



**NAPERVILLE PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS – MUNICIPAL CENTER  
FINAL AGENDA  
02/08/2012 - 7:00 p.m.**

**CALL TO ORDER:**

**A. ROLL CALL**

**B. APPROVE MINUTES**

1. Approve the minutes of the January 18, 2012 Planning and Zoning Commission meeting.

**C. OLD BUSINESS**

**D. PUBLIC HEARINGS**

1. PC Case # PCZ 11-1-159 903 Stanton Court Fence Variance  
Petitioner: Crestview Builders, 4432 Chinaberry Lane, Naperville, IL  
Location: 903 Stanton Court, at the end of Stanton Court, north of  
Hobson Road

Request: Conduct the public hearing for a fence variance at 903  
Stanton Court

Official Notice: Published in the Naperville Sun on January 1, 2012

2. PC Case # PC 11-1-130 Naperville Fertility Center  
Petitioner: Medical Properties LLC  
Location: 11 E. Benton Avenue and 15 N. Washington Street

Request: Conduct the public hearing for the requested approvals for 11  
E. Benton Avenue and 15 N. Washington Street

Official Notice: Published in the Naperville Sun on Friday, January 13,  
2011

**E. REPORTS AND RECOMMENDATIONS**

**F. CORRESPONDENCE**

**AGENDA**  
**NAPERVILLE PLANNING AND ZONING COMMISSION**  
**02/08/2012 - 7:00 p.m. - COUNCIL CHAMBERS**  
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1. North Downtown Special Planning Area Subcommittee  
Request: Two volunteers from the PZC are needed to participate in a subcommittee with DAC members on zoning changes for the North Downtown Special Planning Area.

**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](mailto:manningm@naperville.il.us). Every effort will be made to allow for meeting participation.**



**NAPERVILLE PLANNING AND ZONING COMMISSION  
DRAFT MINUTES OF January 18, 2012**

**Call to Order**

**7:00 p.m.**

**A. Roll Call**

Present: Bruno, Coyne, Frost, Gustin, Messer, Meyer, Williams  
Absent: Herzog, Trowbridge  
Student Members: Kevin Wei  
Staff Present: Planning Team – Thorsen, Helfert

**B. Minutes**

Approve the minutes of December 21, 2011.

Motion by: Meyer  
Second by: Williams

Approved  
(6 to 0)

**C. Old Business**

**D. Public Hearings**

**D1. Case #: PCZ 11-1-156  
Case Name: 131 E. Hillside Road**

The petitioner requests approval of a variance from Section 6-2-12 (Fences) to construct a 54-inch (4 ½ foot) fence within the required corner side yard for the property at 131 E. Hillside Road.

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

Planning and Zoning Commission inquired about:

- Frost inquired whether or not there is a conflict with the Building Code which requires a minimum 4 ½ foot fence. Staff responded that a conflict within the Zoning Ordinance does exist.

**Public Testimony:**

None

Planning and Zoning Commission closed the public hearing.

**Plan Commission Discussion:**

- Frost noted that he supported the request for variance.
- Commissioner’s Coyne, Bruno, Williams, Messer and Meyer concur with Commissioner Frost and will support the request for variance.

Planning and Zoning Commission moved to recommend approval of a variance from Section 6-2-12 (Fences) to construct a 54-inch (4 ½ foot) fence within the required corner side yard for the property at 131 E. Hillside Road.

Motion by: Frost  
Seconded by: Messer

Approved  
(7 to 0)

Ayes: Bruno, Coyne, Frost, Gustin, Messer, Meyer,  
Williams  
Nays: None

**D2. Case #: PCZ 11-1-159**  
**Name: 903 Stanton Court**

The petitioner requests approval of a variance from Section 6-2-12 (Fences) to construct a 6' privacy fence along Hobson Road for the property at 903 Stanton Drive.

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

- The City issued the permit in error for a 6' privacy fence along Hobson Road.
- Fences along Hobson Road cannot exceed 4' in height and specifies styles of fence such as a split rail.
- A stop work order was issued and the Petitioner is requesting a variance to construct 6' privacy fence.
- The provisions for fences along Hobson Road were a result of the Hobson Road Study.

Steve Dano, Crestview Builders, Petitioner, 4432 Chinaberry Lane, provided an overview of the request noting:

- Crestview has been building homes in Naperville for over 30 years.
- Prospective homeowner contacted the City prior to signing a contract for the home to inquire about installing a 6' fence in the location as proposed.
- Building permit was issued, \$8,000 in materials have been ordered and may not be returned.
- Similar fences exist in other locations in the City and feel the request is reasonable.

Mike Pavelic, Kendall County Fence, 46 Stonehill Road, Oswego, IL noted the following:

- There are a lot of utilities in the area, there may be an opportunities to put landscape in front of the fence.

Planning and Zoning Commission inquired about:

- Frost: If the permit was issued in error, does the Petitioner have other remedies to regain lost costs if the variance is rejected? Staff noted that they could not advise on this matter at this time.
- Bruno: Is staff open to other materials? Was the Petitioner aware of the Hobson Road fence regulations? Is the Petitioner open to moving the

fence inward and installing a landscape buffer? There is a similar stockade fence in the area, how did this fence get there. Staff noted that if the fence height was lowered, staff is open to supporting the variance. Staff noted that the fence either predates the Hobson Road Study or a permit was not issued for the fence. The Petitioner noted that they were not aware of the fence regulations specific to Hobson Road and that there would be additional cost to moving the fence and they would need to discuss it with the prospective homeowner.

- Williams: What was the basis of the permit issued in error? Staff provided an overview of the fence permitting process noted that there was a mistake when the permit was issued over the counter.
- Gustin: Inquired how long Crestview Builders has been building in Naperville and whether or not they have any knowledge of the Hobson Road Study.
- Meyer: Understands that based on the material it is not possible to cut the fence height down. The Petitioner responded that the material of the fence does not allow the height of the fence to be cut down.
- Coyne: Does the association have to review the fence prior to approving. The Petitioner responded that there are no approval process or fence restrictions for fences in the subdivision.
- Bruno: Inquired when the home would be completed? The Petitioner noted that they were hoping to close in the next two weeks.

**Public Testimony:**

Karyn Coleman, resides at 1012 Sanctuary and homeowner at 920 Hobson Road

- Read a letter into the record noting that the area is upscale, the fence regulations intended to protect the subdivision and the character of the Hobson Road Corridor.
- Addressed each of the Standards for Granting a Variance noting how the request does not meet each of the standards.
- Stated objection to the request for variance because the fence is cheap and unsightly and urged the Planning and Zoning Commission to deny the Petitioner's request.
- Feels that there are other options for maintaining a fence within the character of the neighborhood.

Lisa Grosskopf, owner of the subject property (903 Stanton Drive):

- The Petitioner noted in response to Commissioner Gustin's inquiry, that they would be willing to work with staff to add landscape in order to buffer the look of the fence.

Petitioner responded to testimony

- They have a permit; if they were not issued a permit they would have been willing to work with the City to meet the fence regulations for the Hobson Road Corridor.

Planning and Zoning Commission inquired about

- Gustin: Noted that approval of variances does not set precedence for

other variances to be approved in the future, each case is evaluated on the basis of a hardship. Commission Gust inquired whether or not the Petitioner would consider adding landscape.

- Bruno: Inquired what the resident would like to see in a fence? Responded that a 6' wrought iron fence would be acceptable.
- Coyne: What is involved with reducing the fence height? Has alternative aesthetic design been explored? The Petitioner stated that the panels are 6 x 6 and the fence cannot be cut down due the steel reinforcement of the fence. The idea of landscape has not been explored prior to the hearing, but they would be willing to explore this option.

Planning and Zoning Commission closed the public hearing.

**Plan Commission Discussion:**

- Bruno: The City has made a mistake; it is unreasonable to expect the non-governmental entity to eat the error. This variance does not meet any of the standards for requesting a variance. Agrees with Commission Frost. Would like this to be potentially continued to a later meeting to allow the petitioner to work with staff to remedy the situation. Staff noted that remedying the situation with monetary compensation did not previously come up. This is a solution that would require consideration from other Departments, staff can follow-up after this meeting.
- Frost: What if there was no issue regarding the building permit? Typically would not recommend approval of this request due to the character of the neighborhood. The Builder obtained a permit and has invested a significant amount of variance. Feels that the City needs to resolve the issue on a monetary basis
- Coyne: Would the City reimburse the homeowner? Would not support this variance normally, but has an issue with the permit being issued in error. Staff noted that this option has not been explored.
- Messer: Agrees with Commission Bruno that no hardship exists and that it is difficult to support a variance due to the standards in the Hobson Road Study and the regulations outlined in the fence regulations.
- Meyer: Normally would not recommend approval of the request and will not support the Petitioner's request.
- Williams: Agrees with the public testimony and noted that there is no basis for the variance in this case. Suggested continuing the request or forwarding the request to the City Council to further remedy the situation.
- Gustin: The Hobson Road Study is available for anyone to review; however, has previously seen variances granted due to the proximity to a business roadway. As a Commission, we are being asked to consider the case before us this evening.

Commissioner Williams requested that the Commission take a five minute recess.

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The meeting was reconvened at 8:08.

Planning and Zoning Commission moved to reopen the public hearing

Motion by: Williams  
Seconded by: Bruno

The Petitioner has requested to have the case continued to February 8, 2011.

**E. Reports and  
Recommendations**

**F. Correspondence**

**G. New Business**

**H. Adjournment**

8:09 p.m.



# Naperville

## NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

**PCZ CASE:**            11-1-159                            **AGENDA DATE:**        2/8/2012

**SUBJECT:**                903 Stanton Drive- Fence Variance  
                                     Petitioner: Crestview Builders, 4432 Chinaberry Lane, Naperville, IL

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**LOCATION:**                903 Stanton Drive, at the south end of Stanton Drive, abutting Hobson Road in the rear.

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Correspondence        New Business            Old Business            Public Hearing

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**SYNOPSIS:**  
 The petitioner requests approval of a variance from Section 6-2-12 (Fences) to construct a 6' privacy fence along Hobson Road for the property at 903 Stanton Drive.

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**PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
1/18/2012	D2	Continued the public hearing to February 8, 2012

**ACTION REQUESTED/RECOMMENDED THIS MEETING:**  
 Option A: Recommend approval of a 6' fence along the rear property line of 903 Stanton Drive, consisting of a 4' opaque base, and 2' ornamental top as illustrated in Attachment 1.

or

Option B: Recommend approval of a 6' opaque fence along the rear property line of 903 Stanton Drive, subject to the condition that additional landscaping be provided along the exterior of the fence to provide 50% screening as illustrated in Attachment 2.

**PREPARED BY:**        Suzanne Thorsen, AICP, Planning Services Team

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**BACKGROUND:**  
 The petitioner requests approval of a zoning variance to construct a 6' fence along the rear property line of the home located at 903 Stanton Court. Although six-foot privacy fences are permitted along residential rear property lines citywide, the Naperville Municipal Code reflects the recommendation of the Hobson Road Study in providing that fences along Hobson Road shall be limited to chain link, split rail and three-board varieties, not to exceed 4 ½ feet in height.

The Planning and Zoning Commission opened the public hearing for this matter on January 18, 2012. Two individuals spoke in opposition to the proposed fence, citing concerns about the

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character of the Hobson Road corridor and the aesthetic impact of the proposed fence design. Planning and Zoning Commission inquired about the opportunities for landscaping in front of the fence, the ability to lower the fence height to 4 ½ feet, and the history of other fence approvals within the area.

**PLANNING SERVICES TEAM REVIEW:**

The fence regulations were amended in 1989, following the recommendations of the Hobson Road Study, in order to establish aesthetic standards for fences along the Hobson Road corridor. The intent of the regulations is preserve the rural character, which in the study was identified to include large estate lots, heavy tree canopy, and an open aesthetic.

*Current Development Trends*

Since 1989, numerous subdivisions within the Hobson Road area have resulted in smaller lot sizes, generally corresponding to the E1, R1 and R1A Districts. Whereas the pre-existing “estate” lots fronted on Hobson Road with the building front facade situated 50’ or more from the right-of-way, the more recent trend of lot consolidation and resubdivision has resulted in a building orientation that places the side or rear façade along Hobson Road at a reduced setback of about 30’ from the right-of-way. In part, this manner of building orientation coincides with a policy to reduce driveway access (total number of curb cuts) onto Hobson Road, instead directing residential traffic onto neighborhood streets that provide a single consolidated access point on Hobson Road. The subject property reflects the current trend of development, as it is oriented toward an interior cul-de-sac with rear frontage along Hobson Road.

*Existing Fences on Hobson Road*

As noted at the Planning and Zoning Commission meeting of January 18, 2012, open fences are installed widely throughout the Hobson Road corridor. In particular, black wrought iron fences are a common style; however, they are typically taller than the 4 ½ feet specified in the Municipal Code. For example, variances were granted to allow 5 or 6-foot wrought iron fences along the perimeter of Hobson’s Pond, at 908 Hobson Road, and at 928 Hobson Road.

Despite the prevalence of open fences along the corridor, there a variety of fencing materials and styles within the area, including 6’ privacy fences. For example, homes in the subdivision next to the subject property (Pembroke Commons) have 6’ privacy fences abutting Hobson Road. No variance records are on file for these lots; many of the fences likely pre-date the fence ordinance. The installation of sound barriers on Washington Street in recent years has introduced a stone appearance into the community aesthetic, and is an especially prominent feature at the terminus of Hobson Road, where it intersects with Washington Street.

In a recent field visit to the area, staff identified a trend towards the use of fencing styles or combination fencing/landscaping schemes that provide privacy in rear and side yards; whereas, the lots that possess open fencing typically possess frontage on Hobson Road. The exception to this pattern is Hobson’s Pond, which provided a 6’ wrought iron/brick subdivision fence along the entire stretch of the Hobson Road corridor.

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### *Considerations for the Homeowner*

Staff met with Crestview builders (the petitioner) and homeowner on Tuesday, January 24, 2012 to discuss the fencing proposed for the subject property. During that meeting, it was emphasized that the homeowner desires a fencing material that provides privacy and security along the Hobson Road frontage, as she has young children who will be playing in the rear yard. She plans to install a pool at a future date; thus any proposed fence must be at least 4 ½ feet in height to provide adequate screening per the building code.

The homeowner likes the Simtek material and will be installing the 6' panels along the side property lines (permitted by right). Although her preference is to use 6' Simetek along the rear property line with landscaping to complement the natural appearance of the corridor, she has explored other fencing options in light of the discussion at the January 18 public hearing.

In lieu of the 6' Simtek panels, the petitioner has identified that 4' panels are also available and can be paired with a 2' ornamental feature to achieve an overall fence height of 6' (note: as presented at the January 18 public hearing, Simtek panels are only available in 3', 4', and 6' heights; therefore, a 4.5' maximum screening height cannot be achieved with these panels). This option presents a compromise scenario that allows the petitioner to achieve some measure of privacy while also maintaining an open appearance.

### *Reimbursement*

At the January 18 public hearing, many commissioners raised concerns regarding the need for the City to reimburse the petitioner for costs incurred as a result of the erroneous permit issuance. TED and Legal staff are currently working with the petitioner on this topic. No further Planning and Zoning Commission discussion or action is necessary with respect to this issue.

### *Staff Recommendation*

Staff supports a variance to allow the petitioner to construct a fence which does not comply with the Hobson Road requirements based on the following findings:

- Strict enforcement of the Hobson Road fence regulation would result in an undue burden associated with diminished enjoyment of the rear yard at 903 Stanton Court. The homeowner has stated that she requires privacy and security in the rear yard, expressed a strong preference for the Simtek material, and sought options to achieve compromise between her objective (privacy) and the neighboring property owners' concerns (natural appearance).
- The lot's rear orientation towards Hobson Road is not reflective of the rural character promoted by the previous land pattern of lots with frontage on Hobson Road.
- Previous fence variances have been granted along the Hobson Road Corridor to allow for fence heights in excess of 4 ½ feet. In addition, there are examples of existing non-conforming 6' privacy fences located along Hobson Road.
- Assuming a 6' tall fence is required, the petitioner has provided two options to achieve the intended screening, while also being sensitive to the Hobson Road Corridor. The upper portion of the fence in Option A provides the intended open feeling, while the landscaping provided in Option B helps to soften the appearance of the fence and add to the natural feeling intended for the corridor.

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- The city does not have a history of denying privacy fencing for single-family homes on the basis of materials/aesthetics alone and has in fact installed a sound wall of a similar appearance in the vicinity of the subject property.

**ACTION REQUESTED:**

Option A: Recommend approval of a 6’ fence along the rear property line of 903 Stanton Drive, consisting of a 4’ opaque base, and 2’ ornamental top as illustrated in Attachment 1.

or

Option B: Recommend approval of a 6’ opaque fence along the rear property line of 903 Stanton Drive, subject to the condition that additional landscaping be provided along the exterior of the fence to provide 50% screening as illustrated in Attachment 2.

**ATTACHMENTS:**

1. Fence example – 4’ Simtek base, 2’ ornamental top
2. Fence example – 6’ Simtek panels with landscape buffer
3. Location Map
4. Petitioner Letter

Option A: 4' Simtek Base with 2' Ornamental Top



Option B: 6' Simtek with Landscape Screen



January 27, 2012

Dear City of Naperville Department of Zoning and Planning,

I am writing this letter to ask for approval of a variance, I have applied for, to build a fence along the backside of my property, which backs to Hobson Road. I would like to give you some background.

In the spring of 2011, I began negotiations with Crestview Builders to purchase and build a house on the property known as 903 Stanton Court in Naperville. Prior to starting negotiations with Crestview Builders my one concern regarding the property was that it did back to (what I consider) a major road. I wanted to make sure I would be able to put up a privacy fence before buying the property. I researched this online first and found the fence regulations for Naperville but they were somewhat generic, so my second course of action was to call the city of Naperville. I specifically asked if I would be allowed to build a 6-foot high privacy fence on Hobson Road. I was told yes. I asked if I could build a 8-foot high privacy fence (because it seemed this was allowed on some major roads) and was told no.

In December of 2011, I asked Crestview Builders to have a fence installed along my property, which backs to Hobson Road. We hired Kendall County Fence. I did extensive research and chose to install Simtek fencing. I chose a 6-foot high privacy fence, which met all of my needs. We applied for a permit, through the city of Naperville, and were in fact issued a permit to build. Fence construction was halted when a neighbor nearby complained.

In choosing a fence I considered the following factors. 1) Privacy, 2) Security for my family and especially my children. I feel that a 6-foot high fence is essential for this (I do not want my children climbing a 4 foot fence and running onto a busy road). 3) Pool security-in the near future I plan to put an in-ground swimming pool into my yard. I understand it is a requirement to have at least a 4-½ foot fence height for this purpose. I feel that a privacy fence is a necessary because I do not want people to be able to see my pool from the road. I feel a 6-foot high fence is necessary because I do not want people climbing my fence to get into my yard/pool...again this could be highly visible and potentially enticing from the road 4) No maintenance fencing that I find esthetically pleasing.

It is now my understanding that the fence I wish to build on Hobson Road is actually not permitted. I was apparently given a permit to build in error. From my understanding there is an ordinance, which applies only to Hobson road, which restricts the type of fencing material that can be used significantly. This brings me to my current request for a variance.

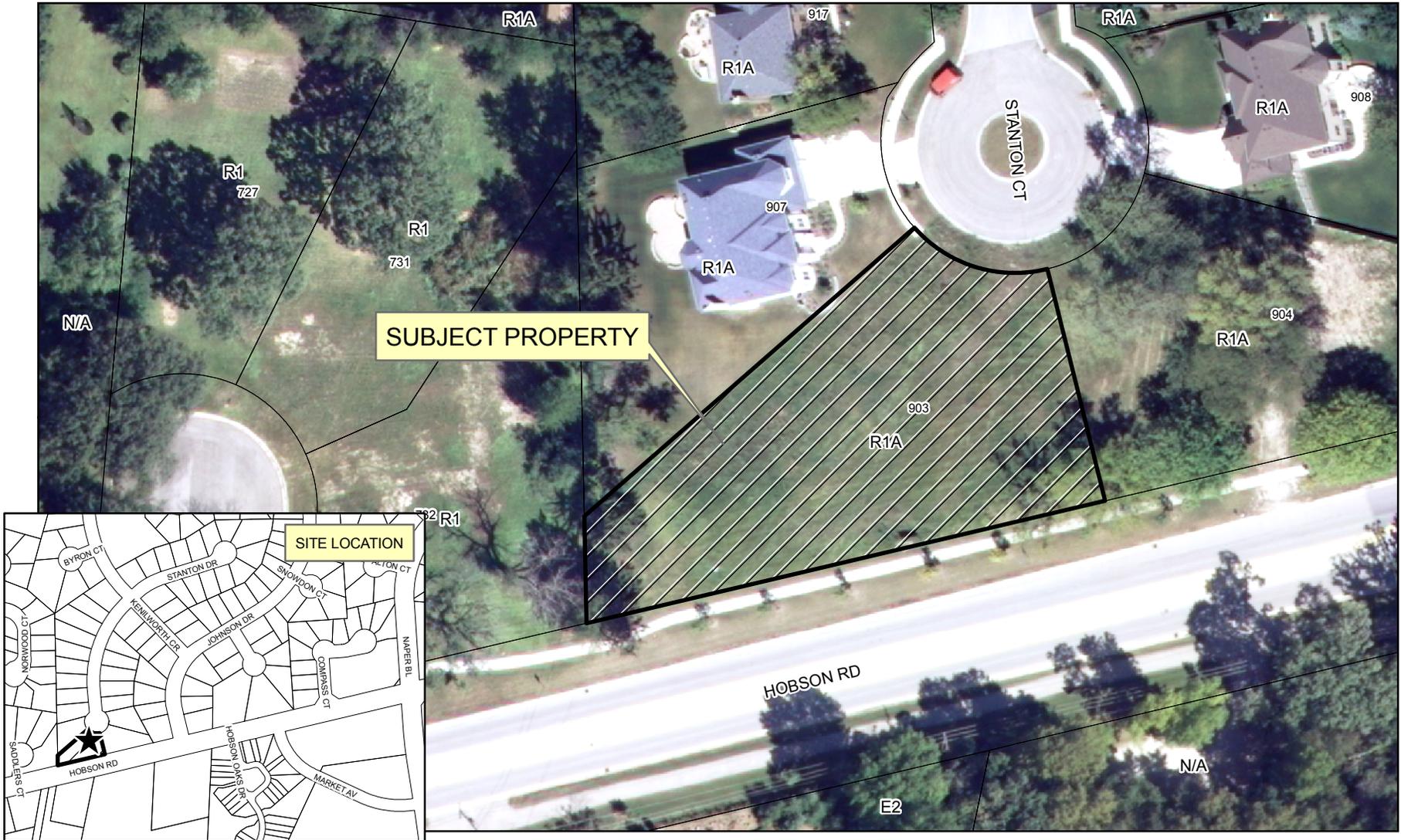
I request to install a 6-foot high privacy fence along Hobson Road at 903 Stanton Court. I strongly feel that the ordinance of Hobson Rd dating back to 1988 is outdated. My property lies between Olsen Road and Naper Blvd. On this stretch of road every house (with a fence), which backs to Hobson Rd, has a 6-foot high privacy fence. Every house (with a fence) that faces Hobson Rd has a 6-foot high Aluminum fence (which I will note also requires a variance). I basically see no fencing between Olsen Rd and Naper Blvd, which actually follows the code mandated by the Ordinance of Hobson Rd. I will admit that many of the privacy fences backing to Hobson Rd appear dated and may have been placed prior to 1988. However, given that they are present, I do not think my request for a privacy fence on this stretch of road is out of the ordinary. It would certainly not be the first privacy fence placed. In fact, if not allowed to build this fence I would be the FIRST house on that section of road with a house backing to Hobson that does NOT have a privacy fence. The ordinance of Hobson Rd alludes to keeping the roadside appearing open and natural. I feel that these days are long gone. On the corner of Hobson Rd and Naper Blvd there is a Chase Bank, a large church with a huge asphalt parking lot and a preschool. There are no open rolling meadows...at least not between Olsen and Naper.

At present I would like to present 2 possible fence options for variance. My first option (which is highly preferred over the second is to install a 6-foot high privacy fence with Simtek material (as I first proposed during the Jan 18<sup>th</sup> meeting). I know also add that if I am allowed to do this I would agree to do some landscaping in front of the fence along the roadside to enhance the appearance. My second option is to install a 4-foot high privacy fence with Simtek material with 2 feet of aluminum fencing placed on top of the privacy fencing. This would allow for a partial privacy fence while still providing me with a 6-foot high fence that I desire.

Thank you for your time and consideration,

Lisa Groskopf

City of Naperville  
**903 STANTON COURT**



Transportation, Engineering and  
 Development Business Group  
 Questions Contact (630) 420-6719  
 www.naperville.il.us  
 January 2012



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# Naperville

## PLAN COMMISSION AGENDA ITEM

**PC CASE:** 11-1-130 **AGENDA DATE:** 02/08/2012  
**SUBJECT:** Naperville Fertility Center  
 Petitioner: Medical Properties LLC

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**LOCATION:** 11 E. Benton Avenue and 15 N. Washington Street

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Correspondence      New Business      Old Business      Public Hearing

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**SYNOPSIS:** The petitioner requests approval of a conditional use for a planned unit development (PUD); a preliminary/final PUD plat and associated site development details; a preliminary/final plat of subdivision; zoning deviations from Sections 6-2-14 and 6-9-4 to reduce the Major Arterial Setback; a zoning deviation from Section 6-9-3 to reduce off-street parking and provide fee-in-lieu for off-site spaces; a zoning deviation from Section 6-7E-7 to reduce the required interior side yard; a landscape deviation from Section 5-10-5 to reduce the required parking lot perimeter landscape setback and a sign variance from Section 5-4-5 to allow signage on a façade that does not possess frontage on a public right-of-way to construct a proposed 14,410 square foot medical building on the subject property.

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**PLAN COMMISSION ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
N/A	N/A	N/A

**ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Conduct the public hearing.

**PREPARED BY:** Suzanne Thosen, AICP, Community Planner

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

The subject property is located at 11 E. Benton Avenue and 15 N. Washington Street. The property is zoned B5 (Secondary Commercial District) and consists of approximately 17,424 square feet (0.4 acres).

**CONTROLLING AGREEMENTS AND ORDINANCES:**

N/A

*Naperville Fertility Center (PC 11-1-130)*

*February 8, 2012*

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

The *Naperville Downtown2030* Plan designates this property as “North Downtown Special Planning Area”. The plan offers the following general parameters for redevelopment of the subject property:

- Redevelopment resulting in lot consolidation should occur under the planned unit development (PUD) designation.
- A maximum height of 40’ is recommended (excluding parapet walls)
- A wide variety of land uses are acceptable, including destination uses (e.g., hotel, museum, movie theater) as well as residential, office, or home-to-office conversion.
- Land use and building design should provide a transition between the downtown and outlying areas.
- Parking and transportation impacts are to be evaluated with redevelopment scenarios.

**NATURAL FEATURES:**

The subject property slopes approximately 5’ from north to south (along Washington Street) and 10’ from east to west (along Benton Avenue). It is not located in a flood plain or floodway.

**PLANNING SERVICES TEAM REVIEW:**

The proposed Naperville Fertility Center generally complies with the recommendations of *Naperville Downtown2030* relating to land use, building design, and site design. The proposed subdivision complies with the requirements of Title 7 (Subdivisions) as well as the underlying B5 District.

Staff has reviewed the development petition and offers the following comments for consideration:

*Land Use*

The proposed use of the subject property for a medical office building is consistent with the recommendations of *Naperville Downtown2030* as well as the permitted use provisions of the B5 District. In addition, staff notes that the addition of a daytime office/medical use will benefit the downtown area by adding to the diversity of land uses and providing additional customer base for the retail, service and restaurant uses within the core.

*PUD*

As redevelopment of the subject property will require consolidation of two lots, the petitioner is requesting approval of a planned unit development (PUD) in accordance with the recommendations of *Naperville Downtown2030*. The proposed PUD meets the intent and standards of the Municipal Code, including the common area/site amenity standards as noted below:

- Provision of a common area (large balcony) above the street level that enhances the building architecture, provides visual relief on the west elevation, and benefits employees or customers.
- Public art for the common benefit in the form of an architectural bike rack on the east elevation. The proposed bike rack is an aesthetic and functional amenity that is upgraded

*Naperville Fertility Center (PC 11-1-130)*

*February 8, 2012*

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from the standard facility that would otherwise be installed on the site. It will accommodate employees and visitors.

The PUD designation also allows for flexibility in consideration of deviations from the Municipal Code. Several deviations will be necessary to allow for development of the subject property, as noted below.

- Major Arterial Setback: Sections 6-2-14 and 6-9-4 require a setback of 70' from the centerline of the right-of-way along Washington Street. Application of this requirement would substantially reduce the amount of buildable area on the subject property and result in site development that is inconsistent with the character and prevailing setbacks of the Washington Street corridor within the downtown area.
- Parking: A total of 11 parking spaces are required on the subject property. The petitioner proposes a zoning deviation pursuant to Section 6-9-3 to reduce off-street parking to zero spaces. This topic is covered in greater detail below.
- Interior Side Yard: The B5 District (Section 6-7E-7) requires an interior side yard of 5' along the north property line. Although the primary structure and drive aisles meet this setback, the canopy of the proposed drop-off area on the north side of the building will encroach approximately 4' into the required setback.
- Landscaping: Related to the installation of the drop-off canopy, there will be a corresponding encroachment (4') into the required 5' parking lot perimeter landscaping area required per Section 5-10-5.
- Signage: The petitioner proposes a sign on the north elevation (61 square feet, pin-mounted lettering). Due to the fact that this elevation does not possess frontage on a public right-of-way, a variance from Section 5-4-5 is required.

Staff has reviewed the requested zoning, landscaping and signage deviations and finds that they do not interfere with the purpose and intent of the B5 District or the provision of services in the surrounding area. Furthermore, the requested deviations are necessary to allow for development of the site which will further enhance the downtown through increased employment, visitor and customer base.

#### *Parking*

The subject property is comprised of two lots; the north lot (15 N. Washington) is participating in the downtown parking SSA which provides a 50% exemption for properties zoned B5. The south lot was previously used as parking for the Post Office and does not qualify for the parking exemption due to the tax exempt status. Pursuant to the Municipal Code, the parking requirement for downtown properties is based upon the Continuous Improvement Model, which establishes a ratio of 2.01 spaces per 1,000 square feet of gross floor area.

The petitioner proposes to accommodate parking in the Van Buren Deck, located south of the subject property on Benton Avenue. The requested accommodation would be provided as follows:

- Apply the existing 50% parking exemption for 15 N. Washington Street.

*Naperville Fertility Center (PC 11-1-130)*

*February 8, 2012*

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- Request parking fee-in-lieu pursuant to Municipal Code Section 11-2E-3 which allows for a 50% parking exemption on the south parcel (11 E. Benton).
- Obtain a zoning deviation to reduce required on-site parking from 11 spaces to 0 spaces.\

Staff has reviewed the parking information provided by the petitioner and the demand patterns for the Van Buren Deck and supports the petitioner's proposal. Outside of holidays and special events, parking in the downtown tends to experience peak demand on Friday evenings and weekends, whereas the proposed medical use will see a peak demand during weekday business hours (in 2011 occupancy within the Van Buren Deck has typically been observed at 50% or lower during weekday business hours). Thus, staff has little concern about the availability of parking to accommodate the proposed use in light of the exemptions afforded by the Municipal Code and the requested deviation for 11 parking spaces. Please note: subject to City Council approval, the petitioner will be required to compensate the City in order for the 11 required spaces to be accommodated within the Van Buren Deck; this compensation will be calculated in accordance with adopted ordinances.

#### *Building Design*

The proposed building is a two-story masonry structure that will be oriented toward the corner at Benton Avenue and Washington Street. It is consistent with the Downtown Design Standards and incorporates many of the aesthetic elements found within the downtown area including strong cornice and window moldings, canvas awnings, a well-defined entry feature and high quality building and signage materials.

The building height complies fully with the recommendations of *Naperville Downtown2030* as well as the 50' height limitation of the B5 District. It measures 38' to the top of the parapet at the northeast corner (Washington Street side) and 50' to the top of the parapet at the southwest corner (Benton Avenue side).

#### *Summary*

Staff has reviewed the plans submitted for the proposed Naperville Fertility Center and finds that they comply with the intent and purpose of the B5 District, as well as the standards for a PUD and the recommendations of *Naperville Downtown2030*.

#### **ATTACHMENTS:**

- 1) Naperville Fertility Center – Location Map – PC 11-1-130
- 2) Naperville Fertility Center – Petition – PC 11-1-130
- 3) Naperville Fertility Center – Site Plan – PC 11-1-130
- 4) Naperville Fertility Center – Preliminary/Final Subdivision Plat – PC 11-1-130
- 5) Naperville Fertility Center – Preliminary/Final PUD Plat - PC 11-1-130
- 6) Naperville Fertility Center – Building Elevations – PC 11-1-130
- 7) Naperville Fertility Center – Signage Plan – PC 11-1-130
- 8) Naperville Fertility Center – Landscape Plan - PC 11-1-130

City of Naperville  
**NAPERVILLE FERTILITY CENTER**



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



This map should be used for reference only.  
 The data is subject to change without notice.  
 City of Naperville assumes no liability in the use  
 or application of the data. Reproduction or redistribution is  
 forbidden without expressed written consent from the City of Naperville.

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

Development Name (should be consistent with plat): Naperville Fertility Center

Development Address: 11 North Benton; 15 North Washington

Date of Submission: September 20, 2011

**I. APPLICANT:**

Medical Properties, LLC	Illinois
Name	Corporation
1149 Hobson Mill Drive	
Street	
Naperville	IL 60540
City	State Zip Code
Jay Scharer, FS Partners	Program Manager (305) 903-1903
<b>Primary Contact Person</b>	<b>Relationship to Applicant Telephone Number</b>
	jay@fspartners.com
Fax Number	E-Mail Address

**II. OWNER OF THE PROPERTY:**

Jay Scharer, FS Partners	
Name	
1111 Lincoln Road, Miami Beach, Florida 33139	(305) 903-1903
Address	Telephone Number

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

**Attorney:** Thompson Coburn LLP/Bernard Citron Telephone Number: 312-580-2209

Email Address: bcitron@thompsoncoburn.com Fax Number: 312-580-2201

Address: 55 East Monroe Street, 37th Floor, Chicago, Illinois 60603

**Engineer:** V3 - Brian Reiger Telephone Number: 630-724-9200

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

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

**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.)

See P.U.D. Plat

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2. Existing Utility Services (water, sewer, electricity): Water, Sewer, Electric to Site
  3. Existing zoning on the site: Commercial Service District
  4. Existing Land Use: Parking
  5. Acreage & Square Footage of the site: 17,424 s.f.; .4 acres
  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: \* Medical Office Building

2. Proposed Zoning: Commercial

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):

Construction of a 14,000 square foot Medical Office Building which will include an ambulatory surgical center. The focus of the clinic will be to address fertility issues. Parking will be provided in the Van Burn Parking structure.

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

Building: 1 building, 15,000 s.f. (2 full floors plus a partial basement floor), 46'-9" max height

Use: Fertility Clinic (Outpatient Ambulatory Care Center and Medical Offices)

Facade Materials: Split face architectural block, smooth architectural block, smooth brick, metal panel turret at corner, storefront system with vision glass, spandrel panels and metal infill panels.

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:

Requesting allowance of a 5' setback from property line instead of current 70' setback from center line of Washington Street; relief from 25' corner setback to allow overhanging second level.

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:

None

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

Reduction of landscape buffer on the West and North property line to be reduced from 5'-0" to 2'-6".

7. General Land Use Data:

	Residntl.	Comrc.	Office	Indst.	R.O.W.	Park	School	Private	Other*	Total
No. of Acres		.4 acres								
% of Total										

\*Please explain:

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8. Development Densities: N/A

	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			

Comrel.	1	.4 acres	NA	NA	NA	15,000 s.f.			
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:

	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:

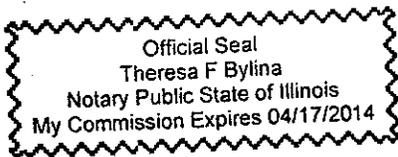
*Note: Please provide a brief explanation of the type of private facility, common area, open space or other acreage included in the development (Private facilities would include facilities such as clubhouses or private swim clubs. Other could include detention/facilities or outlots for landscape buffers,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

Respectfully Submitted, Jody L. Morris

By: Jody Morris  
manager

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

The foregoing petition was acknowledged before me by Jody L. Morris on the 16 day of Sept. 2011 A.D.



By: Theresa F. Bylina  
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**

(Please use a separate sheet of paper to respond to the criteria listed below)

The commission shall not recommend nor shall the city council grant an amendment to alter the zoning district boundary lines unless it shall make findings based upon the evidence presented to it in each specific case that:

1. The amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other official plans of the city; and
2. The trend of development in the area of the subject property is consistent with the requested amendment; and
3. The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification; and
4. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed under the existing zoning classification; and
5. The subject property has not been utilized under the existing zoning classification for a substantial period of time; and
6. The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

**EXHIBIT 1**

**Naperville Fertility Clinic  
Benton and Washington  
Response to Naperville Downtown Plan and Planned Development Standards**

The project as proposed is to be located on the northwest corner of Benton and Washington. It has been designated part of the North Downtown Special Planning Area. This area is home to a number of institutional uses, such as Washington Junior High and the DuPage Children's Museum. As a gateway into the core downtown area, development can serve as a draw or enticement for more retail and entertainment uses within the core.

Some of the land use recommendations in the Downtown Plan include the following:

Maintain a compact, walkable downtown with defined commercial limits;

- Preserve the small town character of downtown;
- Enhance cultural connections within and adjacent to the downtown;
- Step down intensity from a compact retail core with consolidated parking to moderate uses which provide on-site parking and serve as a buffer to established residential neighborhoods adjacent to;
- The downtown; and
- Maintain a mix of uses.

The project, which is a specialized medical clinic providing services which are not readily available in Naperville itself, or in surrounding areas of DuPage County functions well in meeting these goals. Traditional small town downtown areas flourished by providing ready access not only to retail but to professional services. One of the reasons that retail was established in the traditional downtown areas had much to do with transportation (train access as exists in Naperville) but also as to the presence of professional and service uses. One went 'downtown' to do ones banking, sees your doctor, and then afterwards stopped off for a bite to eat.

Medical uses have become more centralized (re: Edwards Hospital and its on campus Medical Office Buildings). The proposed project goes back to a more traditional land plan where doctors were not concentrated within a medical campus. Here, patients, staff and families will visit the clinic. They will come not just from Naperville itself, but from all over DuPage and Will counties (The Illinois Health Facilities Services Review Board recognized the need for these specialized medical services and the broad area which will be served in granting the facility it's Certificate of Need).

This facility will draw many people into the downtown area that might otherwise not be there. By not providing its own parking on site, it requires visitors to utilize the downtown parking structure. Both staff and visitors now become pedestrians on the street. This causes the facility to act as further enhancement of this goal of the Plan.

The facility which is not open extended evening hours or on weekends is a less intensive land use than what is generally planned for the core downtown area. The facility becomes an effective

buffer to the surrounding residential areas. The Plan designates this site as on the edge of Commercial Limits, and designates development to the north and west for Multi-family residential housing.

The site of the proposed project is located with the North Downtown special planning area. One requirement is that development will have to comply with the B5 district development restrictions. Other than a few minor variation requests (payment of fee in lieu of providing parking on site; request for sign variation for 61 s.f. of signage; allowance for canopy to overhang 5 ft. landscape setback) the project is in compliance with underlying zoning requirements. The proposed use for a medical clinic is a permitted use in the B5 district.

The Naperville Fertility Clinic is a destination use, as defined within the Plan. As noted above (and as recognized by the Illinois Health Facilities Service Review Board) the facility will draw its patients from well beyond Naperville's borders. It is the definition of a destination use, as it is unique not just in Naperville but to DuPage County. The facility will act as a draw for visitors to downtown Naperville who may otherwise not find a reason to visit. The nature of the provided services requires multiple visits. Staff is highly trained, well paid medical professionals whose presence also adds to surrounding community.

The building has been designed in a manner which balances the goals of the Plan, acts as a transition to future neighboring land uses as called out for in the Plan, and meet the critical functional needs of a specialty medical clinic.

The proposed project meets the Planned Development Standards (as appropriate) for the size, scope and use of the property.

As to the general PD standards:

1. The project is designed to balance its location on a prominent corner in the North Downtown Development Area, while addressing the functional concerns of a specialty medical clinic. Visitors are provided with an internal drop off which keeps traffic off of both Washington and Benton. The project establishes a pedestrian friendly face to both Washington and Benton.

2. The project meets the requirements of the planned development regulations. Open space and landscaping is provided as best as feasible within the tight site. An open space amenity for visitors and staff is provided on the second floor of the building. The provided bicycle rack is designed as a piece of public art.

3. The site plan takes into account the need to limit traffic access onto Washington Street. There is an extreme grade change on the site in relation to the adjacent properties which the site plan and building location needs to accommodate. The project utilizes the downtown parking structure which allows for the level of development of the site without requiring much of it to be set aside for parking.

4. The project has been situated to continue the feel of the downtown street wall, while offering buffers on the North and West sides of the property. The Second story open common area will serve as a welcome retreat for the staff and occasional guest/patient with

views of the downtown. This space also helps to break up the West façade to keep it in scale with the adjacent residential lot. The North façade has been set back with the exception of the Canopy, to allow for a buffer between the building and the future use, whatever that may be, of the North lot. This will aid in buffering the extreme grade changes along both lots on Washington. The building has a pedestrian entrance on the corner of Washington and Benton with a circular stair and some unique building elements to draw passersby into both the building and on past to the downtown with a gentle curve. With the corner entrance element, the building is set back from the typical downtown streetscaping requirements to allow for pedestrian friendly amenities such as park benches, planters and bike racks, further enhancing the pedestrian experience.

5. We are seeking only minor waivers and the intent of all regulations are met.
  - a. Variation to allow for a 61 square foot sign on an elevation without street frontage. This is necessary to allow for patients utilizing the parking structure to readily locate the building.
  - b. Variance in the 5 foot landscape setback to allow for an overhanging canopy.
  - c. Parking deviation: No on-site parking is provided. Pursuant to the City's regulations we are seeking to pay a fee in lieu of parking and utilize the nearby downtown parking structure. This deviation allows for the most efficient use of the site. The grade change, as noted above further restricts our ability to provide on- site parking.
  - d. Variation in the 75' major arterial setback requirement to allow for the continuation of the "street wall" that is very much a part of the Downtown as well as allow this very tight and steep site adequate space for the intended building, landscaping and site work.

6. The planned unit development is compatible with adjacent properties and land uses. The use is in conformance with the underlying zoning. The use and building provide a reasonable transition to potential adjacent or neighboring uses which may include multi-family residential. The building does not exceed the maximum height or bulk requirements per the zoning ordinance and the Downtown Plan. The building is in context with the existing buildings in the area and will be in context with future development as called out for in the Downtown Plan.

7. As noted in the narrative above, the planned unit development fulfills the objectives of Downtown Plan and its policies.

5464344.1

**City of Naperville, Illinois**  
**Medical Properties, LLC**  
**Narrative Description of Proposed Ambulatory Surgery**  
**Center/Medical Office Project at Northwest Corner of Washington and Benton**

Medical Properties, LLC (“Medical”) owns two contiguous vacant lots commonly known as 13 and 15 North Washington Street. Medical proposes to consolidate the two lots and construct a two-story masonry building. Medical plans to lease the second floor to Randy S. Morris, M.D., S.C. for use as medical offices. Medical intends to lease the first floor to Naperville Fertility Center, Inc. for use as a limited, two specialty ambulatory surgical treatment center, dedicated to providing services in the areas of male and female fertility. Once the surgical center is fully utilized, it will be open from 8 a.m. to 6 p.m., Monday through Saturday and will serve approximately 10 patients a day. This is in addition to the other office visits that will take place.

An ambulatory surgical treatment center and medical offices are permitted uses in the B-5 district in which the two lots are located.

The gross parking demand is 29 spaces based on 2.10 spaces per 1000 gross square feet of building area. There is an exemption for lot 11 of 50%. In addition there is a 25% SSA credit. The calculations (14,000 s.f by 75% = 10,500 s.f x 2.10 spaces) equal a requirement of 21.1 spaces. The net parking demand is 21.1 spaces x 50% for a net demand of 10.55 spaces. No parking spaces will be provided on site. The fee in lieu of parking will be 10.55 x 13,577.11 or \$143,238.51.

The Applicant seeks the following variations or deviations:

- a. Variation from the 75 foot major arterial landscape setback requirement to allow for the continuation of the ‘street wall’ and in order to provide reasonable and efficient location of the building and safe and effective vehicular (including ambulances) traffic into across and out of the site. This variation would make the building consistent with many of the buildings on Washington south of the proposed building. Ingress will be through a drive on Benton Street and egress will be through a right out onto Washington Street.
- b. Variation to allow for a 61 s.f. sign on an elevation which does not have street frontage.
- c. Variation of the 5 foot landscape setback to allow for the overhanging canopy



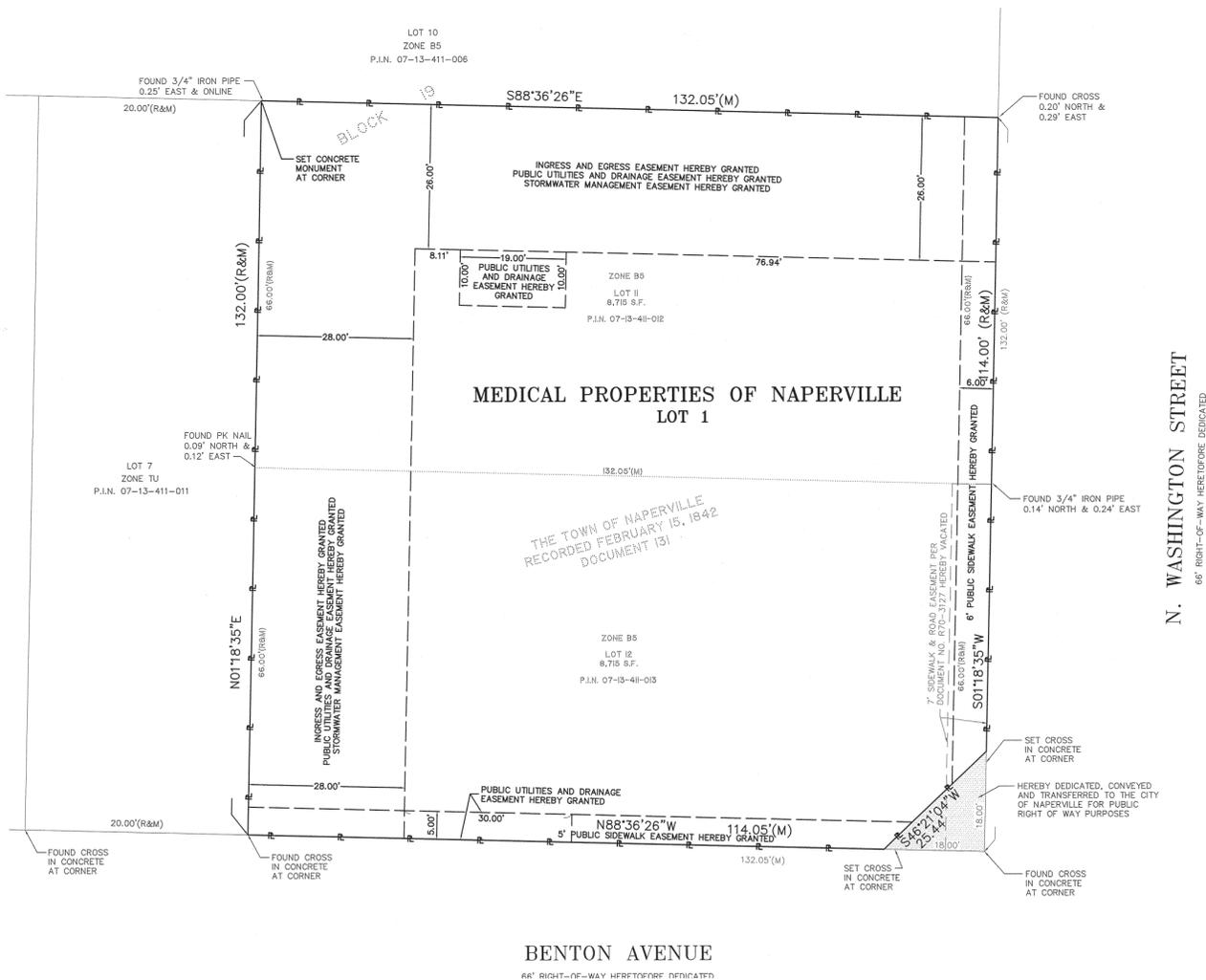
# MEDICAL PROPERTIES OF NAPERVILLE

BEING A CONSOLIDATION OF

PART OF THE SOUTH HALF OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO: NAME: NAPERVILLE CITY CLERK ADDRESS: 400 S. EAGLE STREET NAPERVILLE, IL 60540

P.L.N. 07-13-411-012  
P.L.N. 07-13-411-013



## BENTON AVENUE

66' RIGHT-OF-WAY HERETOFORE DEDICATED

N. WASHINGTON STREET  
66' RIGHT-OF-WAY HERETOFORE DEDICATED

**FULL LEGAL DESCRIPTION:**

LOTS 11 AND 12 IN BLOCK 19 IN PLAT OF THE TOWN OF NAPERVILLE, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED FEBRUARY 15, 1842 AS DOCUMENT 131, IN DUPAGE COUNTY, ILLINOIS.

**AREAS:**

GROSS = 17,430 SQ.FT. = 0.400 AC.  
ROW = 182 SQ.FT. = 0.004 AC.  
NET = 17,268 SQ.FT. = 0.396 AC.  
NEW PUBLIC EASEMENTS = SQ.FT. = AC.

**OWNER:**

MEDICAL PROPERTIES, L.L.C.  
1149 HOBSON MILL DRIVE | NAPERVILLE, IL 60540  
PHONE: 630-357-6540 | FAX: 630-357-6435  
E-MAIL: jay@spartners.com

**DEVELOPER:**

MEDICAL PROPERTIES, L.L.C.  
1149 HOBSON MILL DRIVE | NAPERVILLE, IL 60540  
PHONE: 630-357-6540 | FAX: 630-357-6435  
E-MAIL: jay@spartners.com

**ENGINEER:**

V3 COMPANIES  
7325 JAMES AVENUE | WOODRIDGE, IL 60517  
PHONE: 630.724.9200 | FAX: 630.724.9202  
E-MAIL: briege@v3co.com

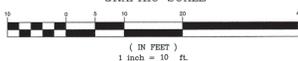
**LEGEND**

- (M) MEASURED
- (R) RECORD
- S.F. SQUARE FEET
- ' DEGREES
- " MINUTES/FEET
- " SECONDS/INCHES
- N NORTH
- S SOUTH
- E EAST
- W WEST
- PROPERTY LINE
- - - EXISTING EASEMENT
- - - EXISTING LOT LINE
- - - EASEMENT HEREBY GRANTED

**VICINITY MAP:**



**GRAPHIC SCALE**



PER CITY LETTER DATED 10/11/2011 - REVISED: 01/03/2012  
REVISION: 12/20/2011  
UPDATED: 09/15/2011  
DATE PREPARED: 08/08/2011  
**SHEET 1 OF 2**  
CITY PROJECT NUMBER: 11 - 10000130

**PRELIMINARY/FINAL PLAT OF SUBDIVISION**  
**MEDICAL PROPERTIES OF NAPERVILLE**  
**3 NORTH WASHINGTON STREET**  
**NAPERVILLE, ILLINOIS**

**ig CONSULTING, INC.**  
INFRACON & GECON  
CONSULTING CIVIL ENGINEERS & LAND SURVEYORS  
300 MARQUARDT DRIVE | WHEELING, ILLINOIS 60090 | PH. (847) 215-1133 | FAX (847) 215-1177

**SURVEYOR'S NOTE:**  
BASIS OF BEARINGS: NORTH LINE OF BENTON AVENUE ASSUMED AS N88°36'26"W  
REFER TO EASEMENT PROVISIONS ON SHEET 2 OF 2 FOR SPECIFIC TERMS AND CONDITIONS.  
ALL DISTANCES IN FEET AND DECIMAL PARTS THEREOF. NO DIMENSIONS TO BE ASSUMED FROM SCALING.

DESCRIPTION AND SITE MARKINGS WITH THIS PLAT AND AT ONCE REPORT ANCIEN WHICH YOU MAY FIND.  
FIRM NO. 184-001330

C:\V\09\9034\Survey\9034A\9034A801.dwg

MEDICAL PROPERTIES OF NAPERVILLE

BEING A CONSOLIDATION OF

PART OF THE SOUTH HALF OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS ) S.S. COUNTY OF DU PAGE )

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS, AT A MEETING HELD THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

BY: \_\_\_\_\_ MAYOR ATTEST: \_\_\_\_\_ CITY CLERK

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS ) S.S. COUNTY OF DU PAGE )

APPROVED BY THE CITY OF NAPERVILLE PLAN COMMISSION AT A MEETING HELD THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

BY: \_\_\_\_\_ CHAIRMAN ATTEST: \_\_\_\_\_ SECRETARY

CITY TREASURER CERTIFICATE

STATE OF ILLINOIS ) S.S. COUNTY OF DU PAGE )

I, TREASURER FOR THE CITY OF NAPERVILLE, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE ANNEXED PLAT.

DATED AT NAPERVILLE, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

CITY TREASURER / DIRECTOR, FINANCE DEPARTMENT

DU PAGE COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS ) S.S. COUNTY OF DU PAGE )

I, \_\_\_\_\_ COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED 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 WHEATON, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

COUNTY CLERK

DUPAGE COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS ) S.S. COUNTY OF DU PAGE )

THIS INSTRUMENT \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, ON THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_ AT \_\_\_\_ O'CLOCK \_\_\_\_ M., AND WAS RECORDED IN BOOK \_\_\_\_ OF PLATS ON PAGE \_\_\_\_

RECORDER OF DEEDS

OWNER CERTIFICATE

STATE OF ILLINOIS ) S.S. COUNTY OF DU PAGE )

THIS IS TO CERTIFY THAT MEDICAL PROPERTIES LLC, AN ILLINOIS LIMITED LIABILITY COMPANY 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 ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

OWNER NAME: MEDICAL PROPERTIES LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

WITNESS: \_\_\_\_\_

JODY L. MORRIS ITS: MANAGER PRINT NAME

NOTARY CERTIFICATE

STATE OF ILLINOIS ) SS COUNTY OF DU PAGE )

I, \_\_\_\_\_ PRINT NAME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ PRINT NAME AND \_\_\_\_\_ PRINT NAME PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

NOTARY SIGNATURE

MY COMMISSION EXPIRES ON \_\_\_\_ MONTH \_\_\_\_ DATE \_\_\_\_ 20\_\_\_\_

SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS ) S.S. COUNTY OF DU PAGE )

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

- 1. THAT MEDICAL PROPERTIES LLC, IS THE OWNER OF THE PROPERTY LEGALLY DESCRIBED ON THIS 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:

NAAPERVILLE COMMUNITY UNIT DISTRICT 203

203 W. HILLSIDE ROAD

NAAPERVILLE, ILLINOIS 60540-6589

OWNER NAME: MEDICAL PROPERTIES LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

WITNESS: \_\_\_\_\_

JODY L. MORRIS ITS: MANAGER PRINT NAME

SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

NOTARY PUBLIC

LAND SURVEYOR AUTHORIZATION TO RECORD PLAT

STATE OF ILLINOIS ) SS COUNTY OF DU PAGE )

THIS IS TO STATE THAT KEVIN C. LEWIS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, BEING THE SAME LAND SURVEYOR WHO PREPARED AND CERTIFIED THE PLAT OF SUBDIVISION HERON DRAWN, TITLED MEDICAL PROPERTIES OF NAPERVILLE, DOES HEREBY AUTHORIZE THE CITY OF NAPERVILLE CITY CLERK OR AN EMPLOYEE OF THE CITY CLERK'S OFFICE TO PRESENT SAID PLAT OF SUBDIVISION TO THE DUPAGE COUNTY RECORDER OF DEEDS TO BE RECORDED.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_ DAY OF January, A.D., 2012

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3681



INGRESS AND EGRESS EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE AND TO THOSE PERSONS REQUIRING ACCESS ACROSS ALL OF THE AREAS MARKED "INGRESS AND EGRESS EASEMENT" ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO TRAVEL, THE ENTIRE EASEMENT AREA AS FENCED AND AS OPERATORS OF MOTORIZED VEHICLES TOGETHER WITH ANY AND ALL AUTOMOBILES, STRUCTURES, MOTORCYCLES AND BICYCLES. THE EASEMENT AREA SHALL NOT BE USED FOR PARKING OF VEHICLES OF ANY TYPE. THE EASEMENT AREA SHALL NOT BE CLOSED TO THE LANDOWNER FOR ANY REASON EXCEPT EMERGENCY REPAIRS, MAINTENANCE OR REPAIR OF THE EASEMENT SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF NAPERVILLE.

PUBLIC SIDEWALK EASEMENT PROVISIONS

A PERMANENT PUBLIC SIDEWALK EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE, ITS SUCCESSORS AND ASSIGNS OVER THE AREA(S) MARKED "PUBLIC SIDEWALK EASEMENT" ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, AND REPAIR THE PUBLIC SIDEWALK WITHIN THE SUBJECT EASEMENT AREA TOGETHER WITH ANY AND ALL UTILITY STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID CITY OVER, UPON, ALONG, AND THROUGH SAID INDICATED EASEMENT TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS ACROSS THE PROPERTY FOR PEDESTRIAN TRAFFIC AND FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE PUBLIC SIDEWALK. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT THEY MAY BE USED FOR LAWNS AND LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS.

STORMWATER MANAGEMENT EASEMENT AND COVENANT PROVISIONS

THE OWNER OR DEVELOPER SHALL HAVE THE PERPETUAL DUTY AND OBLIGATION TO PERFORM OR HAVE PERFORMED ALL MAINTENANCE ON SAID LOT 1, AND ALL MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES SO THAT THEY FUNCTION AS HYDRAULICALLY AND HYDROLOGICALLY PLANNED IN ACCORDANCE WITH ALL APPLICABLE STATUTES, ORDINANCES, AND RULES AND REGULATIONS.

THE OWNER OR DEVELOPER, OR ANY OF THEIR AGENTS, OR CONTRACTORS SHALL DESTROY OR MODIFY THE GRADES, SLOPES, UNDERGROUND PIPES OR STORMWATER FACILITIES WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY ENGINEER OF THE CITY OF NAPERVILLE OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON LOT 1.

PERPETUAL PUBLIC STORMWATER AND DRAINAGE EASEMENTS ARE HEREBY GRANTED TO THE CITY OF NAPERVILLE, ITS AGENTS, SUCCESSORS AND ASSIGNS, OR ANY OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES, OVER, ON, ACROSS AND UNDER ALL OF THE AREAS MARKED "STORMWATER MANAGEMENT EASEMENT" OR (S.M.E.) ON THE PLAT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY FOR THE PURPOSES OF:

- 1. SURVEYING, CONSTRUCTING, RECONSTRUCTING, REPAIRING, INSPECTING, MAINTAINING, AND OPERATING ALL STORMWATER MANAGEMENT FACILITIES, STRUCTURES, GRADES, AND SLOPES ON LOT 1.
2. ENTERING ONTO LOT 1 TO PERFORM THE WORK SPECIFIED IN PARAGRAPH 1 TOGETHER WITH THE RIGHT OF ACCESS FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE REQUIRED WORK.
3. CUTTING DOWN, TRIMMING, OR REMOVING TREES, SHRUBS, PLANTS, MULCH, LANDSCAPING STRUCTURES, RETAINING WALLS OR ANY OTHER MATERIALS ON LOT 1 WHICH INTERFERE WITH THE OPERATIONS OF THE STORMWATER FUNCTIONS.

NO PERMANENT BUILDINGS, OR UTILITY FACILITIES SHALL BE CONSTRUCTED ON THE STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 1 BY THE OWNER, DEVELOPER OR THE OWNER'S SUCCESSORS IN INTEREST, BUT SAID STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 1 MAY BE USED FOR OTHER PURPOSES THAT DO NOT INTERFERE WITH THE AFORESAID USES OR RIGHTS OR IN ANY WAY AFFECT OR IMPAIR THE STORAGE OF STORMWATER ON AND OVER SAID LOT 1. THE CITY OF NAPERVILLE IS HEREBY GRANTED A PERMANENT AND PERPETUAL MUNICIPAL UTILITY EASEMENT OVER AND UNDER THE STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 1 FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF WATER, WASTEWATER AND ELECTRIC UTILITY FACILITIES. THE CITY MAY CONSTRUCT SUCH MUNICIPAL UTILITY FACILITIES ON THE STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 1 ONLY AFTER SUBMITTING AND RECEIVING APPROVAL OF ENGINEERING PLANS FROM THE CITY ENGINEER OR THE CITY ENGINEER'S DESIGNEE. THE CITY OF NAPERVILLE SHALL, UPON COMPLETION OF ANY MUNICIPAL UTILITY WORK ON LOT 1 RESTORE THE EASEMENT PREMISES TO THE SAME OR BETTER SURFACE CONDITION THAN THAT EXISTED PRIOR TO BEGINNING OF THE CITY WORK.

IF EITHER THE OWNER OR THE DEVELOPER TO MAINTAIN THE STORMWATER MANAGEMENT FACILITIES ON LOT 1 AS REQUIRED, THE CITY OF NAPERVILLE OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON LOT 1 SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER THE PROPERTY TO PERFORM MAINTENANCE, REPAIR, CONSTRUCTION, OR RECONSTRUCTION NECESSARY TO MAINTAIN STORMWATER STORAGE OR FLOW ON LOT 1.

THE OWNER OF LOT 1 AS CREATED BY THE FINAL PLAT OF SUBDIVISION, OR THE OWNER'S HEIRS, LEGATEES, ASSIGNS, OR SUCCESSORS IN INTEREST, SHALL BE JOINTLY AND SEVERALLY LIABLE FOR THE COSTS INCURRED BY THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON LOT 1 IN PERFORMING SUCH WORK, PLUS AN ADDITIONAL TEN (10%) PERCENT AND ANY REASONABLE ATTORNEY'S FEES, INCLUDING THE COSTS OF IN-HOUSE COUNSEL, CONNECTED WITH THE COLLECTION OF SUCH COSTS.

THE ACTUAL COSTS OF THE CITY, OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION, TO PERFORM ANY NECESSARY WORK, AS DETERMINED BY THE CITY, OR SUCH OTHER GOVERNMENTAL ENTITY, PLUS TEN (10%) PERCENT AND ALL ATTORNEY'S FEES, SHALL CONSTITUTE A LIEN AGAINST SAID LOT 1 WHICH LIEN MAY BE FORECLOSED BY AN ACTION BROUGHT IN A COURT OF COMPETENT JURISDICTION BY OR ON BEHALF OF THE CITY OR SUCH OTHER GOVERNMENTAL ENTITY.

THE PROVISIONS OF THESE COVENANTS AND DECLARATIONS RELATING TO STORMWATER OBLIGATIONS SHALL NOT BE AMENDED, MODIFIED, OR ABROGATED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON LOT 1.

ALL OF THE ABOVE-STATED OBLIGATIONS SHALL ALSO BE CLEARLY REFERENCED IN ANY COVENANTS, CONDITIONS, DECLARATIONS, AND RESTRICTIONS RECORDED AGAINST SAID LOT 1 AS CREATED BY THIS FINAL PLAT OF SUBDIVISION, AND IN ANY DEEDS OR TITLE DOCUMENTATION REQUIRED FOR THE CONVEYANCE OF SAID LOT 1.

THE OWNER OF LOT 1 SHALL HAVE THE PERPETUAL DUTY AND OBLIGATION TO FURNISH OR TO CAUSE TO BE FURNISHED, TO THE CITY OF NAPERVILLE, OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON LOT 1 AS REQUIRED, BY AN ILLINOIS LICENSED PROFESSIONAL ENGINEER IN WHICH THE CONDITION OF THE STORMWATER MANAGEMENT FACILITIES WITHIN THE LOT ARE DESCRIBED IN DETAIL, RECOMMENDATIONS FOR MAINTENANCE AND REPAIRS ARE MADE AND INCLUDED A CERTIFICATION THAT THE CONDITION OF THE STORMWATER FACILITIES IS SUCH THAT THEY WILL OPERATE IN ACCORDANCE WITH THE ORIGINAL DESIGN INTENT.

PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE, ILLINOIS AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE CITY OF NAPERVILLE, INCLUDING, BUT NOT LIMITED TO, ILLINOIS BELL TELEPHONE COMPANY DBA AT&T ILLINOIS, NICOR GAS COMPANY AND THEIR SUCCESSORS AND ASSIGNS, OVER ALL OF THE AREAS MARKED "PUBLIC UTILITIES AND DRAINAGE EASEMENTS" ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO SURVEY, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNITY ANTENNA TELEVISION SYSTEMS AND INCLUDING STORM AND/OR SANITARY SEWERS TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID CITY, OVER, UPON, UNDER AND THROUGH SAID INDICATED EASEMENTS, TOGETHER WITH RIGHT OF ACCESS ACROSS THE GRANTEE'S PROPERTY FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENTS THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. WHERE AN EASEMENT IS USED BOTH FOR SEWERS AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE CITY OF NAPERVILLE.

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVISION HEREBY, OVER THE ENTIRE EASEMENT AREA FOR INGRESS, EGRESS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING WATER, STORM AND SANITARY SEWER SERVICE AND MAINTENANCE.

SURFACE WATER STATEMENT

STATE OF ILLINOIS ) SS COUNTY OF DU PAGE )

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 \_\_\_\_\_, A.D., 20\_\_\_\_

ILLINOIS REGISTERED PROFESSIONAL ENGINEER #62-55368

REGISTRATION EXPIRATION DATE: 11/30/2013

OWNER NAME: MEDICAL PROPERTIES LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

WITNESS: \_\_\_\_\_

JODY L. MORRIS ITS: MANAGER PRINT NAME

LAND SURVEYOR CERTIFICATE

STATE OF ILLINOIS ) SS COUNTY OF COOK )

I, KEVIN C. LEWIS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR #3681, HEREBY STATE THAT THIS PLAT WAS MADE AT AND UNDER MY DIRECTION, FROM PUBLIC AND PRIVATE RECORD INFORMATION AND THIS PLAT IS AN ACCURATE DEPICTION OF THE PROPERTY DESCRIBED AS:

LOTS 11 AND 12 IN BLOCK 19 IN PLAT OF THE TOWN OF NAPERVILLE, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT HEREBY RECORDED FEBRUARY 15, 1942 AS DOCUMENT 131, IN DUPAGE COUNTY, ILLINOIS.

I HEREBY STATE THAT THE PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE, ILLINOIS.

I HEREBY STATE THAT THE CITY OF NAPERVILLE HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

I HEREBY STATE THAT THE PROPERTY DOES NOT LIE IN A DESIGNATED SPECIAL FLOOD HAZARD AREA, ACCORDING TO THE LATEST FLOOD INSURANCE RATE, MAP PANEL 170213-0013-C, EFFECTIVE MAY 18, 1992, ZONE X, AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN, BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

GIVEN UNDER MY HAND AND SEAL AT WHEELING, ILLINOIS, THIS \_\_\_\_ DAY OF January, A.D., 2012



ILLINOIS PROFESSIONAL LAND SURVEYOR #3681

MY LICENSE EXPIRES NOVEMBER 30, 2012

SHEET 2 OF 2

CITY PROJECT NUMBER: 11 - 10000130

PRELIMINARY/FINAL PLAT OF SUBDIVISION MEDICAL PROPERTIES OF NAPERVILLE 3 NORTH WASHINGTON STREET NAPERVILLE, ILLI Planning and Zoning Commission - 2/8/2012 - 33

IC CONSULTING, INC. INFRACON & GECON CONSULTING CIVIL ENGINEERS & LAND SURVEYORS 300 MARQUADT DRIVE WHEELING, ILLINOIS 60090 PH. (847) 215-1133 FAX (847) 215-1177

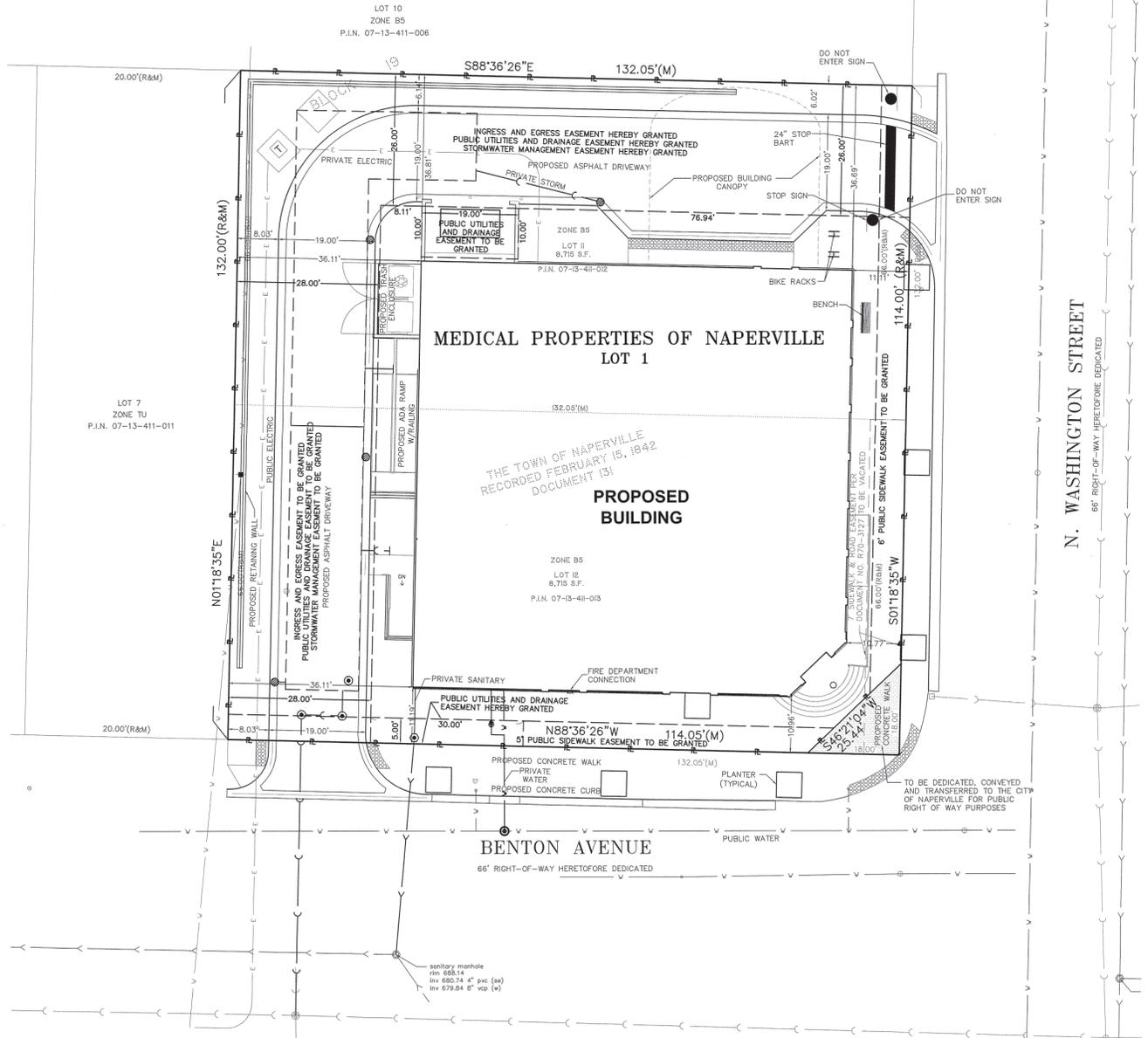
SURVEYOR'S NOTE: BASIS OF BEARINGS: NORTH LINE OF BENTON AVENUE ASSUMED AS N86°36'26"W REFER TO EASEMENT PROVISIONS ON SHEET 2 OF 2 FOR SPECIFIC TERMS AND CONDITIONS. ALL DISTANCES IN FEET AND DECIMAL PARTS THEREOF. NO DIMENSIONS TO BE ASSUMED FROM SCALING. DESCRIPTION AND SITE MARKINGS WITH THIS PLAT AND AT ONCE REPORT 'ANCES WHICH YOU MAY FIND. FIRM NO. 184-001330

PRELIMINA Page 34 - Agent Item D.2. ENT PLAT  
**MEDICAL PROPERTIES OF NAPERVILLE**  
 OF

PART OF THE SOUTH HALF OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO: NAME: NAPERVILLE CITY CLERK ADDRESS: 400 S. EAGLE STREET NAPERVILLE, IL 60540

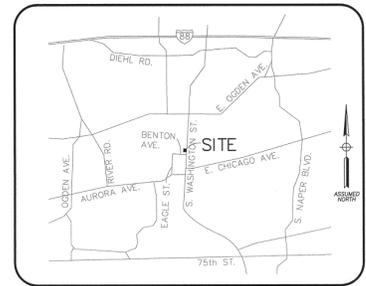
P.L.N. 07-13-411-012  
 P.L.N. 07-13-411-013



**PLANNING DESIGN STANDARDS:**

LAND USE	BUILDING HEIGHT	MINIMUM SET BACK	PARCEL	LOT WIDTH AT	BUILDING	OFF STREET	REMARKS
	STORIES	FRONT REAR SIDE CORNER	AREA	BUILDING LINE	COVERAGE	PARKING	
PROFESSIONAL OFFICE BUILDING	2 STORY + PARTIAL BASEMENT	40' 15' TO PARAPET 50' BASEMENT TO PARAPET	75' 10' 5' 18'	17,268 SQ.FT.	SLINE=125.01' ELINE=124.77'	IN VILLAGE OFFSITE PARKING STRUCTURE	

**VICINITY MAP:**



**FULL LEGAL DESCRIPTION:**

LOTS 11 AND 12 IN BLOCK 19 IN PLAT OF THE TOWN OF NAPERVILLE, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1842 AS DOCUMENT 131, IN DUPAGE COUNTY, ILLINOIS.

**AREA:**

GROSS = 17,430 SQ.FT. = 0.400 AC.  
 ROW = 162 SQ.FT. = 0.004 AC.  
 NET = 17,268 SQ.FT. = 0.396 AC.

**OWNER:**

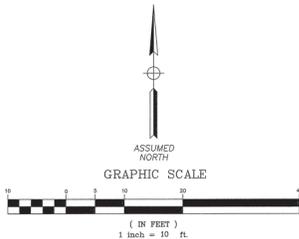
MEDICAL PROPERTIES, L.L.C.  
 1149 HOBSON MILL DRIVE | NAPERVILLE, IL 60540  
 PHONE: 630-357-6540 | FAX: 630-357-6435  
 E-MAIL: joy@spartners.com

**DEVELOPER:**

MEDICAL PROPERTIES, L.L.C.  
 1149 HOBSON MILL DRIVE | NAPERVILLE, IL 60540  
 PHONE: 630-357-6540 | FAX: 630-357-6435  
 E-MAIL: joy@spartners.com

**ENGINEER:**

33 COMPANIES  
 7325 JAMES AVENUE | WOODRIDGE, IL 60517  
 PHONE: 630.724.9200 | FAX: 630.724.9202  
 E-MAIL: brieger@33co.com



**LEGEND**

- ⊕ EXISTING MANHOLE (M) MEASURED
- EXISTING INLET (R) RECORD
- EXISTING CATCH BASIN S.F. SQUARE FEET
- ⊕ EXISTING VALVE VAULT ° DEGREES
- ⊕ EXISTING FIRE HYDRANT ' MINUTES/FEET
- ⊕ EXISTING BUFFALO BOX " SECONDS/INCHES
- ⊕ EXISTING VALVE BOX N NORTH
- PROPERTY LINE S SOUTH
- - - EXISTING EASEMENT E EAST
- - - EASEMENT TO BE GRANTED W WEST
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING WATER MAIN
- ⊕ PROPOSED VALVE VAULT
- ⊕ PROPOSED B.BOX
- ⊕ PROPOSED STORM STRUCTURE CLOSED LID
- ⊕ PROPOSED STORM STRUCTURE OPEN LID
- ⊕ PROPOSED SANITARY MANHOLE
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED WATER MAIN

REVISED: 01/03/2012  
 PER CITY LETTER DATED 10/11/2011 - REVISED: 12/20/2011  
 UPDATED: 08/15/2011  
 DATE PREPARED: 08/08/2011  
**SHEET 1 OF 2**  
 CITY PROJECT NUMBER: 11 - 10000130

**PRELIMINARY/FINAL PLANNED UNIT DEVELOPMENT PLAT**  
**MEDICAL PROPERTIES OF NAPERVILLE**  
**3 NORTH WASHINGTON STREET**  
**NAPERVILLE, ILLIN**

**CONSULTING, INC.**  
**INFRACON & GECON**  
 CONSULTING CIVIL ENGINEERS & LAND SURVEYORS  
 300 MARQUARDT DRIVE WHEELING, ILLINOIS 60090 PH. (847) 215-1133 | FAX (847) 215-1177

SURVEYOR'S NOTE:

BASIS OF BEARINGS: NORTH LINE OF BENTON AVENUE ASSUMED AS N88°36'26"W  
 THIS IS NOT A SUBDIVISION PLAT. FOR SUBDIVISION INFORMATION PLEASE REFER TO THE SUBDIVISION PLAT FOR THE SUBJECT PROPERTY WHICH IS A SEPARATE DOCUMENT.  
 ALL DISTANCES IN FEET AND DECIMAL PARTS THEREOF. NO DIMENSIONS TO BE ASSUMED FROM SCALINGS.

