

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)
)
CITY OF WARRENVILLE)

**PETITION TO THE CITY OF WARRENVILLE CITY COUNCIL AND PLAN
COMMISSION FOR ENTITLEMENTS REGARDING CANTERA POINT**

The undersigned Petitioner, D.R. Horton, Inc. – Midwest, hereinafter “the Petitioner”, respectfully petitions the City of Warrenville to approve the following: (i) approval of an amendment to the Cantera Development Control Regulations in the Special Development District known as Cantera (“Cantera”) to permit multi-family use as an acceptable use under Subarea D in Cantera; (ii) approval of a major amendment to the Cantera Planned Unit Development, site specific amendments, and a special use to allow a preliminary/final Planned Unit Development Plan approval with certain deviations from the bulk standards set forth for the multi-family use area in Cantera; (iii) redesignation of the underlying use from commercial center use to multi-family use; and (iv) such other variances, departures or deviations as may be necessary to develop the property legally described on Exhibit A (“Subject Property”) as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Warrenville Municipal Code, as amended (hereinafter the “Code”).

In support of this Petition, the Petitioner represents to the City of Warrenville as follows.

BACKGROUND INFORMATION

1. The Petitioner is a California Corporation, with a principal place of business address of 1750 E. Golf Rd., Suite 925, Schaumburg, IL 60173, and is the contract purchaser of the Subject Property.
2. J. Timothy Brugh, Manager and Sole Member of Maecliff Development, LLC with a principal place of business address of 211 West Chicago Avenue, Suite 10, Hinsdale, Illinois 60521 (“Owner”).
3. The Subject Property consists of 9.4 acres and is located north of Ferry Road and southwest of Warrenville Road within Cantera.
4. The Cantera PUD was approved in 1994 and is comprised of approximately 651 acres located along the I-88 Corridor (the “Corridor”).
5. The Subject Property is located in Subarea D and is classified as a Commercial

Use area under the Cantera PUD.

6. In 2008, the City passed Ordinance No. 2455 approving of a Final PUD for the Maecliff PUD (“MaeCliff PUD”).

7. The MaeCliff PUD property is comprised of Lots 1-7 depicted on the Final Plat of Subdivision of MaeCliff recorded as Document number R2008-111759 in DuPage County, Illinois (“MaeCliff PUD Property”).

7. Under the MaeCliff PUD, the City approved the construction of two (2) hotels on lots 1 & 2 of the MaeCliff PUD property (“Hotel Parcels”) and freestanding and multi-tenant commercial space on lots 3-7 of the MaeCliff PUD property.

8. The Subject Property comprises lots 3-7 of the MaeCliff PUD and remains vacant and undeveloped.

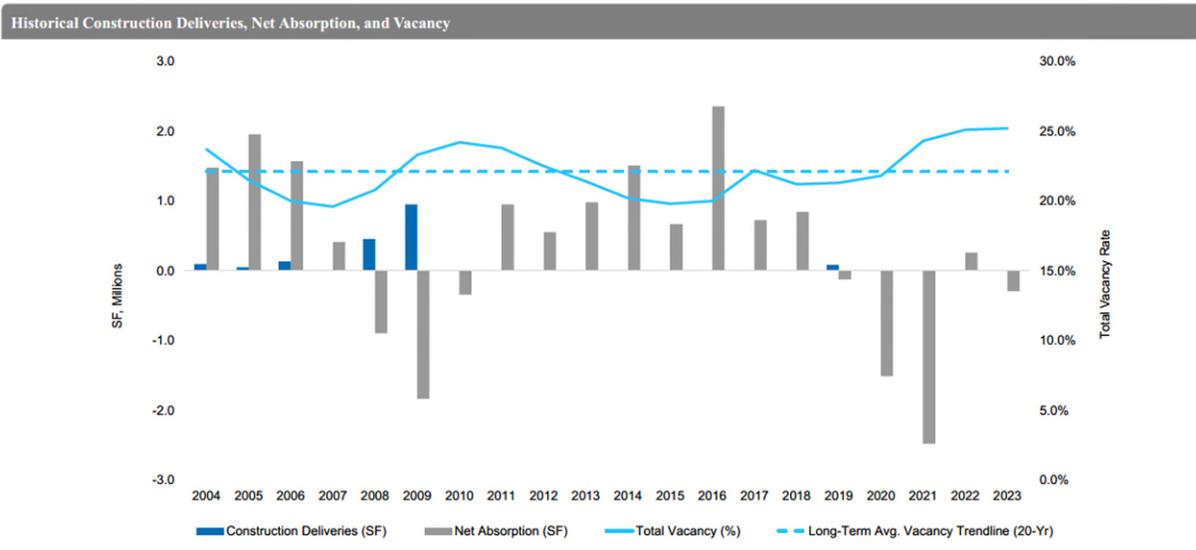
9. Since the approval of the MaeCliff PUD in 2008, the Owner has received no interest from commercial users for the development of the Subject Property due to its poor location and lack of vehicular traffic.

10. The Petitioner now seeks the requisite entitlements from the City of Warrenville to develop the Subject Property with a townhome community to be known as “Cantera Point”, which will ultimately strengthen and support the other uses within Cantera.

CANTERA PLANNED UNIT DEVELOPMENT

The Cantera PUD was approved in 1994 and is comprised of approximately 651 acres located along the Corridor. Development of the Corridor dates back to the 1960s when Nicor and AT&T moved their respective headquarters to Naperville and evolved through the tech boom of the 1980s and 1990s when companies like B.P. moved its headquarters from Houston Texas to Warrenville. Over the last 2+ decades, the Corridor has suffered from substantial office vacancy rates often in excess of 20%. In the 2000’s, the tech bubble resulted in transformation of companies that had been the primary employers in the area. Huge blocks of office space in single-tenant buildings became available. Through the 2010’s, corridor vacancy was driven by employers’ flight to the City of Chicago in search of young talent. The office market of the 2020’s has been defined by the lingering effects of COVID-19. In January of 2024, Jones Lange Lasalle’s fourth quarter 2023 office

summary identified a suburban Chicago vacancy rate in excess of 30%. Redevelopment of suburban office campuses has become commonplace throughout the market. As a result of the sustained and substantial vacancy rates, there is little stratification in prevailing rents between Class-A, Class-B, and Class-C office buildings. Almost weekly, Crain’s Chicago Business is reporting on distress in the suburban office market.



Source: Newmark Research

Cantera continues to evolve and redevelop consistent with these market trends. Several properties within Cantera are being repurposed or redeveloped to sustain the long term viability of Cantera and the Corridor at large. As such, changes to the Cantera PUD have been necessary to facilitate those proposals. The Subject Property is a prime example of undeveloped and underutilized property that provides no benefit to Cantera or the City in its current state and under its current land use designation under the Cantera PUD. As such, the Petitioner’s proposal will ensure the Subject Property is developed in accordance with its highest and best use and reduced vacancies within Cantera.

REQUIRED DEVELOPMENT ENTITLEMENTS

1. The Petitioner seeks approval of a major PUD Amendment to the Cantera PUD to permit multi-family use as an acceptable use under Subarea D in Cantera

2. The Petitioner seeks approval of site-specific amendments to the Cantera PUD and a special use to allow a preliminary/final planned unit development plan approval with certain deviations from the bulk standards set forth for the multi-family use area in Cantera.

3. The redesignation of the underlying use from commercial center use to multi-family use

4. The proposed entitlement requests meet all City and State requirements for the development of the Subject Property and will facilitate the beneficial use of the Subject Property.

5. The required standards approval are met as follows:

a. The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable zoning district or subdivision regulations, and solely on this basis modifications to the use and design standards established by such regulations are warranted.

The Cantera PUD was approved in 1994 and contemplated a large-scale office, research, and technology development in line with the other developments within the vicinity of the I-88 tech corridor. At the time of approval, the Cantera PUD was innovative and reflective of the tech boom of the 1980s and 1990s. Understanding the evolution of land uses, the Cantera PUD sets forth regulations, standards, and procedures to allow flexibility within the PUD over time, while simultaneously keeping with the intent and character of the PUD. Though the significant office presence was originally intended for the Cantera PUD in the 90s, property owners have needed to get creative with land uses to help support the long-term viability of the Corridor. With that, the recent trend of development along the Corridor has been institutional, residential, or mixed-use. This includes hotel users, schools, dining & entertainment uses, and even residential uses to support the evolving businesses. Though there is a significant office presence in this general area, larger users seek tollway frontage and the remaining offices are experiencing significant vacancies due to their lack of lifestyle amenities being offered and the trend of remote working as a result of the COVID-19 pandemic.

The Subject Property was initially anticipated for freestanding and multi-tenant commercial

space under the MaeCliff PUD approvals in 2008. Since that time, the Subject Property has been aggressively marketed for commercial uses and as a result, there has been no compatible interest generated from any prospective commercial users. The lack of interest is directly correlated to low traffic counts in this particular location at the intersection of Ferry Road and Warrenville Road. Per IDOT, the average annual daily traffic counts (DTC) are as follows: (1) Ferry Road: 5,450; (2) Warrenville Road: 6,400; and (3) Mill Street: 6,060. These traffic counts are simply not adequate to support commercial use – especially at Warrenville Road and Ferry Road. Commercial uses are more appropriate in Cantera Commons along Diehl Road where traffic counts can support additional commercial. Even with the necessary vehicular traffic, the tenant turnover at Cantera Commons is extraordinary and represents today’s struggling commercial real estate market.

