

PIN: 07-14-204-010

ADDRESS:
701 ROYAL ST. GEORGE DRIVE
NAPERVILLE, IL 60563

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

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #23-1-113

ORDINANCE NO. 24 - ____

**AN ORDINANCE GRANTING A PLATTED SETBACK DEVIATION
FOR THE PROPERTY LOCATED AT
701 ROYAL ST. GEORGE DRIVE (A/K/A THE VIEWS OF NAPERVILLE)**

RECITALS

1. **WHEREAS**, F&F Realty Partners, LLC, 6401 N. Lincoln Avenue, Second Floor, Lincolnwood, Illinois, 60712 ("**Petitioner**"), has petitioned the City of Naperville for approval of a platted setback deviation to allow for the construction of a new parking lot at the property with a common street address of 701 Royal St. George Drive, Naperville, Illinois, 60563, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, Heritage Woods Towers, LLC, 6401, N. Lincoln Avenue, Lincolnwood, Illinois, 60712 is the owner of the Subject Property ("**Owner**").
3. **WHEREAS**, the Subject Property is currently zoned R3 PUD (Medium Density Multiple Family Residence District Planned Unit Development).

4. **WHEREAS**, per recorded document R1981-023927, there is a 30-foot platted corner side yard setback on the subject property.
5. **WHEREAS**, Petitioner has requested the City approve this Ordinance seeking a deviation to the platted 30 foot corner side yard setback to implement a new parking lot design for the Subject Property as described herein (“**Ordinance**”), along with an ordinance seeking a major change to the Heritage Hill Unit Two PUD, a preliminary/final PUD plat for the Subject Property and a deviation to permit six parking spaces to be located in the required corner side yard setback for the Subject Property (hereinafter together referenced as the “**The Views of Naperville Ordinances**”).
6. **WHEREAS**, with the authorization of the Owner, the Petitioner has requested approval a deviation to the platted setback to allow for six parking spaces to encroach approximately 19 feet 3 inches into the 30-foot platted setback as illustrated on **Exhibit B** (“**Site Plan**”).
7. **WHEREAS**, the more restrictive platted setback of 30 feet is greater than the required 15 foot corner side yard setback in the R3 zoning district.
8. **WHEREAS**, the requested platted setback deviation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit C** attached hereto.
9. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner’s requests 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: A platted setback deviation to allow the construction of a new parking lot as generally depicted on **Exhibit B** is hereby approved.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 5: 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 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk