

Land Use Petition

Project Number: 2018.151

Subject Property Information

Address/Location: north of Hafenrichter Road, east of Barrington Drive, and west of Whitethorn Drive

Parcel Number(s): 01-05-109-066; 01-05-109-067; 01-05-109-068

Petition Request(s)

Requesting approval of a revision to the Preliminary Plan and Plat for a portion of the New Song Highlands Subdivision located north of Hafenrichter Road, east of Barrington Drive, and west of Whitethorn Drive for an One Family Dwelling (1110) Use.

Attachments Required

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

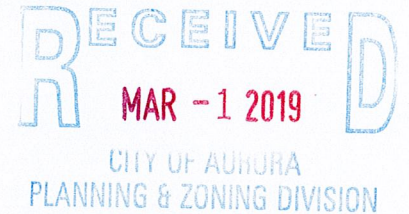
Development Tables Excel Worksheet - digital only (1-0)
Word Document of: Legal Description (2-1)

Two Paper and One pdf Copy of:
Fire Access Plan (2-6)

One Paper and pdf Copy of:
Preliminary Plan (2-8)
Preliminary Plat (2-9)

One Paper and pdf Copy of:
Qualifying Statement (2-1)
Plat of Survey (2-1)
Legal Description (2-1)
Letter of Authorization (2-2)
Existing or Proposed CC and Rs OR Lease Restrictions (2-1)

Preliminary Engineering or
In Lieu of Preliminary Engineering can submit Final Engineering Plans (2-16)
Stormwater Permit Application (App 1-14)
Stormwater Report (2-10)
Soil Investigation Report
Wetland Determination Report / Letter by Design Professional



Petition Fee: \$1,139.75 (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 3/1/2019

Print Name and Company: Rosanova & Whitaker Ltd. Attorney for Pulte

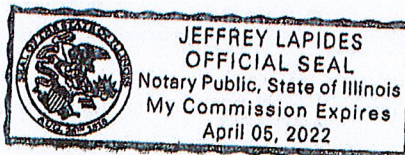
I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a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

Given under my hand and notary seal this 1st day of March 2019

State of ILLINOIS)
County of DUPAGE) SS

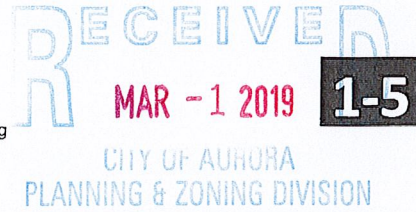
NOTARY PUBLIC SEAL

[Signature]
Notary Signature





Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
 phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org



Project Contact Information Sheet

Project Number: 2018.151

Petitioner Company (or Full Name of Petitioner): Pulte Home Company, LLC, a Michigan limited liability company

Owner

First Name: Nicholas Initial: C Last Name: Stanitz Title: _____
 Company Name: Oakhill Sales, LLC
 Job Title: _____
 Address: 1807 S. Washington Street #110
 City: Naperville State: Illinois Zip: 60565
 Email Address: _____ Phone No.: 630-904-3701 Mobile No.: _____

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

Relationship to Project: Land Developer / Builder
 Company Name: Pulte Group
 First Name: David Initial: M. Last Name: Cumming Title: Mr.
 Job Title: Land Entitlement Manager - Illinois Division
 Address: 1900 East Golf Road, Suite 300
 City: Schaumburg State: IL Zip: 60173
 Email Address: Dave.Cumming@PulteGroup.com Phone No.: 847-230-5284 Mobile No.: 224-402-5607

Additional Contact #1

Relationship to Project: Attorney
 Company Name: Rosanova & Whitaker, Ltd
 First Name: Russell Initial: G. Last Name: Whitaker Title: Mr.
 Job Title: Partner
 Address: 127 Aurora Ave
 City: Naperville State: IL Zip: 60540
 Email Address: russ@rw-attorneys.com Phone No.: 630-355-4600 Mobile No.: 630-880-7273

Additional Contact #2

Relationship to Project: Engineer
 Company Name: V3 Companies
 First Name: Bryan Initial: _____ Last Name: Rieger Title: Mr.
 Job Title: Senior Project Manager
 Address: 7325 Janes Ave
 City: Woodridge State: IL Zip: 60517
 Email Address: brieger@v3co.com Phone No.: 630-729-6119 Mobile No.: 630-333-3525

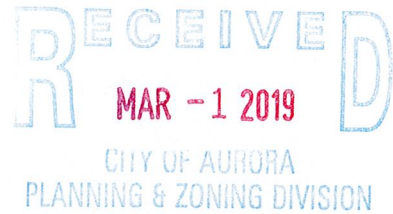
Additional Contact #3

Relationship to Project: Engineer
 Company Name: V3 Companies
 First Name: Matt Initial: _____ Last Name: Brolley Title: Mr.
 Job Title: Project Engineer
 Address: 7325 Janes Ave
 City: Woodridge State: IL Zip: 60517
 Email Address: mbrolley@v3co.com Phone No.: 630-729-6318 Mobile No.: 630-777-2973

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.: _____

STATE OF ILLINOIS)
)
COUNTY OF WILL)
)
CITY OF AURORA)



**PETITION TO THE CITY OF AURORA PLANNING AND ZONING COMMISSION
FOR APPROVAL OF AN AMENDMENT TO A PRELIMINARY PLAN AND
APPROVAL OF PRELIMINARY PLAT OF SUBDIVISION FOR NEW SONG AURORA**

THE UNDERSIGNED Petitioner, Pulte Home Company, LLC (hereinafter the “Petitioner”), respectfully submits this petition to the City of Aurora (the “City”) for approval of: (i) an amendment to the Preliminary Plan; and (ii) a Preliminary Plat of Subdivision for New Song Aurora; and (iii) such other variances, departures or deviations as may be necessary to develop the Property pursuant to the appropriate provisions of the City of Aurora’s Municipal Code (hereinafter the “Code”) for the Property legally described on **Exhibit A** (the “Property”) as depicted on the plat/plans submitted herewith as **Exhibit B**.

BACKGROUND INFORMATION

1. The Owner of the Property is Oakhill Sales, LLC, an Illinois limited liability having an office at 7S531 Donwood Drive, Naperville, Illinois 60540 (the “Owner”).
2. The contract purchaser and Petitioner herein is Pulte Home Company, LLC, a Michigan limited liability company having an office at 1900 E. Golf Road, Suite 300, Schaumburg, Illinois 60173.
3. The existing land uses surrounding the Property are as follows:
 - i. North: PDD (Planned Development District) single family detached residential
 - ii. East: R1(S) (One Family Dwelling District) and PDD (Planned Development District) single family detached residential and open space
 - iii. South: R1(S) One Family Dwelling District New Song Community Church
 - iv. West: PDD (Planned Development District) open space and single family residential.
4. The Property consists of approximately sixteen (16) acres and is located north of

Hafenrichter Road between Barrington Drive and Whitehorn Drive.

PRIOR APPROVALS

The Property was previously before the Aurora Plan Commission and City Council in 2005 where it was annexed to the City of Aurora, rezoned from A-1 unincorporated Will County to R-1(s), and approval of a Special Use for a Planned Development and Preliminary Plan Description was granted pursuant to ordinance O2005-037 (the “Preliminary Plan”). In 2010, the City approved a revised Preliminary Plan and Plat Revision for thirty-four (34) single family detached lots and a church use in the New Song Highlands subdivision pursuant to ordinances PDFNL2010-004 and R2010-083 (the “**Prior Plans**”). The church construction was completed in 2011 however, the thirty four (34) single family lot portion of New Song Highlands was never constructed.

