

PINS:
07-13-442-019
07-13-442-017

ADDRESSES:
115 AURORA AVENUE
NAPERVILLE, IL 60540

AND

405 S. MAIN STREET
NAPERVILLE, IL 60540

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case # DEV-0029-2026

ORDINANCE NO. 26 - ____

**AN ORDINANCE REZONING 115 AURORA AVENUE AND 405 S. MAIN STREET
TO TU (TRANSITIONAL USE DISTRICT)**

[JOHN GREENE COMMERCIAL]

RECITALS

1. **WHEREAS**, Water Street Investments LLC, an Illinois limited liability company, 1311 S. RT. 59, Naperville, IL 60564 and Jerome A. Bergamini Jr., not personally or individually, but as sole Trustee of the Leslie M. Bergamini Martial Trust U/A dated January 23, 2010, 1528 Alan Rd., Naperville, IL 60564, are the owners ("**Owners**") of real property located at 115 Aurora Avenue and 405 S. Main Street, Naperville, IL 60540, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").

2. **WHEREAS**, the Owners have authorized John Greene Enterprises, Inc., an Illinois corporation, doing business as John Greene Realtor, 1311 S. Route 59, Naperville, IL 60564 (“**Petitioner**”), to seek entitlements to allow development of an office building on the Subject Property (“**John Greene Commercial**”).
3. **WHEREAS**, the Subject Property is currently zoned R2 (Single-Family & Low Density Multiple-Family Residence District) in the City of Naperville.
4. **WHEREAS**, Petitioner has petitioned the City of Naperville for approval rezoning the Subject Property to TU (Transitional Use District).
5. **WHEREAS**, the Downtown 2030 Plan identifies the future land use of the subject property as Transitional Use, which accommodates the TU zoning designation.
6. **WHEREAS**, the requested rezoning of the Subject Property meets the Standards for Rezoning as provided in **Exhibit C** attached hereto.
7. **WHEREAS**, the Petitioner has requested that the City approve this ordinance (“**Ordinance**”) along with ordinances approving the following: (i) a preliminary/final plat of subdivision for the Subject Property; (ii) variances to Section 6-7I-8 of the Naperville Municipal Code (“Code”) to permit a maximum height of 43 ft. 8 in. in lieu of 35 ft., Section 6-7I-4:7 of the Code to permit a building that is not residentially styled and Section 6-9-2:4.3.2 of the Code to permit parking spaces to be located 3 ft. 7 in. from the public alley in lieu of 5 ft.; and, (iii) a resolution authorizing approval to utilize the parking fee-in-lieu provisions set forth in Section 11-2E-2 and Section 11-2E-3 of the Naperville Municipal Code (together hereinafter referenced as the “**The John Greene Entitlements**”).

8. **WHEREAS**, on July 15, 2026, the City's Planning and Zoning Commission conducted a public hearing regarding the Petitioner's requests and recommended approval of the Petitioner's requests.
9. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's rezoning request should be granted as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Subject Property, legally described on **Exhibit A** and depicted on **Exhibit B**, is hereby rezoned to TU (Transitional Use District) in the City of Naperville.

SECTION 3: The Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: The City Clerk is authorized and directed to record this Ordinance, along with The John Greene Entitlements, with the DuPage County Recorder.

SECTION 6: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made

to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2026.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk