

# Land Use Petition

Project Number: 2016.085

## Subject Property Information

Address/Location: northeast intersection of Ogden Ave (IL US Route 34) and 75th Street

Parcel Number(s): 07-28-101-007; 07-28-101-008

## Petition Request(s)

Requesting the Establishment of a new Special Use Planned Development, and to change the underlying zoning district from B-2(S) General Retail District to R-5(S) Multiple-Family Dwelling District, R-5A(S) Midrise Multiple Family Dwelling District, and B-2(S) General Retail District, OS-1(S) Conservation, Open Space and Drainage District with a Special Use Planned Development on the property located at northeast corner of 75th Street and Ogden Avenue

Requesting approval of a Preliminary Plat for Aurora Town Center Subdivision located at northeast corner of 75th Street and Ogden Avenue

Requesting approval of a Preliminary Plan for Aurora Town Center Subdivision located at northeast corner of 75th Street and Ogden Avenue for a mixed use development

## Attachments Required

(a CD of digital files of all documents are also required)

Development Tables Excel Worksheet - digital only (1-0)

Word Document of: Legal Description (2-1)

One Paper and PDF Copy of:

Contact Worksheet (1-5)

Filing Fee Worksheet (1-6)

Qualifying Statement (2-1)

Plat of Survey (2-1)

Legal Description (2-1)

Letter of Authorization (2-2)

Two Paper and One PDF Copy of:

Fire Access Plan (2-6)

Address Plat (2-17)

Preliminary Engineering

Stormwater Report (2-10)

One Paper and pdf Copy of:

Preliminary Plan (2-8)

Preliminary Plat (2-9)

Plan Description Revision (2-18)

## Petition Fee: \$3,468.50 (Payable to The City of Aurora)

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

\*The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: [Signature] Date 6/12/19

Print Name and Company: CDI DEVELOPMENT SERVICES, L.L.C.

I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this 12<sup>th</sup> day of June 2019

State of Ohio )  
County of Summit ) SS

NOTARY PUBLIC SEAL

[Signature]  
Notary Signature



Kalena Parker  
Resident Summit County  
Notary Public, State of Ohio  
My Commission Expires: 07/05/2021





### Project Contact Information Sheet

**Project Number:** 2016.085

**Petitioner Company (or Full Name of Petitioner):** Cedarwood Development

**Owner**

First Name: Mike Initial: Last Name: Kozak Title: Mr.  
Company Name: Old Second National Bank  
Job Title: EVP & Chief Credit Officer  
Address: 37 S River Street  
City: Aurora State: IL Zip: 60506  
Email Address: mkozak@oldsecond.com Phone No.: 630-892-0202 Mobile No.:

**Main Contact (The individual that signed the Land Use Petition)**

Relationship to Project: Contract Purchaser  
Company Name: CDI Development Services, L.L.C.  
First Name: Laura Initial: J Last Name: Hester Title: Ms.  
Job Title: Vice President  
Address: 3200 West Market St., Suite 200  
City: Fairlawn State: OH Zip: 44333  
Email Address: lhester@CedarwoodD.com Phone No.: 586-737-7500 Mobile No.: 330-714-9617

**Additional Contact #1**

Relationship to Project: Land Developer / Builder  
Company Name: Cedarwood Development, Inc.  
First Name: Ron Initial: Last Name: DiNardo Title: Mr.  
Job Title: Director of Development  
Address: 3200 West Market Street, Suite 200  
City: Fairlawn State: Ohio Zip: 44333  
Email Address: rdinardo@CedarwoodD.com Phone No.: 330-836-9971 x9 Mobile No.: 330-414-8315

**Additional Contact #2**

Relationship to Project: Engineer  
Company Name: Haeger Engineering, LLC  
First Name: Josh Initial: Last Name: Terpstra Title: Mr.  
Job Title: Project Manager  
Address: 100 East State Parkway  
City: Schaumburg State: IL Zip: 60173  
Email Address: josh-t@haegerengineering.com Phone No.: 847-230-3178 Mobile No.:

**Additional Contact #3**

Relationship to Project: 0  
Company Name:  
First Name: Initial: Last Name: Title:  
Job Title:  
Address:  
City: State: Zip:  
Email Address: Phone No.: Mobile No.:

**Additional Contact #4**

Relationship to Project:  
Company Name:  
First Name: Initial: Last Name: Title:  
Job Title:  
Address:  
City: State: Zip:  
Email Address: Phone No.: Mobile No.:

## Filing Fee Worksheet

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**Project Number:** 2016.085  
**Petitioner:** Cedarwood Development  
**Number of Acres:** 30.18  
**Number of Street Frontages:** 2.00  
**Non-Profit** No

**Linear Feet of New Roadway:** 966  
**New Acres Subdivided (if applicable):** 30.18  
**Area of site disturbance (acres):** 0.00

**Filing Fees Due at Land Use Petition:**

Request(s):	Special Use Planned Development	\$ 1,807.20
	Preliminary Plan & Plat	\$ 1,631.30
	Public Hearing Notice Sign(s)	\$ 30.00

**Total:** **\$3,468.50**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By:

Date:

 **Old Second**  
**START BANKING**

Old Second National Bank  
Michael J. Kozak, Executive Vice President and Chief Credit Officer  
37 South River St., Aurora, IL. 60506  
Phone: 630-892-0202 Email: [MKozak@oldsecond.com](mailto:MKozak@oldsecond.com)

April 30, 2019

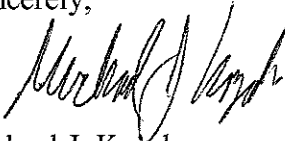
City of Aurora, Planning and Zoning Division  
44 E. Downer Place  
Aurora, IL. 60507  
Phone: 630-256-3080 Email: [coaplanning@aurora-il.org](mailto:coaplanning@aurora-il.org)

Re: Authorization letter for the approximately 30-acre parcel located at the SEC of Ogden & 75<sup>th</sup> St.

To whom it may concern:

As record owner of the above stated property I hereby affirm that I have full legal capacity to authorize CDI Development Services, L.L.C. and its representatives, to act as the owner's agent through the preliminary and final Land Use Petition process and building permitting process with the City of Aurora for said property.

Sincerely,

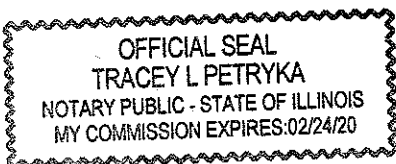


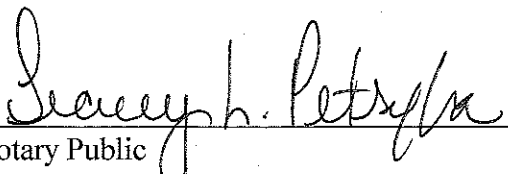
Michael J. Kozak

STATE OF ILLINOIS            )  
  ) SS:  
COUNTY OF KANE            )

BEFORE ME, a Notary Public in and for said county and state, personally appeared Michael J. Kozak, Executive Vice President and Chief Credit Officer with Old Second National Bank, who acknowledged that he did execute the foregoing instrument on behalf of said company and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal as of this 30<sup>th</sup> day of April, 2019.



  
\_\_\_\_\_  
Notary Public

## Qualifying Statement of Petition

1. ***The public health, safety, morals, comfort and general welfare:*** The subject property consists of two (2) vacant parcels of land, Parcel #1 with a Property Index Number of 07-28-101-008, consisting of 28.83 Acres and whose address is known as 30W551 Rt34, Naperville, IL 60504 and Parcel #2 with a Property Index Number of 07-28-101-007, consisting of 1.35 Acres and whose address is known as 30W561 Rt34, Naperville, IL 60504. The proposed use is consistent with the surrounding zoning in the area and will not adversely affect the public health, safety, morals, comfort, and general welfare.
2. ***The use and enjoyment of other property already established or permitted in the general area:*** The surrounding property North and South are commercial, East is apartments, and West is a mix of partial commercial and partial residential. The proposed uses of senior housing, senior age-restricted residential, and commercial and office uses are consistent with the surrounding uses and will not adversely affect the use and enjoyment of the surrounding properties.
3. ***The normal and orderly development and improvement of surrounding property for uses established within their respective zoning districts:*** The city has passed resolution #R19-053 dated 2-26-2019 with the objective of redevelopment of the both parcels allowing new proposed uses be consistent with the surrounding nature and character of the surrounding land uses.
4. ***Utilities, access roads, drainage and/or other necessary facilities:*** All necessary facilities are present or readily available to the subject property.
5. ***Ingress and egress as it relates to traffic congestion in the public streets:*** There is sufficient existing public roadway capacity on the surrounding roadways to accommodate the development of the subject property. In addition, Commons Drive will be extended from Ogden Ave. to 75<sup>th</sup> St. to help with traffic flow and allow for access to future commercial properties. The development of the subject property will not significantly impair ingress and egress, nor affect traffic congestion in the public streets.
6. ***The applicable regulations of the zoning district in which the subject property is proposed to be or located:*** The subject property is currently zoned B-2 (S) (Business District-General Retail) and applicant desires to amend and rezone the subject property to Special Use Planned Development to change the underlying use to include B-2 (S) (Business District-General Retail) and the additional zoning uses of R-5 Multiple-Family Dwelling District & R-5A(S) Midrise Multiple-Family Dwelling District, allowing for a senior housing development consisting of assisted living and memory support and age restricted independent living facilities, and OS-1(S) Conservation, Open Space and Drainage District Zoning.
7. ***Property Values within the neighborhood:*** Any development of the subject property will not diminish the value of the surrounding land and buildings.

8. **List of Variances/Modifications requested:** City Resolution #R19-053 passed on 2-26-2019 details the following requested variances:

1) The total number of parking spaces required and the need for structured parking, parking integration with the building, and/or enclosed or covered parking spaces (City of Aurora Zoning Ordinance Section 5, Paragraph 5.1-2(iii)). Parking ratios are defined in the plans herein and all parking will be surface parking.

2) Sound attenuating construction practices and procedures to meet heightened STC ratings for airborne and structure borne sound (City of Aurora Building Code Amendment 1207.2.3 and 1207.3.1). Applicant is requesting a STC/IIC rating of not less than 50 (45 if field tested) for both conditions.

3) Separated unit by unit utility meters for gas, electric, and water (City of Aurora Building Code Amendment 2701.1.2, 2801.1.1, 2901.1.2). Applicant is requesting one gas, electric and water meter for each building by phase.

4) Percentage of full wythe masonry on all elevations (City of Aurora Building Code Amendment 1404.1.1). Applicant is requesting 50% of all street frontage elevations in standard full wythe masonry, and additionally that masonry shall not be required on the interior courtyard elevations.

5) Balconies for buildings with common corridors (City of Aurora Zoning Ordinance Section 5, Paragraph 5.1-2(i)). Applicant may eliminate balconies from residential dwelling units in Phase I (Assisted Living and Memory Support), and Phase II (Senior Age Restricted Apartment Living) buildings.

6) Residential dwelling units shall not be permitted on the first [floor] at grade level (City of Aurora Zoning Ordinance Section 5, Paragraph 5.1-2(ii)). The Project contemplates residential living units on the first floor.

## EXHIBIT A - LEGAL DESCRIPTION FOR AURORA TOWN CENTER

### PARCEL 1:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF FOX VALLEY VILLAGES UNIT 27, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT R85-090787; THENCE SOUTH 88 DEGREES 50 MINUTES 06 SECONDS WEST, 2210.63 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF 75TH STREET (BEING A LINE 100 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION) TO THE EAST LINE OF PROPERTY RECORDED IN BOOK 100, PAGE 506; THENCE NORTH 00 DEGREES 33 MINUTES 30 SECONDS EAST, 145.46 FEET ALONG SAID EAST LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF OGDEN AVENUE (U.S. ROUTE 34) PER PLAT OF HIGHWAY FOR THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION FAP 311 JOB NO. R-91-017-91, THE FOLLOWING THREE COURSES ALONG THE SAID RIGHT OF WAY LINE: THENCE NORTH 66 DEGREES 40 MINUTES 17 SECONDS EAST, 1168.88 FEET; THENCE SOUTH 22 DEGREES 33 MINUTES 37 SECONDS EAST, 5.00 FEET; THENCE NORTH 67 DEGREES 10 MINUTES 48 SECONDS EAST, 1234.63 FEET TO THE EAST LINE OF SAID QUARTER SECTION, BEING THE WEST LINE OF FOX VALLEY VILLAGES UNIT 27, AFORESAID; THENCE SOUTH 00 DEGREES 05 MINUTES 28 SECONDS WEST, 1037.61 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING, (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF FOX VALLEY VILLAGES UNIT 27, AFORESAID; THENCE NORTH 00 DEGREES 05 MINUTES 28 SECONDS EAST, 1037.61 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (SAID EAST LINE BEING COINCIDENT WITH THE WEST LINE OF SAID FOX VALLEY VILLAGE UNIT 27) TO THE SOUTHERLY LINE OF OGDEN AVENUE (U.S. ROUTE 34) PER PLAT OF HIGHWAY FOR THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION FAP 311 JOB NO. R-91-017-91 (THE FOLLOWING 3 COURSES ARE ALONG SAID SOUTHERLY LINE); THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 1234.63 FEET; THENCE NORTH 22 DEGREES 33 MINUTES 37 SECONDS WEST, 5.00 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 16 SECONDS WEST, 17.21 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28 DEGREES 48 MINUTES 40 SECONDS EAST, 189.89 FEET; THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 324.18 FEET; THENCE NORTH 22 DEGREES 49 MINUTES 12 SECONDS WEST, 186.15 FEET TO AFOREMENTIONED SOUTHERLY LINE; THENCE NORTH 66 DEGREES 40 MINUTES 17 SECONDS EAST, 304.37 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING), IN DUPAGE COUNTY, ILLINOIS.

### PARCEL 2:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 IN FOX VALLEY VILLAGES UNIT 27 PER DOCUMENT R85-090787; THENCE NORTH 00 DEGREES 05 MINUTES 28 SECONDS EAST, 1037.61 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (SAID EAST LINE BEING COINCIDENT WITH THE WEST LINE OF SAID FOX VALLEY VILLAGE UNIT 27) TO THE SOUTHERLY LINE OF OGDEN AVENUE (U.S. ROUTE 34) PER PLAT OF HIGHWAY FOR THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION, FAP 311 JOB NO. R- 91-0117-91 (THE FOLLOWING 3 COURSES ARE ALONG SAID SOUTHERLY LINE); THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 1234.63 FEET; THENCE NORTH 22 DEGREES 33 MINUTES 37 SECONDS WEST, 5.00 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 17 SECONDS WEST, 17.21 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28 DEGREES 48 MINUTES 40 SECONDS EAST, 189.89 FEET; THENCE SOUTH 67 DEGREES 10 MINUTES 48 SECONDS WEST, 324.18 FEET; THENCE NORTH 22 DEGREES 49 MINUTES 12 SECONDS WEST, 186.15 FEET TO AFOREMENTIONED SOUTHERLY LINE; THENCE NORTH 66 DEGREES 40 MINUTES 17 SECONDS EAST, 304.37 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