5. Petitioner respectfully requests approval of: (i) an amendment to the Preliminary Plan to increase the number of lots from thirty four (34) single family lots to forty one (41) single family lots; and (ii) approval of a Preliminary Plat of Subdivision for New Song Aurora, all as depicted on the plans and exhibits submitted herewith.

6. The proposed amendment to the Preliminary Plan to increase lots and approval of a Preliminary Plat of Subdivision for New Song Aurora meets Code standards as follows:

a. *The public health, safety, morals, comfort or general welfare.*

It is essential to the public health, comfort, safety, convenience and general welfare to provide diverse housing types and additional housing stock to accommodate the needs of Aurora’s population. Not only does New Song Aurora satisfy these important objectives, but it is also directly in conformance with the City’s vision for the Property. The Prior Plans approved use of the Property as thirty four (34) single family detached homes. New Song Aurora improves the public health, safety, morals, comfort and general welfare by developing the Property as forty-one

(41) detached single family homes consistent with the bulk regulations in the Plan Description and the established residential character of the surrounding area. Petitioner's amended Plan Description includes substantial improvements to the design of the stormwater detention basin. The stormwater detention basin is efficiently designed to optimize capacity enabling Petitioner to retain stormwater from the proposed development and the church the property to the south. Efficient design and optimized capacity also enable Petitioner to increase the amounts of lots. Lot sizes will remain generally consistent with the Plan Description and will range from 8,631 to 15,507 square feet. Square footages of each home will range from 2,600 to 3,300 square feet.

City sanitary sewer and potable water are available to the Property in the requisite capacity to serve the development. Access to New Song Aurora will be provided via Whitehorn Drive and Seaview Drive to the east and Bayfield Drive to the north. Sidewalks will be constructed throughout the development consistent with City requirements to encourage walkability and create a connected community.

New Song Aurora's architecture will feature traditional American architecture which is consistent with market trends. Additionally, the use of extensive landscaping materials will enhance the overall aesthetics of the Property. Landscaping materials will include a mix of parkway trees, decorative trees and shrubs and other landscape materials improving the aesthetics of the Property. Lot 42, designated as the stormwater detention basin, was previously designed as a dry stormwater detention basin. Petitioner's proposed plan will provide a natural respite for the future homeowners.

Approval of Petitioner's proposed amendment to the Preliminary Plan and Preliminary Plat of Subdivision for New Song Aurora will protect property values by removing uncertainty in the real estate marketplace by developing the Property which has historically been vacant and

underutilized, increase Aurora's real estate tax base, and provide a much needed new housing opportunity within Aurora.

- b. *The use and enjoyment of other property already established or permitted in the general area.*

As stated above the Property is virtually surrounded by residential uses. Petitioner's proposed use builds upon the established residential character of the neighborhood and Aurora's vision for the Property. By developing the Property consistent with the Plan Description bulk regulations Petitioner seeks to preserve consistency of the established residential character of the neighborhood. Petitioner's development of the Property will remove uncertainty in the real estate marketplace and permit construction of high quality detached single family homes by one of the nations' leading and most recognized home builders.

- c. *Property values within the neighborhood.*

Petitioner's development of the Property will not be a detriment to the property values within the neighborhood nor will it alter the essential character of the neighborhood. Rather, Petitioner's development of the Property will preserve and increase property values by developing a property which has historically been vacant and underutilized. Petitioner will develop the Property consistent with the Plan Description's bulk regulations and the established residential character of the surrounding area eliminating uncertainty with development of the Property. In addition to removing uncertainty, the construction of new single family homes will enhance the real estate tax base and will be an overall improvement to the area.

- d. *The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts.*

The Prior Plans approved the use of the Property as thirty four (34) detached single family homes. Petitioner's proposed plans includes development of the Property as forty one (41) detached single family homes. Petitioner's proposed plans builds upon the existing residential

character and will promote compatibility between adjacent developments by introducing a complimentary residential development with an overall density of 2.54 homes per acre. New Song Aurora will improve the Property and create consistency and security for the adjacent residential subdivisions ensuring elimination of any future high density use which may negatively impact the public health, comfort, moral, safety and general welfare. Establishment of New Song Aurora, among other things, secures a quiet residential district compatible with the surrounding area and improves property values.

e. *Utilities, access road, drainage and/or other necessary facilities.*

City or Fox Metro Water Reclamation sanitary sewer and potable water are available to the Property in the requisite capacity to serve the development. Access has not changed from the Prior Plans, access to New Song Aurora is provided via Whitehorn Drive and Seaview Drive to the east and Bayfield Drive to the north. Sidewalks will be constructed throughout the development consistent with City requirements to encourage walkability and create a connected community. Lot 42 is designated as the stormwater detention basin which provides sufficient drainage to serve the community.

f. *Ingress and egress as it relates to traffic congestion in the public streets*

Ingress and egress shall be provide via Whitehorn Drive and Seaview Drive to the east and Bayfield Drive to the north. The roadway layout remains consistent with the Prior Plans and Plan Description and will provide connectivity to the existing residential subdivisions to the north and east.

g. *The applicable regulations of the zoning district in which the subject property is proposed to be or is located.*


The Property is designated R-1(s) with a special use for a planned development and is subject to the bulk regulations contained within the Plan Description that was approved pursuant

to ordinances 2010-004 and R2010-083. Petitioner proposed plans herein will comply with all bulk regulations of the Plan Description.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests approval of (i) an amendment to the Preliminary Plan; (ii) a Final Plat of Subdivision for New Song Aurora; and (iii) such other variances, departures or deviations as may be necessary to develop the Property consistent with the plans submitted herewith.

RESPECTFULLY SUBMITTED this 1 day of March, 2019
PETITIONER:

Pulte Home Company LLC,
a Michigan limited liability company



Rosanova & Whitaker, Ltd.
Attorney for the Petitioner

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL A

LOTS 3 AND 4 OF THE FINAL PLAT OF NEW SONG HIGHLANDS, RECORDED APRIL 4, 2010 AS DOCUMENT R2010034666 AND BEING SUBDIVISION OF PART OF THE WEST HALF OF FRACTIONAL SECTION 5, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, WILL COUNTY, ILLINOIS.

PIN(S):	LOT 3:	07-01-05-109-067-0000
	LOT 4:	07-01-05-109-066-0000

PARCEL B

LOT 2 OF THE FINAL PLAT OF NEW SONG HIGHLANDS, RECORDED APRIL 4, 2010 AS DOCUMENT R2010034666 AND BEING A SUBDIVISION OF PART OF THE WEST HALF OF FRACTIONAL SECTION 5, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, WILL COUNTY, ILLINOIS.

PIN(S)	LOT 2	07-01-05-109-068-0000
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**EXHIBIT B
PLANS AND PLATS**

Oakhill Sales, LLC
1807 S. Washington Street #110
Naperville, IL 60565

Nicholas C. Stanitz

(630) 904-3701

February 18, 2019

City of Aurora
Planning and Zoning Division
44 E. Downer Place
Aurora Illinois 60507
630-256-3080
coaplaning@aurora-il.org



Re: Authorization Letter for Pulte Home Company LLC
New Song Highlands Subdivision N of Hafenrichter E. of Barrington Drive
Final Plat and Plan

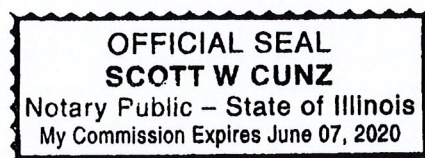
To whom it may concern:

As the record owner of the above stated property I hereby affirm that I have full legal capacity to authorize Pulte Home Company, LLC and it representatives, to act as the owners agent through the Final Plat and Plan Land Use Petition process with the City of Aurora for said property.

