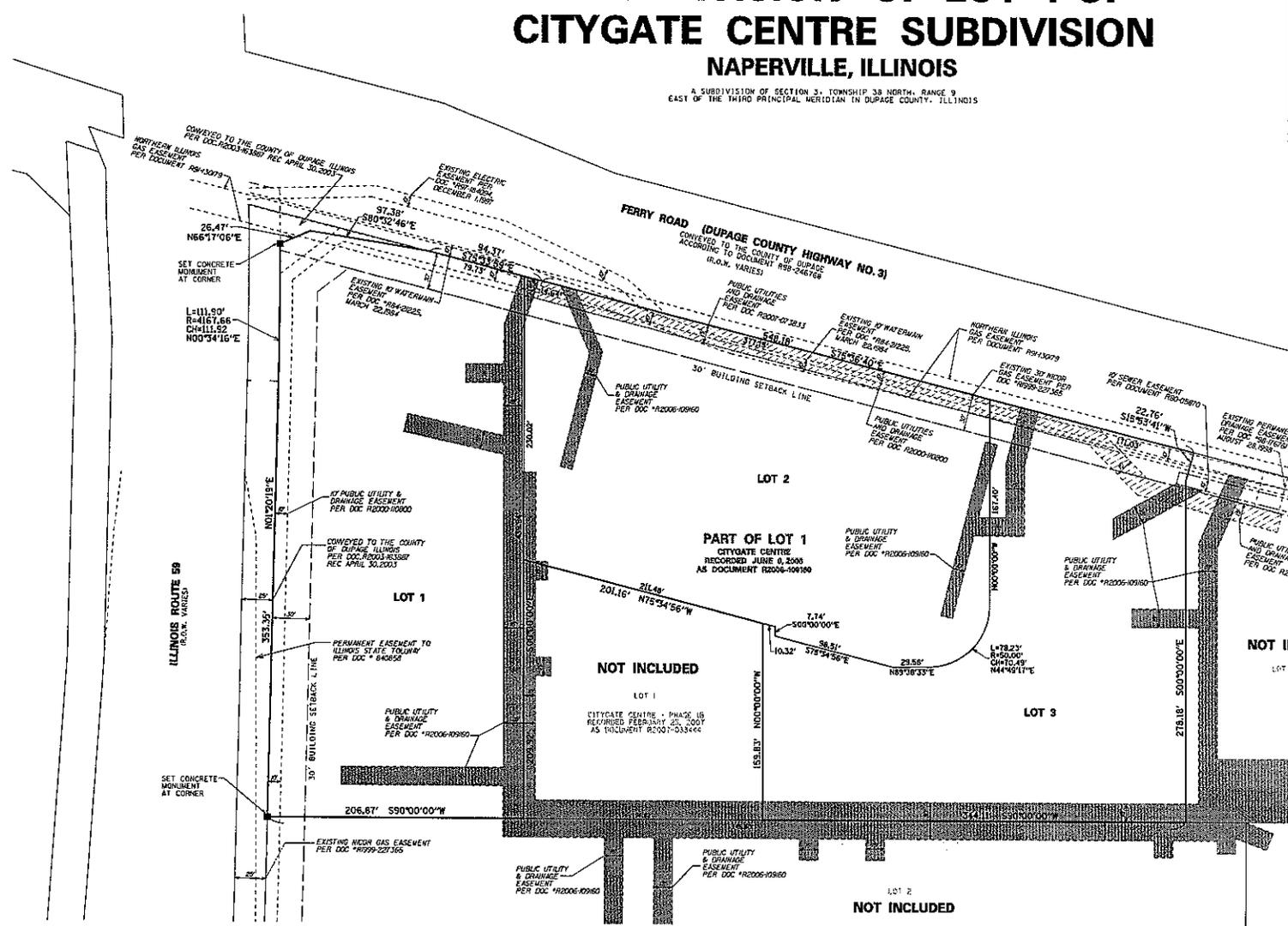
NOTE:
NO EASEMENTS HAVE BEEN GRANTED BY THIS PLAT OF SUBDIVISION

FINAL PLAT OF RESUBDIVISION RESUBDIVISION OF LOT 1 OF CITYGATE CENTRE SUBDIVISION

CITY PROJECT NUMBER 11-10000976

FOR REVIEW
PURPOSES ONLY

REVISIONS: _____ _____ _____		CONSULTING ENGINEERS SITE DEVELOPMENT ENGINEERS LAND SURVEYORS 1275 W. Higgins Road, Suite 700 Rosemont, Illinois 60018 Phone: (847) 694-4000 Fax: (847) 694-0060	DATE: 5/23/2011 JOB NO: 4246.06 FILENAME: 4246_CAS518-01 SHEET 1 OF 2
---------------------------------------	--	---	--



PREPARED FOR:
CALVIN REAL ESTATE LLC,
2320 CALVIN COURT
NAPERVILLE, IL 60563

FINAL PLAT OF RESUBDIVISION RESUBDIVISION OF LOT 1 OF CITYGATE CENTRE SUBDIVISION NAPERVILLE, ILLINOIS

4 SUBDIVISION OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 9
EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

PARKING EASEMENT AGREEMENT MADE BETWEEN CITYGATE CENTRE I LLC AND CITYGATE CENTRE HOTEL LLC RECORDED NOVEMBER 21, 2007 AS DOCUMENT NUMBER R2007-203356 IN DUPAGE COUNTY, ILLINOIS.

AND

THE RECIPROCAL EASEMENT AGREEMENT MADE BETWEEN CITYGATE CENTRE I LLC, CITYGATE CENTRE II LLC, CITYGATE CENTRE III LLC, AND CITYGATE CENTRE HOTEL LLC RECORDED NOVEMBER 21, 2007 AS DOCUMENT NUMBER R2007-203357 IN DUPAGE COUNTY, ILLINOIS.

OWNER'S CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

THIS IS TO CERTIFY THAT CITYGATE CENTRE I, LLC IS THE OWNER OF THE LAND DESCRIBED AND SHOWN ON THE ANNEXED PLAT, AND THAT SAID OWNER HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY KNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.

DATED THIS ____ DAY OF _____, A.D. 20 ____.

OWNER: CITYGATE CENTRE I LLC
BY: CALAMOS PROPERTY HOLDINGS LLC
MANAGER OF CITYGATE CENTRE I LLC

OWNER'S REPRESENTATIVE

PRINTED NAME AND TITLE
OWNER: CITYGATE CENTRE I LLC

NOTARY CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF _____)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY

IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT

PERSONALLY KNOWN TO ME TO BE THE SAID PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE ANNEXED PLAT AS HIS OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL
THIS ____ DAY OF _____, A.D. 20 ____.

NOTARY SIGNATURE

CERTIFICATE OF COUNTY ENGINEER

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

THIS PLAT HAS BEEN APPROVED BY THE DUPAGE COUNTY DIVISION OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS TO COUNTY HIGHWAY #3, FERRY ROAD PURSUANT TO TOS ILL 17090(2) 49 MR. 1; HOWEVER, A HIGHWAY PERMIT FOR ACCESS IS REQUIRED OF THE OWNER OF THE PROPERTY PRIOR TO CONSTRUCTION WITHIN THE COUNTY RIGHT-OF-WAY.
APPROVED THIS ____ DAY OF _____, 20 ____.

BY: _____
COUNTY ENGINEER

SURFACE WATER DRAINAGE STATEMENT

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS ____ DAY OF _____, 20 ____.

SIGNATURE
ILLINOIS REGISTERED PROFESSIONAL ENGINEER

STATE REGISTRATION NUMBER

REGISTRATION EXPIRATION DATE

OWNER: CITYGATE CENTRE I LLC

BY: CALAMOS PROPERTY HOLDINGS LLC

MANAGER OF CITYGATE CENTRE I LLC

OWNER'S REPRESENTATIVE

PRINT NAME

SCHOOL DISTRICT BOUNDARY STATEMENT

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH DEPOSES AND STATES AS FOLLOWS:

1. THAT CITYGATE CENTRE I LLC, IS THE OWNER OF THE PROPERTY LEGALLY DESCRIBED ON THE PLAT OF SUBDIVISION WHICH HAS BEEN SUBMITTED TO THE CITY OF NAPERVILLE FOR APPROVAL, WHICH LEGAL DESCRIPTION IS INCORPORATED HEREIN BY REFERENCE; AND
2. TO THE BEST OF THE OWNER'S KNOWLEDGE, THE SCHOOL DISTRICT IN WHICH TRACT, PARCEL, LOT OR BLOCK OF THE PROPOSED SUBDIVISION LIES IS:

INDIAN PRAIRIE SCHOOL DISTRICT 204
780 SHORELINE DRIVE
AURORA, ILLINOIS 60504

OWNER: CITYGATE CENTRE I LLC
BY: CALAMOS PROPERTY HOLDINGS LLC
MANAGER OF CITYGATE CENTRE I LLC

OWNER'S REPRESENTATIVE

PRINT NAME

SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF _____, 20 ____.

NOTARY PUBLIC

RECORDER'S CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, AFORESAID ON THIS ____ DAY OF _____, A.D. _____, AT ____ O'CLOCK.

RECORDER OF DEEDS

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

APPROVED BY THE CITY OF NAPERVILLE PLAN COMMISSION AT A MEETING HELD

THE ____ DAY OF _____, 20 ____.

CHAIRMAN

SECRETARY

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS, AT A MEETING HELD

THE ____ DAY OF _____, 20 ____.

CITY OF NAPERVILLE

MAYOR

CITY CLERK

CITY TREASURER'S CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

I, _____, TREASURER FOR THE CITY OF NAPERVILLE, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORGOTTEN TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

DATED AT NAPERVILLE, ILLINOIS, THIS ____ DAY OF _____, 20 ____.

CITY TREASURER/DIRECTOR, FINANCE DEPARTMENT

FOR REVIEW
PURPOSES ONLY

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORGOTTEN TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT NAPERVILLE, ILLINOIS.

THIS ____ DAY OF _____, A.D. 20 ____.

COUNTY CLERK

L.O.T. CERTIFICATE

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO PARAGRAPH 2 OF "AN ACT TO REVISE THE LAW IN RELATION TO PLATS," AS AMENDED, A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENT'S "POLICE OR OFFICER'S FOR ACCESS, OBSTRUCTIONS TO STATE HIGHWAYS" WILL BE REQUIRED BY THE DEPARTMENT.

NOTE: NO DIRECT ACCESS TO ILLINOIS ROUTE ____ FROM LOTS _____ SHALL BE ALLOWED.

DIANE M. O'KEEFE, P.E.
DEPUTY DIRECTOR OF HIGHWAYS
REGION ONE ENGINEER

SURVEYORS AUTHORIZATION CERTIFICATE

I, C. BRIAN LOUNSBURY, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. _____ 035-2841 DO HEREBY AUTHORIZE THE CITY OF NAPERVILLE OR THEIR AGENT TO FILE WITH THE DU PAGE COUNTY RECORDER'S OFFICE THE PLAT OF SUBDIVISION KNOWN AS CITYGATE CENTRE - PHASE 1B, BEING A SUBDIVISION OF PART OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN DU PAGE COUNTY, ILLINOIS.

C. BRIAN LOUNSBURY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. _____ 035-2841
MY LICENSE EXPIRES ON _____ NOVEMBER 30, 2012
SPACECO, INC. PROFESSIONAL DESIGN FIRM NO. _____ 184-001157
THIS DESIGN FIRM NUMBER EXPIRES _____ APRIL 30, 2013

STATE OF ILLINOIS) SS
COUNTY OF COOK)

WE DECLARE THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED AND SUBDIVIDED BY SPACECO, INC. AN ILLINOIS PROFESSIONAL DESIGN FIRM, NUMBER 184-001157, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

SAID PROPERTY CONTAINS 256,852 SQUARE FEET OR 5.867 ACRES, MORE OR LESS.

WE FURTHER DECLARE THAT THE LAND IS WITHIN THE CITY OF NAPERVILLE WHICH HAS ADOPTED A CITY COMPREHENSIVE PLAN AND MAP AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE II OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

WE FURTHER DECLARE, BASED UPON A REVIEW OF THE DUPAGE COUNTY REGULATORY FLOOD MAP (FLOOD COMMUNITY PANEL/MAP NUMBER 170450013) A WITH EFFECTIVE DATE JULY 31, 2010, IT IS OUR CONSIDERED OPINION THAT THIS PROPERTY LIES WITHIN "ZONE X" AREA AS IDENTIFIED BY SAID REGULATORY FLOOD MAP.

WE FURTHER DECLARE THAT STEEL REINFORCING RODS UNLESS OTHERWISE NOTED WILL BE SET AT ALL LOT CORNERS.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, AS APPLICABLE TO PLATS OF SUBDIVISION.

GIVEN UNDER OUR HAND AND SEAL THIS ____ DAY OF _____, 20 ____ IN ROSEMONT, ILLINOIS.

C. BRIAN LOUNSBURY, P.L.L.C. No. 035-2841

LICENSE EXPIRES: 11-30-2012

INVALID ONLY IF EMBOSSED SEAL AFFIXED

FINAL PLAT OF RESUBDIVISION RESUBDIVISION OF LOT 1 OF CITYGATE CENTRE SUBDIVISION

REVISIONS:		CONSULTING ENGINEERS	DATE: 5/23/12
		SITE DEVELOPMENT ENGINEERS	JOB NO. 424
		LAND SURVEYORS	PERMIT:
			4244 (ISSUED)
		8576 W. Maple Road, Suite 700 Rosemont, Illinois 60018	SHEET
		Phone: (647) 491-4000 Fax: (647) 491-1062	2 OF 2



Naperville

PLAN COMMISSION AGENDA ITEM

PC CASE: NA **AGENDA DATE:** 8/3/2011
SUBJECT: Appeal to *Downtown Design Standards*
 Petitioner: Mike Hackett

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

Mike Hackett, owner of “It’s a Bling Thing,” is seeking an appeal of Zoning Administrator determination of non-compliance with the *Downtown Design Standards* for awnings installed without permit at 14 W. Jackson Avenue. In accordance with the Municipal Code, appeals to a determination of the Zoning Administrator are heard by the Planning and Zoning Commission.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Action
10/20/2011	Plan Commission reviewed and approved the <i>Downtown Design Standards</i>
9/17/2007	Plan Commission reviewed and approved the <i>Building Design Guidelines</i>

ACTION REQUESTED/RECOMMENDED THIS MEETING:

Deny the request for an appeal of Zoning Administrator application of the *Downtown Design Standards* to the property at 14 W. Jackson Avenue.

PREPARED BY: Amy Emery, AICP, Community Planner

BACKGROUND:

Consideration of Design Issues in the City of Naperville

Since 2000, with the adoption of the *Downtown Plan*, the City Council has consistently embraced design principles and guidelines in its review of development requests, recognizing that buildings contribute to the character, identity and quality of life for the community. This position was further solidified in 2005 with the passage of a “Resolution Clarifying the City’s Intent to Consider Design- and Architectural-Related Issues During Plan Review” (Res. 05-020), in which the City Council affirmed that “the process of design review has become an increasingly important component of development control as a means of mitigating development impacts and promoting compatibility, quality and lasting value.”

In accordance with the adopted resolution and the City Council Strategic Plan, the city adopted *Building Design Guidelines* (Ord. 07-216) in 2007. The *Building Design Guidelines* are intended

to facilitate quality design that promotes the integrity and identity of Naperville's commercial and industrial areas, have been a critical instrument in communications with property owners, developers and architects interested in building additions, remodeling or new construction activity affecting building exteriors. The integrity of this document lies not only in its adoption but also in its consistent application.

Downtown Design Standards

To address unique downtown design considerations (e.g. storefront design, building placement, utility locations, rear entrances, etc.), *Downtown Design Standards* were prepared in conjunction with the *Downtown2030 Plan*. The design standards are based upon those included in the 2000 *Downtown Plan* and are widely regarded as an important implementation component of *Downtown2030*. The Planning and Zoning Commission reviewed and unanimously approved the *Downtown Design Standards* in October 2010. In April 2011, City Council approved the standards per Ordinance 11-055.

Like the *Building Design Guidelines*, the *Downtown Design Standards* were prepared through a process that included broad community input. The document includes many of the exact same standards as the *Building Design Guidelines* (including standards for color), but with examples and practices shown from downtown Naperville.

This case represents the first request for any appeal from the established standards.

PLANNING SERVICES TEAM REVIEW:

Downtown Design Standard

The synergy of uses and aesthetics help to define the image of the downtown. Within this relatively compact area, the close proximity of buildings necessitates a complimentary mix of natural colors to maintain the overall aesthetic and architectural character of the area. As such, use of bright and conflicting hues on building façades is expressly discouraged. Awnings are encouraged that compliment the building facades. Attachment 1 details the color standards being appealed by the petitioner.

Case Details

Awnings in the downtown require issuance of a sign permits to verify compliance with Municipal Code standards. The sign review process also includes a review for consistency with the city's *Downtown Design Standards*.

The fuschia awnings erected at 14 W. Jackson Avenue were installed without permits (refer to Attachment 2), prior to completion of required code and design reviews. Subsequent to installation of the awnings, Code Enforcement notified the petitioner of the violation and the property owner then sought permits. The Zoning Administrator determined that the fuschia awning color is in conflict with the adopted standards that discourage the use of bright, conflicting hues in a downtown setting and requirement for building and accent colors that are appropriate to the period or architectural style of the building.

Although a single awning of a bright color may not detract from the overall character of downtown, given it is a compact, walkable destination, design and color schemes must be

Design Standards Appeal - It's a Bling Thing

August 3, 2011

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appreciated on a larger scale – across the downtown. A proliferation of bright colors and hues will effectively change the downtown character. Overtime if appeals are approved, the fuschia awning may be situated next to a building with bright blue trim next to a building with a green or yellow awning and so on and so forth. Permitting awnings and building facades in any color proposed will eliminate the cohesive and appealing design of the downtown.

Actions Since Violation Notice

In an effort to be accommodating to the new Naperville business, staff provided a 60-day extension to the property owner to achieve compliance rather than requiring removal of the illegal awnings within 10 days as stipulated by code. During this period, numerous options were discussed with the petitioner to facilitate compliance including alternative awning colors (e.g. black, grey) with pink and green lettering. On July 7, 2011 the petitioner, submitted a letter to appeal the Zoning Administrator's determination in order to retain the fuschia awnings (refer to Attachment 3).

Recommendation

The awnings in question have been thoroughly considered and it is the Zoning Administrator's position that they are in conflict with the *Downtown Design Standards*. In order to uphold the integrity of the *Design Standards* and further the city's policy objective to maintain aesthetic compatibility and quality of design in the downtown, staff recommends that the request for an appeal be denied.

ATTACHMENTS:

1. It's A Bling Thing – Attachment 1 – Downtown Design Standards (pg 9)
2. It's A Bling Thing – Attachment 2 – Photo of Awnings
3. It's A Bling Thing – Attachment 3 – Letter from Petitioner

C.2. Color

1. Select exterior colors that complement the hues of nearby buildings. Typical building colors in the downtown area include the natural brick and stone shades of red, buff, white, cream and gray.
2. Choose building and accent colors that are appropriate to the period or architectural style of a building.
3. Use darker or brighter hues only for accent or to draw attention to details such as architectural ornamentation or doorways.
4. Do not apply paint to masonry surfaces where none previously existed.



Image 8: **DISCOURAGED** use of color (bright, conflicting hues) in a downtown setting

C.3. Materials

1. Brick and stone are preferred primary and accent building materials for all building types, including multiple-family.
2. Apply wood clapboard siding or similarly styled fiber cement siding as appropriate to the building architecture. Avoid the use of rough sawed wood, aluminum siding, rustic shingles or plastic panels.
3. Do not use Stucco, EIFS or Dry-vit as a **primary material**. These materials may be acceptable as an **accent** application above the storefront level, based on the design intent of the building.
4. Do not use glass, metal panels, and concrete as primary building materials on the street facade in the downtown area.
5. Use consistent building materials and detailing on all sides of a structure that are open to public view.



Image 9: A complementary mix of masonry and wood materials

Primary Material: the dominant exterior building material, typically comprising 75% to 90% of each exterior building face excluding windows and doors.

Accent Material: utilized to provide architectural interest and variety on a building. Accent materials will typically comprise 10% to 25% of each building face excluding windows and doors, depending on architectural style and context.

It's A Bling Thing – ATTACHMENT 2

Jackson Facade



Chicago Facade





14 W. Jackson Avenue
Naperville, IL 60540
630.717.1111

I would like to appeal the decision that my awnings are inconsistent with the downtown Naperville design standards. I feel quite strongly that the color scheme and design I have chosen conform and enhance the thriving and vibrant atmosphere of downtown Naperville.

I believe my awning and signage are consistent with other business signage in the area. Not only are there currently other awnings in the downtown area with bright colors, such as the pink awning used by Benefit, or the bright blue awning of Two Bostons, but the building directly across from me has pink shutters on the first and second floors. The building next to that occupied by Peatnuts Bar and Grill has an older and rusty looking awning and Einstein Bagles next to me uses yellow in the colors of their channel letters. To be surrounded by so many colors and outdated fixtures and not allow my new classy and clean awning seems unwarranted. In addition, I was told that I would be able to have a gray or black awning and then use the same colors that were found to be inconsistent with downtown in my logo. This would bring back the pink and the additional color of lime green that I'm being told are a poor fit for downtown. Therefore, changing the awning doesn't address any of the color concerns and only costs me money, and time without signage (more money).

Pink is a color that is fun, lively and feminine. My logo is purposefully simple to capture a classy, yet fun representation of both my store and downtown Naperville. As a jewelry store these are all qualities that I am trying to convey to prospective customers. Downtown Naperville is based on, known for, and thriving because it is so much fun and so vibrantly alive. I have received extremely positive feedback from my customers regarding my awning, logo and color scheme.

I would also like to appeal the decision that I can only have one projection sign on a single entrance. I was told the purpose of this ordinance is to keep store fronts from looking cluttered with too many signs, while making it easier for customers on the sidewalk to see what stores lie ahead because it is difficult to see the awning signs from that vantage. This ordinance is clearly addressing an issue with the idea of a store only having a single entrance facing a single street. I have the same need for such a sign on a second entrance from a different street and would like the same consideration for my second street entrance.

While I regret that my sign company opted to put up my awning sign prior to permit approval, I do not believe that should weigh into any decision. The sign company has been cited, and upon notification of the infractions, I immediately complied with all of the City's requests and have had to pay double permit fees for the proper applications. This

addresses the infraction that took place. Now I'm asking that the City with one of the few thriving downtown areas, and the City known for being "business friendly" allow me to keep a sign that both represents the tenets of my business and the fun and liveliness that is downtown Naperville!

Thank you for your consideration in this matter,

Mike Hackett