**Planning and Zoning Commission - 2/8/2012 - 34**

DESCRIPTION AND SITE MARKINGS WITH THIS PLAT AND AT ONCE REPORT  
 COPIES WHICH YOU MAY FIND.  
 FIRM NO. 184-001330

# MEDICAL PROPERTIES OF NAPERVILLE

OF  
PART OF THE SOUTH HALF OF SECTION 13, TOWNSHIP 38 NORTH, RANGE  
9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

**CITY COUNCIL CERTIFICATE**  
STATE OF ILLINOIS )  
COUNTY OF DU PAGE ) S.S.

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS, AT A MEETING HELD THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

BY: \_\_\_\_\_ MAYOR ATTEST: \_\_\_\_\_ CITY CLERK

**PLAN COMMISSION CERTIFICATE**  
STATE OF ILLINOIS )  
COUNTY OF DU PAGE ) S.S.

APPROVED BY THE CITY OF NAPERVILLE PLAN COMMISSION AT A MEETING HELD THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

BY: \_\_\_\_\_ CHAIRMAN ATTEST: \_\_\_\_\_ SECRETARY

**DUPAGE COUNTY RECORDER CERTIFICATE**  
STATE OF ILLINOIS )  
COUNTY OF DU PAGE ) S.S.

THIS INSTRUMENT \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_M, AND WAS RECORDED IN BOOK \_\_\_\_\_ OF PLATS ON PAGE \_\_\_\_\_

RECORDER OF DEEDS \_\_\_\_\_

**OWNER CERTIFICATE**  
STATE OF ILLINOIS )  
COUNTY OF DU PAGE ) S.S.

THIS IS TO CERTIFY THAT MEDICAL PROPERTIES LLC, AN ILLINOIS LIMITED LIABILITY COMPANY 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 PLATTED FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

OWNER NAME: MEDICAL PROPERTIES LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

WITNESS: \_\_\_\_\_

JODY L. MORRIS \_\_\_\_\_

TITLE: MANAGER \_\_\_\_\_ PRINT NAME

**NOTARY CERTIFICATE**  
STATE OF ILLINOIS )  
COUNTY OF DU PAGE ) SS

I, \_\_\_\_\_, A NOTARY PUBLIC,

IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ AND \_\_\_\_\_

PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

NOTARY SIGNATURE \_\_\_\_\_

MY COMMISSION EXPIRES ON \_\_\_\_\_ MONTH \_\_\_\_\_ DATE \_\_\_\_\_ 20\_\_\_\_

**LAND SURVEYOR CERTIFICATE**  
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS

I, KEVIN C. LEWIS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR #3681, HEREBY STATE THAT THIS PLAT WAS MADE AT AND UNDER MY DIRECTION, FROM PUBLIC AND PRIVATE RECORD INFORMATION AND THIS PLAT IS AN ACCURATE DESCRIPTION OF THE PROPERTY.

I HEREBY STATE THAT THE PROPOSED IMPROVEMENTS ON THIS PLAT ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT INTENDED TO BE USED FOR CONSTRUCTION.

I HEREBY STATE THAT THE PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE, ILLINOIS.

I HEREBY STATE THAT THE CITY OF NAPERVILLE HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 85 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

I HEREBY STATE THAT THE PROPERTY DOES NOT LIE IN A DESIGNATED SPECIAL FLOOD HAZARD AREA, ACCORDING TO THE LATEST FLOOD INSURANCE RATE, MAP PANEL 170213-0013-C, EFFECTIVE MAY 18, 1992, ZONE X, AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN, BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

GIVEN UNDER MY HAND AND SEAL AT WHEELING, ILLINOIS, THIS 30<sup>th</sup> DAY OF January, A.D., 2012.

ILLINOIS PROFESSIONAL LAND SURVEYOR #3681  
MY LICENSE EXPIRES NOVEMBER 30, 2012



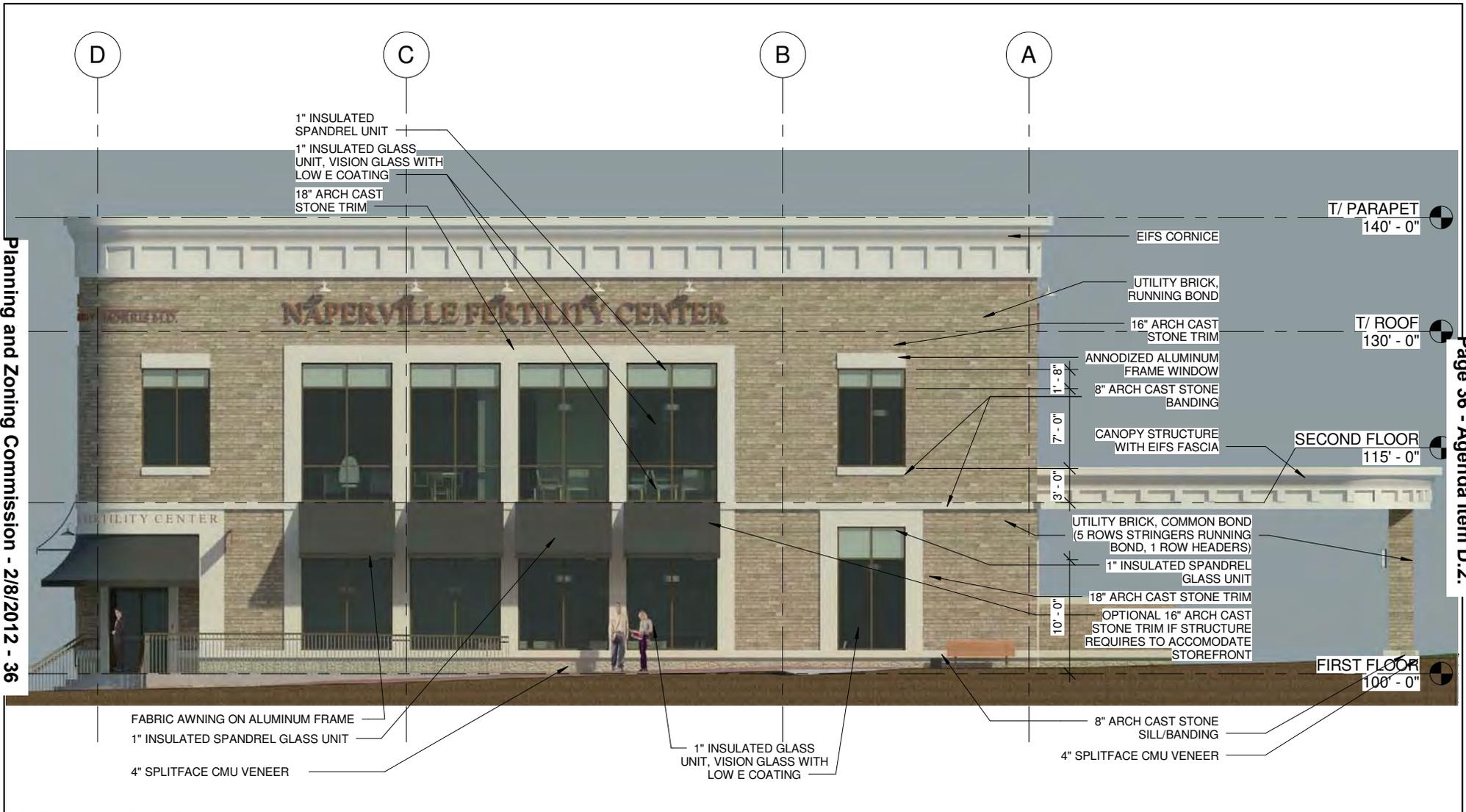
SHEET 2 OF 2  
CITY PROJECT NUMBER: 11 - 10000130

**PRELIMINARY/FINAL PLANNED UNIT DEVELOPMENT PLAT**  
**MEDICAL PROPERTIES OF NAPERVILLE**  
**3 NORTH WASHINGTON STREET**  
**NAPERVILLE, ILLINOIS**

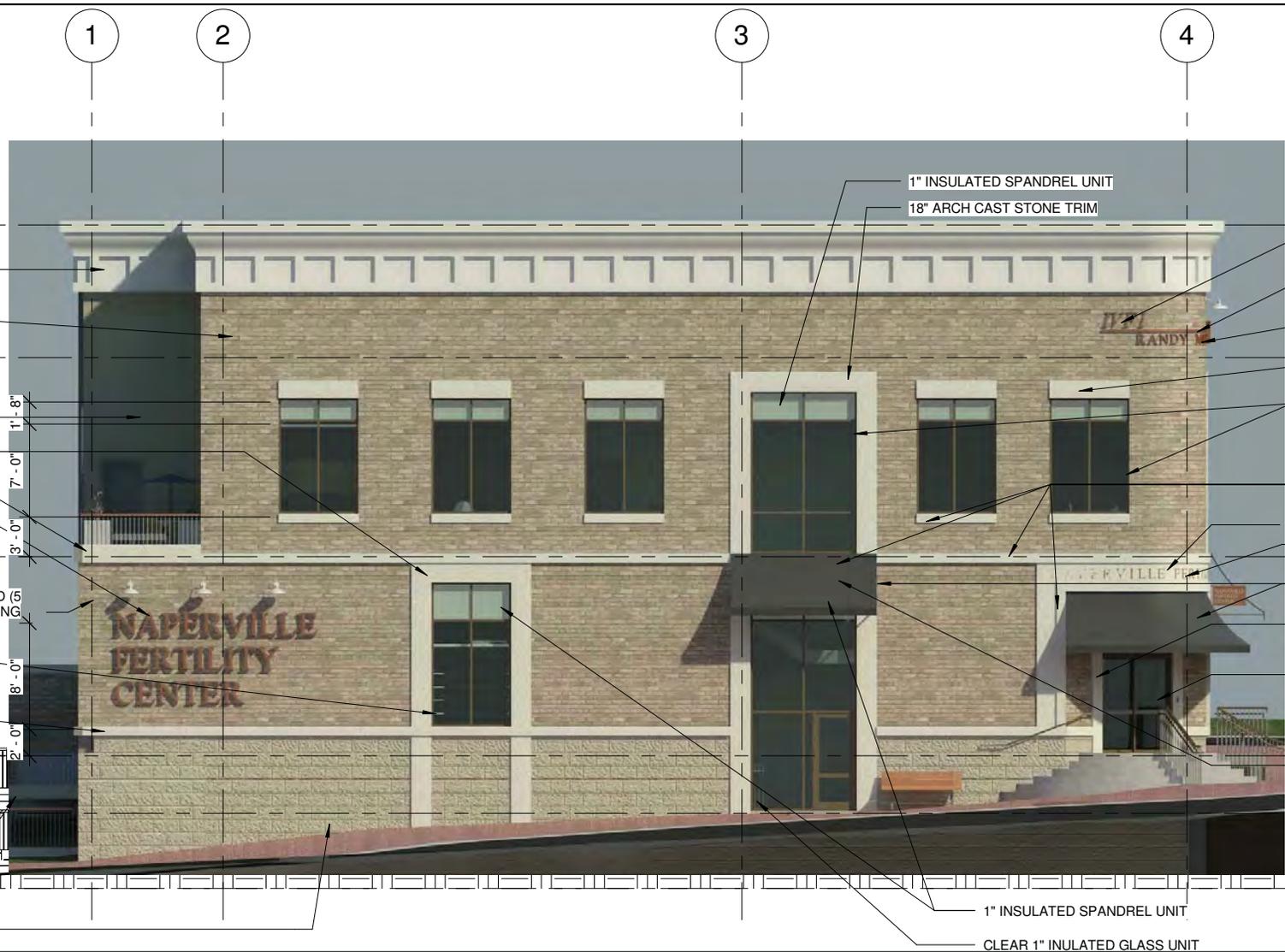
**IC CONSULTING, INC.**  
INFRACON & GECON  
CONSULTING CIVIL ENGINEERS & LAND SURVEYORS  
300 MARGUERITE DRIVE, WHEELING, ILLINOIS 60090 PHL (847) 215-1133 | FAX (847) 215-1177

SURVEYOR'S NOTE:  
BASIS OF BEARINGS: NORTH LINE OF BENTON AVENUE ASSUMED AS N88°36'26"W  
THIS IS NOT A SUBDIVISION PLAT. FOR SUBDIVISION INFORMATION PLEASE REFER TO THE SUBDIVISION PLAT FOR THE SUBJECT PROPERTY WHICH IS A SEPARATE DOCUMENT.  
ALL DISTANCES IN FEET AND DECIMAL PARTS THEREOF. NO DIMENSIONS TO BE ASSUMED FROM DRAWING.  
FOR DESCRIPTION AND SITE MARKINGS WITH THIS PLAT AND AT ONCE REPORT DATES WHICH YOU MAY FIND.  
FORM NO. 184--001330

PROJECT NUMBER  
9034A



	<h1>NAPERVILLE FERTILITY CENTER</h1>		<small>DRAWN BY</small> <b>KMS</b>	<small>DESIGNED BY</small> <b>KMS</b>
	<h2>EAST ELEVATION</h2>		<small>DATE</small> <b>02/02/12</b>	
	<small>SCALE:</small> As indicated		<small>PROJECT NUMBER</small> <b>10-097</b>	
			<small>PROJECT NUMBER</small> <b>A200-SKA</b>	

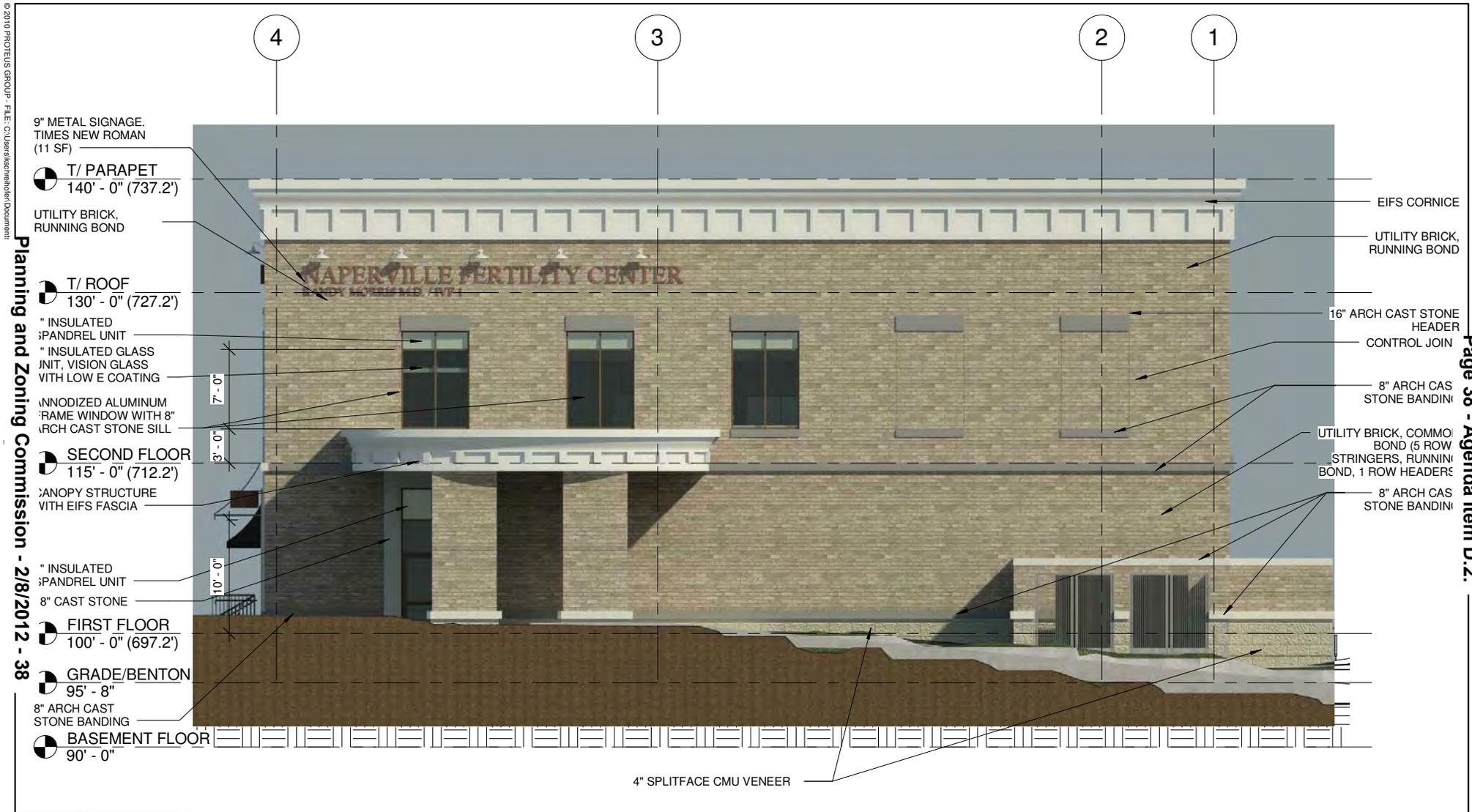


# NAPERVILLE FERTILITY CENTER

SOUTH ELEVATION

SCALE: As indicated

DRAWN BY	DESIGNED BY
KMS	KMS
DATE: 02/02/12	
PROJECT NUMBER: 10-097	
A200-SKB	



# NAPERVILLE FERTILITY CENTER

NORTH ELEVATION

SCALE: As indicated

DRAWN BY	CHECKED BY
Author	Checker
DATE: 02/02/12	
PROJECT NUMBER: 10-097	
A201-SKB	

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Planning and Zoning Commission - 2/8/2012 - 39



Page 39 - Agenda Item D.2.



# NAPERVILLE FERTILITY CENTER

## WEST ELEVATION

SCALE: As indicated

DESIGNED BY	Author
CHECKED BY	Checker
DATE	02/02/12
PROJECT NUMBER	10-097
DRAWING NUMBER	A201-SKA







Ictdesign

lenet crestani tallman  
design group, llc

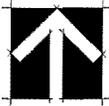
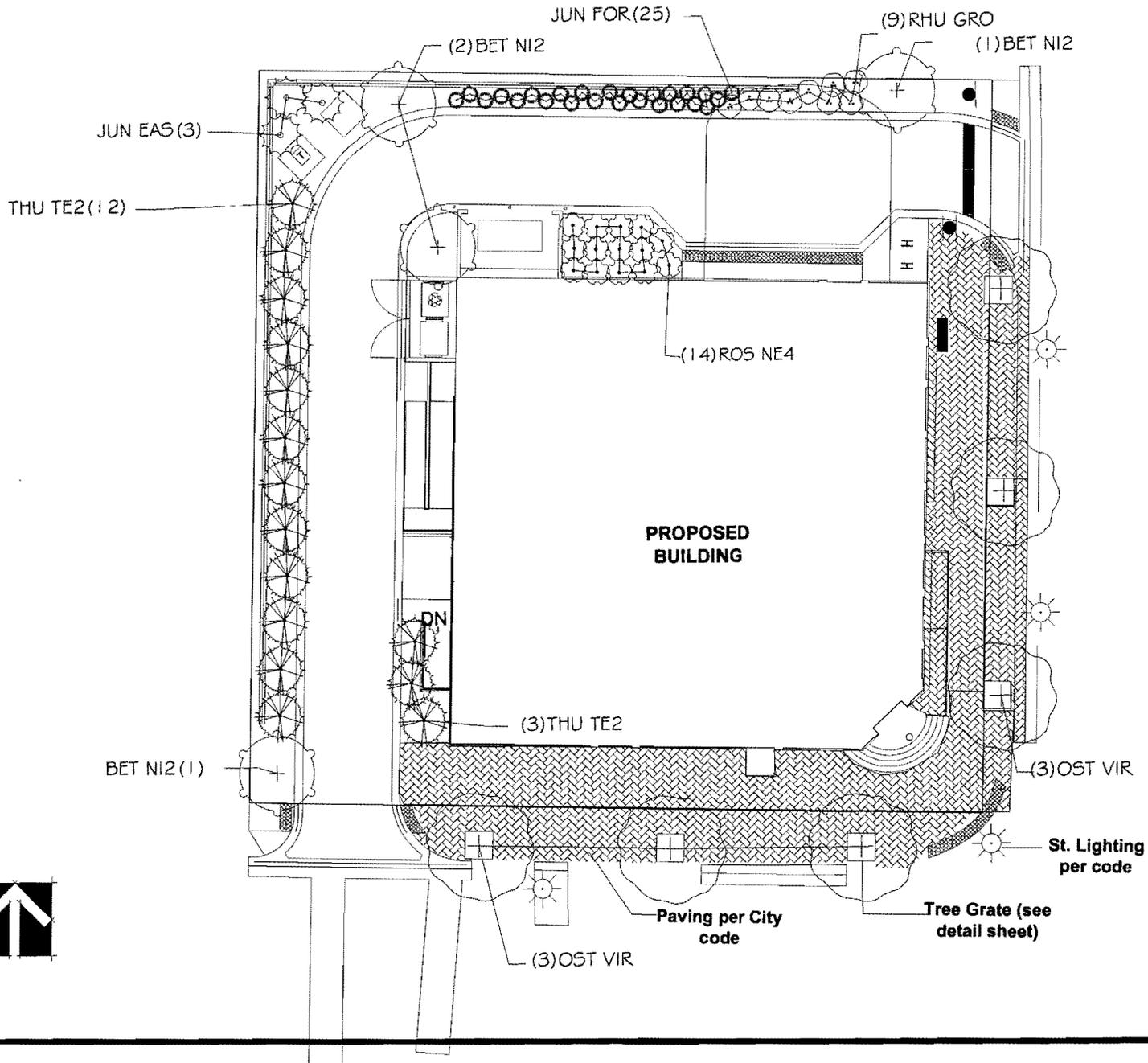
920 N. Franklin St.  
suite 204 chicago,  
illinois 60610  
312.829.0080  
312.644-7259 fax

NAPERVILLE FERTILITY CENTER

LANDSCAPE PLAN

January 3, 2012

L-1





# PLANT\_SCHEDULE

<u>TREES</u>	<u>BOTANICAL/COMMON</u>	<u>CONT</u>	<u>CAL</u>	<u>SIZE</u>	<u>QTY</u>
BET NI2	Betula nigra / River Birch Multi-Trunk	B & B		6'-8'	4
THU TE2	Thuja occidentalis `Techny` / Techny Arborvitae	B & B			15
<u>EVERGREEN TREES</u>	<u>BOTANICAL/COMMON</u>	<u>CONT</u>	<u>CAL</u>	<u>SIZE</u>	<u>QTY</u>
JUN EAS	Juniperus virginiana / Eastern Red Cedar	B & B		6'-8'	3
<u>NATIVE TREES</u>	<u>BOTANICAL/COMMON</u>	<u>CONT</u>	<u>CAL</u>	<u>SIZE</u>	<u>QTY</u>
OST VIR	Ostrya virginiana / American Hophornbeam/Ironwood	B & B	2.5"Cal		6
<u>SHRUBS</u>	<u>BOTANICAL/COMMON</u>	<u>CONT</u>	<u>SIZE</u>	<u>QTY</u>	
JUN FOR	Juniperus chinensis `Sea Green` / Sea Green Juniper Free Form	18"	3'		25
RHU GRO	Rhus aromatica `Gro-Low` / Gro-Low Fragrant Sumac	3 gal			9
ROS NE4	Rosa shrub `Nearly Wild` / Nearly Wild Rose	3 gal			14



Ictdesign

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design group, llc

920 N. Franklin St.  
suite 204 chicago,  
Illinois 60610  
312.829.0080  
312.644-7259 fax

NAPERVILLE FERTILITY CENTER

PLANT\_SCHEDULE

January 3, 2012

L-3



January 31, 2012

Planning and Zone Commission  
City of Naperville  
c/o Suzanne Thorsen, Community Planner  
400 S Eagle St  
Naperville, IL 60540

Dear Planning and Zone Commission:

Naperville Bank & Trust is in general support of the proposed new fertility clinic; at the northeast corner of Washington St. and Benton Ave. Being one of the newest members of the corner, at 5 S. Washington, we are excited to welcome a potential new neighbor and feel the facility will be a nice amenity to the Naperville Community. Having a diverse downtown is one of the aspects that assists Naperville in being a destination location, this proposed new development will only add to that diversity. Should you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Miers".

Tom Miers  
President





# Naperville

## NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

**AGENDA DATE:** 2/8/11

**SUBJECT:** North Downtown Special Planning Area Zoning Amendments

Correspondence      New Business      Old Business      Public Hearing

**SYNOPSIS:**

In April 2011, City Council adopted the *Naperville Downtown2030 Plan*. Preparation of ordinances to support recommendations for the North Downtown Special Planning Area is a top implementation priority this year. A subcommittee of Downtown Advisory Commission (DAC) and Planning and Zoning Commissioners (PZC) is needed to work together with staff to review, refine, and recommend zoning amendments.

**ACTION REQUESTED/RECOMMENDED THIS MEETING:**

Two volunteers from the PZC are needed to participate in a subcommittee with DAC members on zoning changes for the North Downtown Special Planning Area.

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

**BACKGROUND:**

The North Downtown Special Planning Area is generally bounded by Douglas (north), Washington (east), Benton (south) and Webster (west). The 2030 plan indicates this area has the potential to accommodate either residential and office uses, or if a destination use is established (e.g. hotel, museum, grocery store), additional retail and restaurant uses. During final review of the plan, City Council included specific height recommendations for this area, some of which conflict with the existing zoning code.

**DISCUSSION:**

Zoning amendments are being pursued to have tools in place to address future development requests, when market conditions improve, and minimize the risk of interim approvals adversely impacting the desired vision for this area. Specifically, ordinance amendments will:

- Address the differences in height recommended by the *Downtown2030 Plan* and the existing municipal code
- Consider incentives for historic building preservation
- Establish requirement for development with a PUD
- Address restrictions on land use

To consider amendments and prepare draft recommendations, a subcommittee of DAC and PZC members is being created. This group will meet 1-2 times in March and early April to review initial draft language prepared by staff. The recommendations of the subcommittee will be presented to DAC and then the PZC for official public hearing and recommendation before being forwarded to City Council later this year.