Nicholas C. Stanitz
Nicholas C. Stanitz - Oakhill Sales, LLC
Its: Managing Member

Subscribed and sworn before me this 18th Day of February, 2019

Notary Signature Scott W. Cunz



April
~~March~~ 10, 2019

City of Aurora
Planning and Zoning Division
44 E. Downer Place
Aurora Illinois 60507
630-256-3080
coaplanning@aurora-il.org

**Re: Authorization Letter for Pulte Home Company LLC
New Song Highlands Subdivision N of Hafenrichter E. of Barrington Drive
Preliminary Plan and Plat, Plan Description Revision**

To whom it may concern:

As the record owner of the above stated property I hereby affirm that I have full legal capacity to authorize Pulte Home Company, LLC and its representatives, to act as the owners agent through the Preliminary Plan and Plat and Plan Description Revision Land Use Petition process with the City of Aurora for said Property. New Song Community Church shall have the right to approve any Letter of Authorization for a Final Plat of Subdivision and associated ordinances and any proposed changes in ownership/title vesting rights of any real property owned by New Song Community Church.

New Song Community Church

By: Ernt F. Vaale

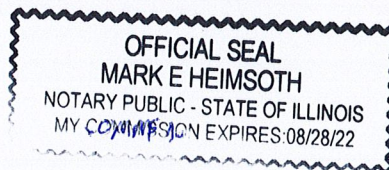
Its: President, New Song Community Church

April 10, 2019

Subscribed and Sworn to Before Me This 10th Day
Of April, 2019

Notary Signature

Mark E. Heimsath



LEGAL DESCRIPTION

PARCEL A

LOTS 3 AND 4 OF THE FINAL PLAT OF NEW SONG HIGHLANDS, RECORDED APRIL 4, 2010 AS DOCUMENT R2010034666 AND BEING SUBDIVISION OF PART OF THE WEST HALF OF FRACTIONAL SECTION 5, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, WILL COUNTY, ILLINOIS.

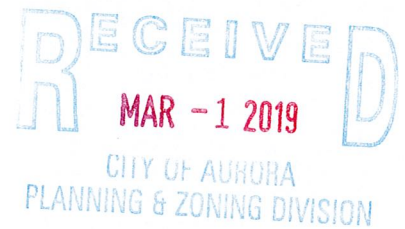
PIN(S): LOT 3: 07-01-05-109-067-0000

 LOT 4: 07-01-05-109-066-0000

PARCEL B

LOT 2 OF THE FINAL PLAT OF NEW SONG HIGHLANDS, RECORDED APRIL 4, 2010 AS DOCUMENT R2010034666 AND BEING A SUBDIVISION OF PART OF THE WEST HALF OF FRACTIONAL SECTION 5, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, WILL COUNTY, ILLINOIS.

PIN(S) LOT 2 07-01-05-109-068-0000



Parking and Stacking Requirement Worksheet

Project Number: 2018.151

Petitioner: Pulte Home Company, LLC, a Michigan limited liability company

Parking Requirement

Total Parking Requirement	82
Enclosed Parking Spaces	82
Surface Parking Spaces	-

Note: All parking spaces must be individually accessible spaces in order to count towards this requirement

Stacking Requirement

Total Stacking Requirement (number of stacking spaces)	-	
Drive-through facilities	-	5 stacking spaces at each bay, window, lane, ordering station, machine or similar.
Car wash facilities, automated	-	20 stacking spaces or 10 per approach lane, whichever is greater.
Car wash facilities, self-service	-	3 stacking spaces per approach lane, plus 2 drying spaces per stall
Preschool or daycare facilities, drop-off area	-	5 stacking spaces for facilities 5,000 SF or less or 10 spaces for facilities greater than 5,000 SF.

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

OFFICE USE ONLY

Verified By: Jill N. Morgan

Requirement Based On:

<u>Sq Ft / Units</u>	<u>Use</u>	<u>Needed</u>	<u>Number Required</u>
41.0000	Structure 1110: Detached units	2 enclosed spaces per dwelling unit	82