As such, the Subject Property presents an excellent canvas to create executive housing community that can serve and support the existing businesses in Cantera. Extensive care was taken in the development of the site plan to fit harmoniously in this area. The Petitioner proposes a 91-unit townhome community. The townhomes will be 3-story units with rear-loaded 2-car garages. Four different floor plans will be offered with square footages ranging from 1,661 square feet to 1,828 square feet. Landscape treatments will be utilized to enhance the visual appeal of the community, including extensive green space throughout the Subject Property, enhanced landscaping along the Property boundaries, and branding monuments at the Subject Property entrances. The community will be served via a private road network, extending from the existing private road within the MaeCliff PUD. The Petitioner is collaborating with the owners of the Hotel Parcels to delineate maintenance and cost-share obligations between the MaeCliff PUD properties. Accordingly, the design of the community will complement the nearby properties to ensure cohesive operations and provide attractive executive housing to support the mix of uses and business in Cantera.

b. The PUD meets the requirements for Planned Unit Developments set forth in the Warrenville Zoning Ordinance, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein.

The PUD and proposal meets all requirements for a Planned Unit Development with the exception of the following modifications:

1. Increase the maximum density from 6 dwelling units per acre to 9.6 dwelling units per acre
2. Decrease the interior setback of buildings from 30' to 20'
3. Reduce the parking space setback for townhomes from 25' to approximately 5'-5"
4. Permit flat-roof townhomes
5. Permit windows and doors without trim or shutters.

c. The PUD is generally consistent with the objectives of the City Comprehensive Plan as viewed in light of any changed conditions since its adoption.

The Subject Property is designated for office/research under the 1984 Comprehensive Plan. Such designation is reflective of the original intent for the Cantera PUD when it was approved in the early 1990s. In recent years, several office buildings have suffered vacancies and are underutilized within Cantera and extending along the entirety of the I-88 Corridor. Given the surplus of available office space and lack of interest from prospective companies and tenants within the Corridor, the Subject Property will not and should not be developed with new office construction in accordance with the City's Comprehensive Plan. With the oversupply of office space in the Corridor, developing the Subject Property with a supporting residential use will benefit the broader market and will generate daily liveliness within Cantera, which is ultimately beneficial to the sustainability of the Corridor.

d. The PUD will not be detrimental to the public health, safety, morals, or general welfare.

The major PUD amendment will not be detrimental to the public health, safety, morals,

or general welfare. On the contrary, the amendment will facilitate the development of this underperforming and challenging property that currently provides no net benefit to the general welfare. The Subject Property was aggressively marketed for commercial use in line with the commercial use designation under Subarea D in Cantera. However, the lack of traffic in this location is a major deterrent for prospective commercial interest and there are several alternative locations, such as Cantera Commons that are more suitable for commercial use. Allowing the Subject Property to remain vacant and undeveloped provides no benefit to the community. By virtue of approving the major PUD amendment, the City will allow the Subject Property to be developed in accordance with its highest and best use, ultimately yielding a positive future for the well-being of our community. The proposed townhome community will generate property tax revenue and provide a unique housing opportunity that will allow residents to live in close proximity to I-88 or even where they work, ultimately supporting the long-term viability of Cantera and the Corridor at large.

e. Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property.

In its current form, the Subject Property is underutilized and generates no value or vibrancy to the area. In addition, the surrounding properties are generally developed, leaving the Subject Property the last remaining developable piece of land in the vicinity. With that, the proposal will not impede the orderly development of the surrounding property. In fact, the townhome community will generate ongoing vibrancy and activity in the Corridor, which will ultimately support and complement the existing businesses in Cantera. Accordingly, the proposal will not be injurious to the use and enjoyment of nearby properties.

f. The design of the PUD is as consistent as practical with the preservation of natural features of the site such as flood plains, wooded areas, steep slopes, natural drainage ways, or

other areas of sensitive or valuable environmental character.

The PUD amendment does not impact any natural features as there are no wetlands, floodplains, or other areas of sensitive or valuable environmental character represented on the Subject Property.

g. Streets, sidewalks, pedestrian ways, bicycle paths, off-street parking, and off-street loading as appropriate to the planned land uses are provided. They are adequate in location, size, capacity, and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks, and snow plows as appropriate without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD, or unduly interfering with the safety or capacity of adjacent streets.

Adequate parking will be provided for the community. The Warrenville zoning ordinance requires four (4) spaces per unit for units larger than 1,200 square feet. Each townhome will provide two (2) garage spaces and two (2) driveway spaces, and thus meet the 4 parking spaces per unit requirement. In addition, Petitioner is incorporating thirty-six (36) additional guest parking spaces throughout the community. Accordingly, Cantera Point will provide 400 parking spaces where only 364 parking spaces are required. In addition, an extensive pedestrian path will extend through the community and the elaborate landscaped features to provide an exceptional recreational feature for the residents. Though designed with private roads, the community will be able to maintain appropriate access for the accommodation of emergency vehicles, snow removal trucks, and waste management vehicles to effectively circulate through the community.

h. The quality and quantity of public and common open spaces and landscaping provided are consistent with the higher standards of design and amenity required of a PUD. The size, shape, and location of a substantial portion of total public and common open space provided in residential areas render it useable for recreation purposes. Open Space between all buildings is adequate to allow for light and air, access by fire fighting equipment, and for privacy where walls have windows, terraces, or adjacent patios. Open space along the perimeter of the development is sufficient to protect existing and permitted future uses of adjacent property from adverse effects from the development.

Cantera Point comprises approximately 77% open space (as defined under the Code), with common open space (as defined under the Code) at 47% of site. Among that open space are extensive landscaped features and the extension of walking paths throughout the community to provide for a recreational feature for the residents. Said walking paths will circulate internal to the community and will extend and provide pedestrian access to Ferry and Warrenville Road. In addition, a covered seating area is planned, which will create a complementary passive recreational area where residents may socialize or work outdoors. The open space improvements will be constructed in accordance with the City and Cantera's regulations in terms of setbacks and overall design to ensure adequate light and air is provided, fire access is maintained, and open space is not negatively impacted.

- i. *Where individual parcels are to be later sold, adequate provision has been made in the form of deed restrictions, homeowners or condominium associations, or the like for:*
 - a. *the preservation and maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas, and other common elements not to be dedicated to the City or another public body*
 - b. *such control of the use and exterior design of the individual structures, if any, as is necessary for continuing conformance to the PUD Plan, such provision to be binding on all future ownership*

Deed restrictions are in place as it relates to the Subject Property and Petitioner's proposal will abide by said restrictions. Any restrictions that are not in line with the proposal will be removed prior to development of Cantera Point. The exterior design of the townhomes is consistent with the Cantera Design Guidelines and the general dynamic of the Corridor and Petitioner will obtain any requisite approvals from the Association as necessary as it relates to architectural approvals.

- j. *The land uses, intensities, and phasing of the PUD are consistent with the anticipated ability of the City, the school districts, and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools, and other public*

facilities and services without placing undue burden on existing residents and businesses.

Cantera Point is only expected to generate 17 school aged students. Generally speaking, townhomes are more attractive to young professionals and empty nesters who are looking to downsize and take advantage of no maintenance living. Taking it a step further, we can reasonably anticipate the residents of the townhomes in this very location will be young professionals seeking to live in executive-style housing in close proximity to work – either within Cantera or via the seamless access to I-88. Petitioner will provide a cash-in-lieu of land contribution to the School District in accordance with City of Warrenville’s subdivision regulations to offset any impact of students generated by the development. In addition, the community will be served by adequate utilities, which will be properly designed to ensure there is no undue burden on existing residents or businesses. In fact, we can expect additional tax revenue to be generated by the proposal and specifically, a portion of that tax revenue will be paid directly to the school district and the other public bodies as a result of the development.

k. Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. The provision and improvement of public or common area improvements, open spaces, and amenities – or the provision of financial sureties guaranteeing their improvement – is phased generally proportionate to the phasing of the number of dwelling units or amount of non-residential floor area.

The proposed amendment to the Cantera PUD can exist as an independent unit. Cantera Point will operate under the rules and regulations of the PUD, but will maintain its own distinct operations and will develop its own set of rules and regulations pursuant to the homeowner’s association that will govern the community. The proposal will not be constructed in phases and the proposal meets all foregoing criteria and all applicable regulations as set forth under the City Code and Cantera PUD regulations, with the exception of the modifications requested herein.

SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT

- a. *The establishment, maintenance, or operation of the use shall not significantly diminish the general compatibility of other uses within the area; and*

The Cantera PUD was approved in 1994 and contemplated a large-scale office, research, and technology development in line with the other developments within the vicinity of the I-88 tech corridor. At the time of approval, the Cantera PUD was innovative and reflective of the tech boom of the 1980s and 1990s. Understanding the evolution of land uses, the Cantera PUD sets forth regulations, standards, and procedures to allow flexibility within the PUD over time, while simultaneously keeping with the intent and character of the PUD. Though the significant office presence was originally intended for the Cantera PUD in the 90s, property owners have needed to get creative with land uses to help support the long-term viability of the Corridor. With that, the recent trend of development along the Corridor has been institutional, residential, or mixed-use. This includes hotel users, schools, dining & entertainment uses, and even residential uses to support the evolving businesses. Though there is a significant office presence in this general area, larger users seek tollway frontage and the remaining offices are experiencing significant vacancies due to their lack of lifestyle amenities being offered and the trend of remote working as a result of the COVID-19 pandemic.

The Petitioner's proposal takes into consideration the current market trends and the location of the Subject Property. The fact of the matter is the Subject Property is ill-suited for commercial development and Cantera does not need new office construction as it struggles with significant office vacancies today. Instead, the establishment of the residential PUD will bring daily activity to Cantera and will ultimately support the long-term viability of Cantera and the Corridor at large.

- b. *The use shall be not be injurious to the use and enjoyment of other property in the area; and*

Cantera Point will not be injurious to the use and enjoyment of other property in the area. The Subject Property is subject to both Cantera regulations and is located under the Maecliff PUD. As such, the Petitioner has been coordinating with Cantera and the other property owners in Maecliff to ensure the use and enjoyment of those nearby properties are not negatively impacted.

c. The establishment of the use will not impair the normal and orderly development of property within the general area; and

The Subject Property remains vacant and undeveloped under its current designation as a commercial use area in Cantera. The Property is located in Subarea D of the Cantera PUD, which is nearly fully developed. As such, the special use will not impair the development of nearby properties.

d. The use will not create levels of noise or traffic that are significantly higher than those of other uses in the area; and

The proposed residential PUD is one of the least intensive uses that can be developed in this location. In fact, under its current designation of the commercial center use area, permitted uses for the Subject Property include, but are not limited to bars and taverns with live entertainment, appliance repair shops, and automobile and truck rental businesses. The permitted uses allowed on the Subject Property today would generate significantly more noise and traffic than the proposed residential community. In addition, the residential community will be served by a private road network, which will see that the special use does not impact the other uses in the area.

e. The use is situated such that any impacts created by the use are effectively mitigated by good site planning techniques.

The Subject Property is situated on the northeast corner of Ferry Road and

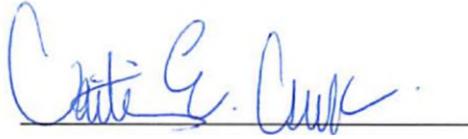
Warrenville Road. The proposed residential PUD is thoughtfully planned in such a way that the site will be served by effective ingress/egress to the subdivision, there is an abundant amount of open space to provide for passive recreation for the residents, and the community will be served by adequate utilities and will not negatively impact public services. As such, the proposal will see this underperforming property is developed in accordance with its highest and best use and with good planning techniques.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests that the Plan Commission recommend approval and the City Council approve the following: (i) approval of an amendment to the Cantera Development Control Regulations in the Special Development District known as Cantera to permit multi-family use as an acceptable use under Subarea D in Cantera; (ii) approval of a major amendment to the Cantera Planned Unit Development, site specific amendments, and a special use to allow a preliminary/final Planned Unit Development Plan approval with certain deviations from the bulk standards set forth for the multi-family use area in Cantera; (iii) redesignation of the underlying use from commercial center use to multi-family use; and (iv) such other variances, departures or deviations as may be necessary to develop the Subject Property as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Code.

RESPECTFULLY RESUBMITTED this 23rd day of June 2025.

PETITIONER:

D.R. Horton, Inc - Midwest

A handwritten signature in blue ink, appearing to read "Catherine G. Clark", is written over a horizontal line.

By:
Rosanova & Whitaker, Ltd. Attorney for the Petitioner

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1:

LOTS 3, 4, 5, 6 AND 7, IN THE FINAL PLAT OF SUBDIVISION OF MAECLIFF, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, ALL IN RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 2008, AS DOCUMENT NUMBER R2008-111759, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1, AS CREATED BY THE FINAL PLAT OF SUBDIVISION OF MAECLIFF RECORDED JULY 16, 2008, AS DOCUMENT NUMBER R2008-111759, OVER MAECLIFF DRIVE, IN DU PAGE COUNTY, ILLINOIS.